UPPER DUBLIN TOWNSHIP ORDINANCES

No.	Date	Description
1200	04/08/08	Smoking Prohibited on Township Properties
1201	05/13/08	Amend EC Employment Center District
1202	06/10/08	Authorize the Issuance of Debt
1203	07/08/08	No Trucks Restriction on Hagues Mill Road
1204	10/14/08	Home-Based Animal Day Care Business
1205	10/14/08	Allow Portable Storage Units
1206	10/14/08	Property Maintenance Ordinance
1207	10/14/08	Hawthorne Lane Do Not Enter
1208	12/09/08	Budget Ordinance 2009
1209	12/09/08	Set Real Estate Tax Millage 2009
09-1210	01/13/09	Establish Meeting Dates 2009
09-1211	03/10/09	Amend Peddling and Soliciting Regulations
09-1212	05/12/09	Amend Historic Resource Inventory
09-1213	07/14/09	Commerce Drive Sidewalks
09-1214	07/14/09	Amend Uniform Construction Code Administrative Changes
09-1215	08/11/09	Minor Home Occupation
09-1216	08/11/09	Community Residential Programs
09-1217	08/11/09	Lot Consolidation
09-1218	09/08/09	Amend UCC Chapter 73 – Building Construction Code
09-1219	09/08/09	Amend Chapter 152 – Mechanical Standards
09-1220	09/08/09	Amend Chapter 174 – Plumbing
09-1221	10/13/09	Amend Chapter 142 – Library

UPPER DUBLIN TOWNSHIP ORDINANCES

No.	Date	Description
09-1222	11/10/09	Amend Chapter 233 Restrict Parking North Side Prospect Avenue
09-1223	11/10/09	Amend Chapter 168 Special Permit to Carry Firearms or Weapons in Township Park
09-1224	12/08/09	Budget Ordinance 2010
09-1225	12/08/09	Set Real Estate Tax Millage 2010
10-1226	01/12/10	Revise Chapter 110 Fees and Chapter 73 Building
10-1227	02/09/10	Establish Meeting Dates 2010
10-1228	02/09/10	Property Transfer Inspection Ordinance
10-1229	04/13/10	Amend Accessory Dwelling
10-1230	05/11/10	Authorize Issuance of Debt
10-1231	05/11/10	Amend Upper Dublin Township Police Pension Plan
10-1232	06/08/10	Increase Parking Regulations Fine
10-1233	09/14/10	Ordain Sidewalks Camp Hill Road
10-1234	12/14/10	Budget Ordinance 2011
10-1235	12/14/10	Set Real Estate Tax Millage 2011
11-1236	01/11/11	Establish Meeting Dates 2011
11-1237	02/08/11	Amend Fees – Chapter 110 Inspections
11-1238	05/10/11	Amend Employment Center Highway Interchange Use
11-1239	05/10/11	Amend Chapter 73 UCC Board of Appeals
11-1240	06/14/11	Amend Subdivision and Land Development
11-1241	06/14/11	Amend Historic Overlay District
11-1242	06/14/11	Amend Upper Dublin Township Sewer Ordinance

UPPER DUBLIN TOWNSHIP ORDINANCES

No.	Date	Description
11-1243	08/09/11	Amend Camp Hill Road Speed Limit
11-1244	09/13/11	Amend North Hills Residential District
11-1245	09/13/11	North Hills Residential District Zoning Map Change
11-1246	10/11/11	Authorizing Issuance of Debt
11-1247	10/11/11	Farm Lane No Parking Restrictions
11-1248	11/08/11	Repeal Sexual Predator Residency Restrictions
11-1249	12/13/11	Establish 2012 Budget
11-1250	12/13/11	Set Real Estate Tax Millage 2012
11-1251	12/13/11	Zoning Map Change Maple Glen Shopping Center
11-1252	12/13/11	Parking Restrictions Ardross Avenue
11-1253	12/13/11	Establish Parking Regulations on Public Property
12-1254	02/14/12	Establish Meeting Dates 2012
12-1255	03/13/12	Prohibit Parking on Joel Drive
12-1256	04/10/12	Amend Fence Regulations
12-1257	04/10/12	Amend Sign Regulations
12-1258	04/10/12	Amend Crematory Regulations
12-1259	09/11/12	Impervious Coverage Ordinance
12-1260	12/11/12	Establish 2013 Budget
12-1261	12/11/12	Set Real Estate Tax Millage 2013
12-1262	12/11/12	Appoint Montgomery County Tax Claim Bureau Its Alternate Collector of Delinquent Real Estate Taxes
12-1263	12/11/12	Amend Upper Dublin Township Police Pension Plan

UPPER DUBLIN TOWNSHIP ORDINANCES

No.	Date	Description
13-1264	01/08/13	Permit Keeping Chickens as an Accessory Use
13-1265	01/08/13	Establish Meeting Dates for 2013
13-1266	01/08/13	Amend Historic Resource Inventory
13-1267	02/12/13	Setting Compensation of Tax Collector – 2014
13-1268	02/12/13	Exempt Detached Accessory Structures Fire Sprinkler Systems
13-1269	03/13/13	Prohibit Speeds Greater Than 15 MPH in a Township Park
13-1270	03/13/13	Regulations for Compost Pile
13-1271	05/14/13	Authorize Bond Issue
13-1272	05/14/13	Amend Subdivision and Land Development
13-1273	05/14/12	Revised Dresher Overlay Ordinance
13-1274	05/14/13	Multi-Dwelling Ordinance
13-1275	05/14/13	Alternative Energy Ordinance
13-1276	10/08/13	Amend Zoning Map 701 N. Limekiln Pike - Pileggi Tract
13-1277	11/26/13	Establish Overlay District in EC Zoning for Transferable Development Rights
13-1278	12/10/13	Establish 2014 Budget
13-1279	12/10/13	Set Real Estate Tax Millage 2014
14-1280	01/14/14	Ward Reapportionment Ordinance
14-1281	02/11/14	Rescind Ward Reapportionment Ordinance No. 14-1280
14-1282	02/11/14	Establish Meeting Dates for 2014
14-1283	02/11/14	Amend Historic Resource Inventory
14-1284	03/11/14	Zoning Ordinance and Map Amendment for “A” District for Age Qualified Residential Community

UPPER DUBLIN TOWNSHIP ORDINANCES

No.	Date	Description
14-1285	03/11/14	Composting Ordinance
14-1286	03/11/14	Alarm Ordinance
14-1287	03/11/14	Joel Drive Parking Regulations
14-1288	05/13/14	Vacate a Portion of Lewisville Drive Ordinance
14-1289	05/13/14	Omnibus Fee Schedule Ordinance
14-1290	05/13/14	Grinder Pump Regulations
14-1291	08/12/14	Accessory Structures
14-1292	11/11/14	Zoning Ordinance Amendment for Mixed Use Residential – Historic District (MRH)
14-1293	11/11/14	Zoning Map Amendment Ordinance for Certain Lands from Institutional (INST) to Mixed Use Residential - Historic District (MRH)
14-1294	12/09/14	Establish 2015 Budget
14-1295	12/09/14	Set Real Estate Tax Millage 2015
15-1296	01/13/15	Ordinance Establishing Meeting Dates for 2015
15-1297	01/13/15	Amend the Peddling, Soliciting and Hawking Ordinance
15-1298	02/10/15	Establish Bamboo Ordinance
15-1299	02/10/15	Ward Reapportionment Ordinance

AN ORDINANCE

NO. 1200

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 158, Nuisances, Section 158-15, Smoking, To Prohibit Smoking Within, On, Or Throughout All Property Managed, Maintained, And Regulated By The Township Except Where Specifically Designated For Smoking; And To Amend The Code Of The Township Of Upper Dublin, Chapter 168, Parks And Recreation, Section 168-2, Rules And Regulations, To Prohibit Smoking Within, On, Or Throughout All Parks, Playgrounds, Playing Courts, Athletic Fields And Open Space Managed, Maintained, And Regulated By The Township.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 158, Nuisances, Section 158-15, Smoking, shall be amended to provide as follows:

§158-15. Smoking

All properties, managed, maintained and regulated by the Township are declared smoke free environments. No person shall be permitted to smoke or carry a lighted cigar, cigarette, pipe, or other lighted smoking device within, on, or throughout all properties managed, maintained and regulated by the Township, with the exception of specifically designated smoking areas marked with signs stating "Smoking Permitted."

Section 2. The Code of the Township of Upper Dublin, Chapter 168, Parks and Recreation, Section 168-2, Rules and Regulations, shall be amended by the addition of a new Subsection X, Smoking, to provide as follows:

§ 168-2. Rules and regulations.

The following rules and regulations are set forth for the use of the parklands in the Township of Upper Dublin:

* * * * * * * *

X. Smoking. Smoking is defined as the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device. In accordance with Section 158-15, smoking is prohibited within, on, or throughout all properties managed, maintained and regulated by the Township, including, but not limited to, parks, playgrounds,

playing courts, athletic fields and open space, and all buildings and structures within parks and playgrounds.

Section 3. Nothing in this Ordinance or in Chapter 158 or Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 158 or Chapter 168 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of April, 2008.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Melmelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

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ORDINANCE

NO. 1201

AN ORDINANCE To Amend The Zoning Code Of Upper Dublin Township To Set Forth Those Uses Which Are Permitted In The EC Employment Center District On Lots Which Abut Two Regional Vehicular Or Rail Transportation Corridors.

The Board of Commissioners of Upper Dublin Township does hereby ordain:

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVI, EC Employment Center District, § 255-102. Uses permitted by-right, shall be renumbered and amended to provide as follows:

§ 255-102. Uses permitted by-right.

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

1.. Any industrial use not specifically excluded, which meets the provisions of this article.
2. Dwelling quarters for watchmen and caretakers employed on the premises.
3. Medical facilities, animal hospitals and the offices of veterinarians.
4. Banks and automated teller machines.
5. Hotels.
6. Schools.
7. Places of worship.
8. Restaurants, both stand-alone and as part of any other building in the district. The term "restaurant," as used in this chapter, does not include drive-in or drive-through facilities; only facilities that provide food for patrons to eat on the premises or to pick-up inside and take off the premises to eat.
9. Commercial/retail uses when located on the ground floor of any building in the EC District and limited to 750 square feet in area. This limit does not apply to commercial uses within an exhibition center.
10. Office buildings.
11. Public and private recreation lands or facilities.

B. Where lots within the district abut two regional vehicular or rail transportation corridors, such as the Norfolk Southern Railroad corridor, or its successor, and the Pennsylvania Turnpike, uses shall be restricted to the following:

1. Public or private recreation lands or facilities, such as tennis court, swimming pool, ice skating rink, playing field and for like recreational uses.

2. Greenhouse, garden center, or landscape nursery, including an outdoor area for the sale and storage of plants and materials.

3. Animal hospital or kennel.

4. Indoor storage facility.

5. Agricultural use

* * * * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVI, EC Employment Center District, § 255-103. Uses permitted by conditional uses, shall be amended to provide as follows:

§ 255-103. Uses permitted by conditional use.

One or a combination of the following uses are permitted by conditional use in accordance with the standards for approval under § 255-116.2 and under Article XXV of this chapter, except all such uses shall be prohibited on lots which abut two regional vehicular or rail transportation corridors, such as the Norfolk Southern Railroad corridor, or its successor, and the Pennsylvania Turnpike:

* * * * * * *

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 13th day of May, 2008.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

Ira S. Tackel, V-Pres

ATTEST:

Paul A. Leonard, Secretary/Township Manager

ORDINANCE No. 1202
OF THE BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF UPPER DUBLIN,
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE THAT AUTHORIZES THE INCURRENCE OF NON-ELECTORAL DEBT BY THE TOWNSHIP OF UPPER DUBLIN (THE "PARTICIPANT" OR THE "TOWNSHIP") PURSUANT TO THE ISSUANCE OF THE GENERAL OBLIGATION NOTES, 2008 SERIES IN THE AGGREGATE PAR AMOUNT OF $9,000,000 (THE "2008 NOTES") AND APPROVES CERTAIN CAPITAL PROJECTS; APPROVES THE NEGOTIATED SALE OF THE 2008 NOTES TO THE DELAWARE VALLEY REGIONAL FINANCE AUTHORITY; APPROVES THE SUBSTANTIAL FORMS OF THE LOAN DOCUMENTS AND AUTHORIZES EXECUTION AND DELIVERY OF ALL NECESSARY DOCUMENTS; STATES THE AMORTIZATION SCHEDULE AND MAXIMUM ANNUAL DEBT SERVICE PAYMENTS; AUTHORIZES AND AWARDS A TRANSACTION UNDER A QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT AND AUTHORIZES AND DIRECTS A FILING TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; PLEDGES THE FULL FAITH, CREDIT, AND TAXING POWER OF THE TOWNSHIP FOR THE TIMELY REPAYMENT OF THE 2008 NOTES, INCLUDING THE REGULARLY SCHEDULED PAYMENTS DUE UNDER THE QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT; COVENANTS TO PAY ANY TERMINATION CHARGES; CREATES AND APPOINTS SINKING FUND DEPOSITORIES; AUTHORIZES THE APPLICATION FOR APPROVAL OF THE ISSUANCE OF THE 2008 NOTES TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZES ADVERTISEMENT OF ENACTMENT; AND REPEALS INCONSISTENT ORDINANCES.

WHEREAS, certain capital projects (collectively, the "2008 Project") consisting of (i) the acquisition of land and/or easements to protect recreational, natural, scenic, historical, and

cultural resources for the benefit of the residents of the Township (the "Open Space Projects"), (ii) construction of walking trails in the Township, and (iii) construction and renovation of storm water management facilities, (iv) the reimbursement of expenditures on the Open Space Projects paid from other available funds prior to the closing of the 2008 Notes, and (v) the payment of the costs of issuance of the 2008 Notes will benefit the health and welfare of the residents of the Township of Upper Dublin; and

WHEREAS, the Township has obtained preliminary cost estimates for the 2008 Project from persons qualified by experience; and

WHEREAS, the incurrence of non-electoral debt by the Township is necessary to fund the 2008 Project; and

WHEREAS, the Township has incurred costs of the Open Space Projects before the issuance of the 2008 Notes the "Reimbursable Expenditures") that have been paid from other available funds; and

WHEREAS, the Township wishes to reimburse the Reimbursable Expenditures from the proceeds of the 2008 Notes; and

WHEREAS, the *Internal Revenue Code* requires the adoption of a statement of official intent under Treasury Regulations §1.150-2, T.D. 8476 (the "Reimbursement Regulations") for the reimbursement of expenditures from the proceeds of a tax exempt obligation; and

WHEREAS, the Township adopted Resolution No. 1971 on December 11, 2007, (the "Reimbursement Resolution") that stated the official intent of the Participant as required by the Reimbursement Regulations; and

WHEREAS, the 2008 Project shall be for the benefit and use of the general public, and no private party shall have any special legal entitlement to the beneficial use of the 2008 Project, through a lease, management contract, or any other arrangement; and

WHEREAS, the proposed increase of non-electoral debt from the issuance of the 2008 Notes, together with the non-electoral and lease rental debt presently outstanding, will not cause the constitutional or statutory debt limitations of the Township to be exceeded; and

WHEREAS, the Delaware Valley Regional Finance Authority (the "DelVal"), a public authority within the meaning of the *Local Government Unit Debt Act,* 53 Pa. C.S.A. §8001, *et*

seq (the "*Debt Act*"), has from time to time issued Local Government Revenue Bonds (the "DelVal Bonds"), to provide funds for loans to be secured by the pledge of the full faith, credit and taxing power of local government units (the "Loan Program"); and

WHEREAS, DelVal has from time to time entered into interest rate swap agreements related to the DelVal Bonds (collectively, the "DelVal Swap Agreement") in order to provide a more cost effective Loan Program and to allow participants in the Loan Program to manage interest rate risk more efficiently; and

WHEREAS, Calhoun, Baker Inc. (the "Financial Advisor") is an "Independent Financial Advisor", as such term is defined in the *Debt Act,* to DelVal, and the Financial Advisor has prepared an "Interest Rate Management Plan" (the "DelVal Plan"), as such term is defined in the *Debt Act,* that has been adopted by the Board of DelVal; and

WHEREAS, DelVal established minimum criteria of long term, senior, unsecured debt ratings of "Aa3" or higher by Moody's Investors Service or "AA-" or higher by Standard & Poor's for any counterparty to the DelVal Swap Agreement, and the Board of DelVal found that the award of transactions under the DelVal Swap Agreement by negotiation in a private sale was in the best financial interests of DelVal and the participants in the Loan Program, and the Financial Advisor concluded that the financial terms and conditions of the DelVal Swap Agreement were fair and reasonable as of the date of award; and

WHEREAS, the Township wishes to utilize the DelVal Loan Program by issuing the 2008 Notes to DelVal; and,

WHEREAS, under the terms of the Loan Agreement with DelVal, interest payments on the 2008 Notes (the "Loan Interest") will equal the amounts allocable to the 2008 Notes for interest on the DelVal Bonds, regularly scheduled payments on the DelVal Swap Agreement, and other costs and liquidity requirements incurred by DelVal to administer the Loan Program; and

WHEREAS, the Board of Commissioners desires to designate the Loan Agreement and the portion of the DelVal Swap Agreement allocable to the 2008 Notes as a Qualified Interest Rate Management Agreement under the *Debt Act* with respect to the 2008 Notes and to approve the DelVal Plan as the Interest Rate Management Plan required by the *Debt Act.*

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, PENNSYLVANIA, AND IT IS HEREBY RESOLVED AND ENACTED BY THE AUTHORITY OF SAID BOARD OF COMMISSIONERS THAT:

SECTION 1. APPROVAL OF THE 2008 PROJECT AND AUTHORIZATION TO ISSUE THE 2008 NOTES

Pursuant to §8142(a)(2)(ii) of the *Debt Act,* the weighted average useful life of the 2008 Project exceeds the twenty year term of the 2008 Notes. The principal of the 2008 Notes shall be amortized to provide approximately level, annual debt service, pursuant to §8142(b)(1) of the *Debt Act.* The amortization of the principal amounts of the 2008 Notes shall begin within two years of the date of issue in accordance with §8142(c) of the *Debt Act.* The Board of Commissioners hereby authorizes and approves the 2008 Project. The Board of Commissioners hereby authorizes and directs the incurring of non-electoral debt in the aggregate principal amount of $9,000,000 by the issuance of the 2008 Notes.

The Township shall reimburse only expenditures on the Open Space Projects incurred no more than sixty (60) days prior to the adoption of the Reimbursement Resolution. This limitation shall not apply to the reimbursement of qualified "preliminary expenditures" as defined in the Reimbursement Regulations provided that the amount of preliminary expenditures shall not exceed 20% of the par amount of the 2008 Notes.

SECTION 2. APPROVAL OF THE LOAN COMMITMENT

The Board of Commissioners, after due deliberation and investigation, hereby determines that a private sale by negotiation of the 2008 Notes to DelVal is in the best financial interests of the Township. The Board of Commissioners hereby accepts the Loan Commitment from DelVal, attached hereto, to purchase the 2008 Notes at an aggregate price of $9,000,000 from the proceeds of the DelVal Bonds. The Township shall be responsible for paying the DelVal's costs of origination in an amount not to exceed $36,000, as directed by DelVal's Program Administrator upon the issuance of the 2008 Notes. The 2008 Notes shall be purchased by DelVal on or about July 15, 2008, or in such installments and/or at such other times as the President or Vice President of the Board of Commissioners and DelVal's Program Administrator shall determine.

SECTION 3. APPROVAL OF THE FORMS OF THE LOAN DOCUMENTS AND AUTHORIZATION TO EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS

The substantial forms of the Loan Agreement, 2008 Notes, Continuing Disclosure Agreement, and Tax Compliance Agreement (collectively, the "Loan Documents") attached to the Loan Commitment are hereby approved. The President or Vice President, and the Secretary are hereby authorized and directed to execute and deliver the Loan Documents, in the substantial forms attached to the Loan Commitment, but with such alterations, deletions and additions as the President or Vice President may approve (such approval to be conclusively established by the execution of the Loan Documents by the President or Vice President). The President or Vice President and the Secretary also are hereby authorized and directed (i) to execute and deliver such other certificates, instruments, and agreements (including those required by any institution issuing any financial guaranty insurance policy, municipal bond insurance policy, letter of credit, or similar instrument related to the DelVal Bonds or the 2008 Notes) and (ii) to take all actions that may be necessary or beneficial to issue the 2008 Notes.

SECTION 4. AMORTIZATION SCHEDULE AND MAXIMUM ANNUAL DEBT SERVICE PAYMENTS

The indebtedness of the 2008 Notes shall be evidenced by two or more Notes in the aggregate par amount of NINE MILLION DOLLARS ($9,000,000). The 2008 Notes shall bear interest at the rate (the "Loan Rate") specified in the Loan Agreement and 2008 Notes, the substantial forms of which are attached to the Loan Commitment. The principal amortization schedule and maximum annual debt service payments as defined in the 2008 Notes and Loan Agreement for periodic scheduled payments under the 2008 Notes (based upon the maximum Loan Rate of 15%) are shown below:

Township of Upper Dublin
General Obligation Notes, 2008 Series
Principal Amortization Schedule and
Maximum Annual Debt Service

Bond Year Ending	*Principal* (1)	*Maximum Interest Rate*	*Maximum Interest Payment* (2)	*Maximum Annual Debt Service*
25-Jun-09	$ -	15%	$ 1,275,000.00	$ 1,275,000.00
25-Jun-10	324,000.00	15%	1,350,000.00	1,674,000.00
25-Jun-11	337,000.00	15%	1,301,400.00	1,638,400.00
25-Jun-12	350,000.00	15%	1,250,850.00	1,600,850.00
25-Jun-13	365,000.00	15%	1,198,350.00	1,563,350.00
25-Jun-14	379,000.00	15%	1,143,600.00	1,522,600.00
25-Jun-15	395,000.00	15%	1,086,750.00	1,481,750.00
25-Jun-16	411,000.00	15%	1,027,500.00	1,438,500.00
25-Jun-17	427,000.00	15%	965,850.00	1,392,850.00
25-Jun-18	445,000.00	15%	901,800.00	1,346,800.00
25-Jun-19	463,000.00	15%	835,050.00	1,298,050.00
25-Jun-20	481,000.00	15%	765,600.00	1,246,600.00
25-Jun-21	501,000.00	15%	693,450.00	1,194,450.00
25-Jun-22	521,000.00	15%	618,300.00	1,139,300.00
25-Jun-23	542,000.00	15%	540,150.00	1,082,150.00
25-Jun-24	564,000.00	15%	458,850.00	1,022,850.00
25-Jun-25	587,000.00	15%	374,250.00	961,250.00
25-Jun-26	611,000.00	15%	286,200.00	897,200.00
25-Jun-27	636,000.00	15%	194,550.00	830,550.00
25-Jun-28	661,000.00	15%	99,150.00	760,150.00
Total	$ 9,000,000.00		$ 16,366,650.00	$ 25,366,650.00

(1) Principal is amortized to provide approximately level, annual debt service at an interest rate of: 4.050%
Principal is payable annually, commencing on: 25-Jun-09
(2) Interest is payable monthly on the 25th, commencing on: 25-Aug-08
Interest is calculated for the period beginning on: 15-Jul-08

SECTION 5. AUTHORIZATION AND AWARD OF A QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT

The Township is incurring indebtedness under the *Debt Act* which will be issued to DelVal, a public authority, and the Township, by execution of the Loan Agreement, will become obligated for a portion of the DelVal Swap Agreement equal to the outstanding principal amount of the 2008 Notes. The Board of Commissioners hereby accepts and adopts the DelVal Plan as the Interest Rate Management Plan fulfilling the requirements of §8281(b)(2) of the *Debt Act*. The Board of Commissioners hereby accepts and ratifies the minimum criteria used by DelVal to select the counterparties of the DelVal Swap Agreement and hereby accepts and ratifies the

award of the DelVal Swap Agreement in a private sale by negotiation. The Board of Commissioners hereby authorizes and awards the Loan Agreement and the portion of the DelVal Swap Agreement allocable to the 2008 Notes as the Qualified Interest Rate Management Agreement with respect to the 2008 Notes, pursuant to §8281(a)(2) of the *Debt Act*. The Board of Commissioners hereby authorizes and directs the filing, to the Department of Community and Economic Development ("DCED") within fifteen days of enactment, of a certified copy of this Ordinance and the following documents, in accordance with §8284(a)(1) of the *Debt Act*:

1) Form of the Loan Agreement and the DelVal Swap Agreement, the Qualified Interest Rate Management Agreement pursuant to §8281(b)(1) of the *Debt Act*,

2) DelVal Plan, the Interest Rate Management Plan pursuant to §8281(b)(2)(ii) of the *Debt Act*, and

3) Finding of the Financial Advisor that the financial terms and conditions of the DelVal Swap Agreement were fair and reasonable as of the date of the award by DelVal, pursuant to §8281(e)(5) of the *Debt Act*.

SECTION 6. OBLIGATIONS OF THE TOWNSHIP RELATED TO THE QUALIFIED INTEREST RATE MANAGEMENT AGREEMENT

The Township's obligations related to the Qualified Interest Rate Management Agreement are set forth in the Loan Agreement. In accordance with §8281(c) of the *Debt Act*:

1) The Township hereby pledges its full faith, credit, and taxing power to make any scheduled payments due and payable under the Loan Agreement related to the DelVal Swap Agreement allocable to the 2008 Notes and covenants to budget, appropriate, and pay any termination payment (the "Termination Charge") that may be due under the DelVal Swap Agreement allocable to the 2008 Notes.

2) The notional amount of the DelVal Swap Agreement related to the 2008 Notes is equal to the outstanding principal amount of the 2008 Notes, initially $9,000,000.

3) The Township's obligations under the Loan Agreement and the DelVal Swap Agreement allocable to the 2008 Notes end when the Township repays or prepays the amounts outstanding under the 2008 Notes and the Loan Agreement. The scheduled

term of the Township's obligations related to the Loan Agreement and the allocable portion of the DelVal Swap Agreement ends on June 25, 2028.

4) The maximum, annual, net, scheduled payments, not including any Termination Charge, under the Loan Agreement and the related DelVal Swap Agreement shall not exceed the maximum annual debt service payments authorized for the 2008 Notes. The maximum interest rate under the Loan Agreement and the related DelVal Swap Agreement is 15%.

5) The Township's obligations to make scheduled payments under the Loan Agreement and the DelVal Swap Agreement allocable to the 2008 Notes are senior to any obligation for a Termination Charge allocable to the 2008 Notes.

SECTION 7. PLEDGE OF THE FULL FAITH, CREDIT, AND TAXING POWER

The Township hereby covenants:

(i) to include all periodic, scheduled payments of Loan Interest and Loan Principal payable under the Loan Agreement and the 2008 Notes in the budget of the fiscal year in which such amounts are due and payable,

(ii) to appropriate such amounts from its taxes and other general revenues, and

(iii)to pay, or cause to be paid, punctually and duly, such amounts that are due and payable under the Loan Agreement and the 2008 Notes on the dates, at the places, and in the manner stated in the Loan Agreement and the 2008 Notes.

For such budgeting, appropriation, and payment, the Township irrevocably pledges its full faith, credit, and taxing power. As provided by the *Debt Act*, this covenant shall be specifically enforceable.

SECTION 8. COVENANTS FOR TERMINATION CHARGES

The Township hereby covenants:

(i) to include the amounts due under the Loan Agreement for Termination Charges of the DelVal Swap Agreement allocable to the 2008 Notes for each fiscal year in which such Termination Charges are payable in its budget for that year,

(ii) to appropriate such amounts from its general revenues for the payment of such Termination Charges, and

(iii)t o duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the Termination Charges at the dates and places and in the manner stated in the 2008 Notes and the Loan Agreement.

Pursuant to §8129 of the *Debt Act*, in the event of a payment default by the Township, the Termination Charges shall constitute "unfunded debt."

SECTION 9. SINKING FUND DEPOSITORIES

The Board of Commissioners hereby finds and acknowledges that under the terms of the Loan Agreement, Wilmington Trust of Pennsylvania and Commerce Bank, N.A. (collectively, the "Banks"), or their successors or assigns, shall serve and are hereby appointed as the Sinking Fund Depositories, shall maintain separate accounts, subaccounts and subfunds for Repayments (as defined in the Loan Agreement) to be made by the Township until such 2008 Notes are paid in full. These accounts, subaccounts and subfunds shall, collectively, constitute the "Sinking Fund" required by the *Debt Act* for the 2008 Notes. The Board of Commissioners hereby authorizes, empowers, and directs the President or Vice President and the Secretary to contract with the Banks by the execution of the Loan Agreement to serve as Sinking Fund Depositories for the 2008 Notes.

SECTION 10. AUTHORIZATION TO SUBMIT STATEMENTS TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

The Board of Commissioners hereby authorizes and directs the preparation and submission of an application for approval of the incurrence of the non-electoral debt evidenced by the 2008 Notes to DCED, including the proceedings that authorize issuance, the debt statement, and any other documents required by the *Debt Act* or DCED.

SECTION 11. LEGAL ADVERTISEMENTS

The Board of Commissioners hereby ratifies and directs the advertisement of a summary of this Ordinance as finally enacted, as required by the *Debt Act*, in *The Intelligencer*, a newspaper of general circulation in the Township of Upper Dublin, within fifteen (15) days following the day of final enactment.

SECTION 12. CONFLICTING ORDINANCES

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

IN WITNESS WHEREOF, we, the undersigned authorized officials of the Township of Upper Dublin, Montgomery County, Pennsylvania, have hereunto set our signatures and affixed hereto the Seal.

Dated: June 10, 2008

JULES J. MERMELSTEIN
President of the Board of Commissioners
Township of Upper Dublin

[Seal]

ATTEST:

PAUL A. LEONARD
Secretary
Township of Upper Dublin

AN ORDINANCE

NO. 1203

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233 Thereof, Entitled Vehicles And Traffic, Article VIII, Schedules, Section 233-52, Schedule XI: Closing of Certain Streets to Certain Vehicles, by Establishing a "No Trucks" Restriction on Hagues Mill Road from Bethlehem Pike to Butler Avenue.

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-52, Schedule XI: Closing of Certain Streets to Certain Vehicles, shall be amended to provide as follows:

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

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

Name of Street	Limits
* * * * * * *	
Hagues Mill Road	From Bethlehem Pike to Butler Avenue
* * * * * * *	

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

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

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

Approved by the Board this 8th day of July, 2008.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

JULES J. MERMELSTEIN, PRESIDENT

ATTEST:

PAUL A. LEONARD, SECRETARY

g:\ord\ord\chapter 233-vehicles & traffic\Hagues Mill Rd-Trucks
5.27.08

AN ORDINANCE

NO. 1204

AN ORDINANCE Of The Township Of Upper Dublin Amending The Zoning Code To Permit, As A Conditional Use, Home-based Animal Day Care Businesses As An Accessory Use To A Single Family Detached Dwelling.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article IV – Accessory Buildings, Structures and Uses, § 255-27. Dwellings shall be amended by the addition of a new subsection K, to provide as follows:

Article IV – Accessory Buildings, Structures and Uses

* * * * * * *

§ 255-27. Dwellings. The following uses shall be accessory to dwellings:

* * * * * * *

K. Home day care for animals is permitted on a property by conditional use if accessory to a single-family detached dwelling in which the caregiver resides, upon determination by the Zoning Officer that the following criteria are met:

1. For the purposes of this section, "animals" shall refer only to dogs and cats.

2. The lot area of the subject property shall be at least three (3) acres.

3. On lots of three (3) acres, no more than four (4) animals, including resident animals, shall be kept on the property at one time. For every additional acre of lot area, one additional animal may be kept.

4. The hours of operation shall be limited to weekdays between 7:00 AM and 8:00 PM. Outdoor hours for animals shall be 8:00 AM to 6:00 PM.

5. There shall be no structural change to the exterior of the dwelling or any accessory building on the property to accommodate the day care use.

6. The outdoor area for the animals shall be limited to the rear yard of the property and must be completely enclosed by a six-foot tall fence. The fence must be strong enough to prevent the animals from leaving the property. The outdoor area shall be setback a minimum of twenty (20) feet from the side and rear property lines.

7. A driveway shall be provided to allow off-street pickup and dropoff of animals.

8. Animal waste must be removed from the yard at least once daily to control odors and the owner must arrange for the waste to be collected from the property at least twice weekly.

9. Operators shall be subject to the Township Code controls on animal noise (§158-12.C.6) and odors (§158-11).

10. The property owner shall be required to keep records of animal licenses and vaccinations for all animals in their care. Dog owners must show proof of current licensing and vaccination for rabies and bordatella ("kennel cough").

11. The owner is required to obtain a Certificate of Occupancy annually for the animal day care business.

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

Section 3. This Ordinance shall take affect and be in force from and after its approval as required by law.

Approved by the Board this 14th day of October, 2008.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Township Manager/Secretary

ud/ordinances/zoning/animal day care
8.25.08

AN ORDINANCE

NO. 1205

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, To Provide A Definition For Portable Storage Unit; To Allow Portable Storage Units As A Temporary Accessory Use On Properties Used For Residential Purposes In The A, A-1, A-2, B And C Residence Districts, With The Provision That Use Of The Unit For A Period Longer Than Fourteen Days Shall Require A Zoning Permit, And Use Of A Unit For More Than Ninety Days Within A Twelve Month Period Shall Be Prohibited, With Exceptions; Providing Regulations For The Contents And Appearance Of The Unit; Providing Regulations For Signage On The Unit; Providing Regulations For The Placement Of Units On A Property.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article 1, General Provisions, § 255-7, Definitions, shall be amended to provide the following definition in alphabetical order:

§255-7. Definitions.

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

* * * * * * *

PORTABLE STORAGE UNIT – A transportable fully enclosed box-like container, not an accessory building or shed, which has a maximum size of 8 feet by 8 feet by16 feet and which is:

A. Designed for the temporary outside storage of personal property, household items, wares, building materials or merchandise; and

B. Rented to the owner or occupant of the site where it is placed in use; and

C. Delivered and removed by truck.

Section 2. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, shall be amended to add § 255-30.2, Portable storage units, to provide as follows:

§ 255-30.2. Portable storage units. Portable storage units for temporary storage on properties used for residential purposes in the A, A-1, A-2, B and C Residence Districts are permitted as a temporary accessory use subject to the following provisions:

A. No more than two portable storage units shall be permitted on a property at any time.

B. A portable storage unit(s) may be placed on a lot for up to fourteen (14) days if used in conjunction with the movement of household goods.

C. A portable storage unit may be placed on a lot for up to ninety (90) days with the issuance of a Zoning Permit by the Code Enforcement Department. However, if the container is being used in conjunction with a project for which a permit has been issued for the property where it is placed, the container may remain on the property until the completion of the project.

D. It shall be prohibited to use a portable storage unit for more than ninety (90) days within a twelve-month period, except as permitted above.

E. Except for portable storage unit(s) placed on a lot for fourteen (14) days or less, no such unit may display advertising except for the name, address and telephone number of the vendor, and that information must be contained within a space no larger than eight (8) square feet.

F. Portable storage units may not be used to store hazardous substances as defined in Chapter 117 of the Upper Dublin Code.

G. Portable storage units must be delivered and maintained in good condition, free of evidence of deterioration, weathering, discoloration, rust, ripping, tearing or having holes or breaks.

H. Portable storage units must be locked when not in active use.

I. Required setbacks

   a. The unit shall be setback a minimum of six (6) feet from a side or rear property line.

   b. On properties having driveways, the unit must be located at least ten (10) feet from the sidewalk (if present) or edge of the street.

   c. On properties without driveways, the unit may be located in the street after issuance of a permit by the Public Works Department.

* * * * * * *

Section 3. The Code of Upper Dublin Township, Chapter 110, entitled Fees, § 110-17. Zoning, shall be amended by the addition of a new paragraph I, Portable Storage Units, to provide as follows:

§ 110-17. Zoning.

In accordance with Chapter 255, Zoning, the following fees shall be charged:

* * * * * * *

I. Portable Storage Units. The fee for a zoning permit to allow a portable storage unit on a property shall be twenty-five dollars ($25.00) per unit.

Section 4. Nothing in this Ordinance or in Chapters 255 or 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 255 and 110 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of October, 2008.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

ud\ord\Chapter 255\Townhouse structures
8.5.08

AN ORDINANCE

NO. 1206

AN ORDINANCE To Amend The Code of the Township of Upper Dublin by deleting Chapter 180, entitled Property Maintenance, by adopting a new Chapter 180, entitled Property Maintenance, to include section 180-1, Adoption of Standards; Section 180-2, Amendments; and Section 180-3, Affect on Prior Actions and Rights.

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

Section 1. The Code of the Township of Upper Dublin shall be amended by the deletion of the current Chapter 180, entitled Property Maintenance, and the addition of a new Chapter 180, entitled Property Maintenance, to provide as follows:

CHAPTER 180
PROPERTY MAINTENANCE

§ 180-1. Adoption of Standards.

A certain document, three (3) copies of which are on file in the office of the Secretary of the Township of Upper Dublin, being marked and designated as the "International Property Maintenance Code, 2006," as published by the International Code Council, Inc., is hereby adopted as the property maintenance code of the Township of Upper Dublin, in the Commonwealth of Pennsylvania, to regulate and govern the condition and maintenance of all property, buildings and structures as herein provided; and to provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure structures are safe, sanitary and fit for occupation and use; and to provide for the condemnation and demolition of buildings and structures unfit for human occupancy and use; and to provide for the issuance of permits and collection of fees therefore; and to refer to, adopt, and make a part hereof each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code, as if fully set out in this ordinance, with the additions, insertions, deletions and changes specified in Section 180-2 of this Chapter.

§ 180-2. Amendments.

The International Property Maintenance Code is amended and revised in the following respects:

A. Section 101.1, insert: "The Township of Upper Dublin." as the name of the jurisdiction.

B. Section 103.1, delete and replace with:

103.1 General. The Township Code Enforcement Department shall serve as the department of property maintenance and the Building Code Official as designated in Chapter 73 shall serve as the code official under this Chapter 180.

C. Section 103.5, delete and replace with:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be indicated by the fee schedule adopted in Chapter 110, Fees.

D. Section 105, add the following:

105.5 Housing Permit. No person shall lease or rent any dwelling, dwelling unit or rooming unit, motel unit or hotel unit in the township without first making application to and obtaining a permit from the code official to rent or lease such dwelling unit or rooming unit.

105.5.1 Initial Inspection. A housing permit shall be initially issued after an inspection by the code official determines compliance with the standards of this code and all other applicable standards of the township

105.5.2 Term. Housing permits shall be issued for a term of two years and may be renewed for successive two-year terms so long as the unit or units remain in compliance with the applicable standards.

105.5.3 Periodic Inspections. The township will inspect all rental units within the two-year permit term.

105.5.4 Inspections for Large Buildings. For large buildings with over ten (10) rental units, the township will make monthly inspections of all empty units. The owners of large buildings shall notify the code official by letter of the vacant units so that they can be inspected. Motels and hotels will be inspected during regular periodic inspections, and are subject to spot-check inspections.

105.5.5 Permit Application. A housing permit 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 code official; such application will constitute an agreement between the applicant and the township for the

faithful compliance by the applicant and all agents, servants, employees or representatives of the applicant with all ordinances, rules and regulations of the township 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.

105.5.6 Permit Fees. A housing permit fee shall be paid by the applicant at the time of permit application in accordance with the permit fee schedule adopted in Chapter 110, Fees.

105.5.7 Owner or Agent. A housing permit will not be issued or renewed for any person who does not either reside or have an office in the County of Montgomery, Commonwealth of Pennsylvania unless he designates in writing an agent in the County of Montgomery, Commonwealth of Pennsylvania for the receipt of any notice issued with respect to this code.

E. Section 106.4, delete and replace with:

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be liable for fines and penalties not exceeding $1,000, which fines and penalties may be collected by suit or summary proceeding brought in the name of the township before a district justice in like manner as debts of a like amount are now by law recoverable. Each day that a violation continues shall be deemed a separate offense.

F. Section 106.5, delete and replace with:

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the township from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure, or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

106.5.1 Self help. If a violation has not been corrected within 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 resources to accomplish such corrections, and may charge the cost thereof to the violator and collect such cost by lien and/or otherwise as may be authorized by law.

G. Section 111.2, delete and replace with:

111.2 Board of Appeals. The board of appeals under this Chapter 180 shall be the board of appeals constituted under Chapter 73.

H. Section 111.4.1, delete and replace with:

111.4.1 Procedure. The board of appeals under this Chapter 180 shall follow the procedures established by the board of appeals constituted under Chapter 73.

I. Section 111.7, delete and replace with:

111.7 Review of decision. Any person aggrieved by a decision of the board of appeals shall have the right to apply for review of that decision by an appropriate court of competent jurisdiction.

J. Section 302.4, insert "ten inches (10")" for the height limit of weeds.

K. Section 302.8, replace "no inoperative or unlicensed motor vehicle" with "not more than one inoperative, uninspected or unregistered vehicle."

L. Section 305.3, add:

305.3.1 Mold. Mold shall be removed from rental units, including motel and hotel rooms, by a certified mold remediation company and a report documenting the mold remediation shall be provided to the code official.

M. Section 602.3, insert "October 1to May 15" as the inclusive dates.

N. Section 602.3, add:

602.3.1, Temporary/portable space heaters. Temporary/portable space heaters are prohibited in rental units, including motel and hotel rooms. Examples include kerosene, propane, and electric space heaters.

602.3.2, Heating equipment maintenance. Heating equipment in rental units, including motel and hotel rooms, shall be cleaned, serviced, and certified once every two years. Certification of maintenance shall be provided to the code official.

602.3.3, Fireplace and chimney maintenance. Fireplaces and chimneys, including gas fireplaces, in rental units, including motel and hotel rooms, shall be cleaned, serviced, and inspected as required by an appropriately trained and certified person. Certification of maintenance shall be provided to the code official.

O. Section 605.2, delete and replace with:

605.2, Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets.

605.2.1, Wet areas. Ground fault circuit interrupter (GFCI) receptacle outlets are required within six feet (6') of any water source per NEC 210.8.

605.2.2, Laundry areas. Every laundry area shall contain at least one GFCI receptacle outlet.

605.2.3, Bathrooms. Every bathroom shall contain at least one GFCI receptacle outlet. Only GFCI receptacle outlets may be used in new bathrooms.

P. Section 702, add:

702.5, Fire escapes. Exterior fire escapes must be maintained in good structural and working order.

Q. Section 704, add:

704.5, Fire extinguishers. In all rental units, including motel and hotel rooms, a minimum size three pound A.B.C. fire extinguisher must be located in a visible location near or in all kitchen areas. Fire extinguishers must be replaced per manufacturer specifications or at least every ten (10) years, whichever period is shorter.

R. Section 705, add:

SECTION 705
OUTDOOR COOKING

705.1 Outdoor cooking. No charcoal, wood, gas, or liquid fuel -fired cooking equipment shall be used on any patio or patio balcony of any rental unit, including motel and hotel rooms. Fuel for outdoor cooking equipment shall not be stored within any unit or on any patio or patio balcony of any multifamily dwelling. Outdoor cooking must be conducted on the ground at least fifteen (15) feet from any building and with the permission of the property owner.

§ 180-3. Effect on Prior Actions and Rights.

Nothing in this Chapter and the International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired or liability incurred or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Chapter.

Section 2. Nothing in this Ordinance or in Chapter 180 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 180 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of, October, 2008.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

By: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

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AN ORDINANCE

NO. 1207

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, To Prohibit Entry Onto Hawthorne Lane At Its Intersection With Tressler Drive From 7:00 A.M. To 8:00 A.M., Monday Thru Friday.

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

Section 1. The Code of Upper Dublin Township, Chapter 233, Vehicles and Traffic, Article II, Traffic Regulations, shall be amended by the addition of a new §233-18.1, Do Not Enter Streets, to provide as follows:

§233-18.2 - Do Not Enter Streets

It shall be unlawful for the owner or operator of any vehicle to enter any street during the hours and at the intersection(s) described in Schedule XX (§ 233-61), attached to and made a part of this chapter.

* * * * * * *

§233-61. Schedule XX: Do Not Enter Streets

Name of Highway	Hours	Intersection
Hawthorne Lane	7:00 A.M. – 8:00 A.M. Monday thru Friday	Tressler Drive

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

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of October, 2008.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

wfordChapter 233\do not enter - Hawthorne

ORDINANCE NO. 1208

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2009

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 2009.

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 2009 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	17,303,494
Receipts from Taxes of Prior Years	68,000
Other Revenues and Receipts	7,050,079
TOTAL ESTMATED RECEIPTS AND CASH	24,421,573

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,221,332
Treasurer and Tax Collector		20,863
Library		987,712
Municipal Buildings		534,604
Office Park Improvements		110,000
	TOTAL	3,874,511
PROTECTION TO PERSON AND PROPERTY		
Police		6,044,591
Fire		842,184
Emergency Services		307,821
	TOTAL	7,194,596

SANITARY SEWER		5,000
SANITATION		2,239,978
CODE ENFORCEMENT		574,655
HIGHWAY AND ENGINEERING		3,483,221
PARKS AND RECREATION		1,870,459
DEBT SERVICE		1,631,147
NON EXPENDABLE TRUSTS		5,900
CAPITAL PROJECTS		
General Capital		1,723,494
Stormwater Management Projects		1,702,607
Open Space		102,755
	TOTAL	3,528,856
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		24,421,573

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2009.

ENACTED AND ORDAINED THIS 9th day of December 2008.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Jules J. Mermelstein, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 1209

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2009 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2009 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2009 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2009 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2009 FOR PERMANENT IMPROVEMENT FUND AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2009, as follows:

Tax rate for General Purposes, the sum of 2.554 mils
on each dollar of assessed valuation, or the sum of 25.54 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.554	25.540

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 2009, as follows:

Tax rate for Debt Service, the sum of 0.735 mils
on each dollar of assessed valuation, or the sum of 7.350 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.735	7.350

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 2009, as follows:

Tax rate for Fire Protection, the sum of 0.437 mils
on each dollar of assessed valuation, or the sum of 4.370 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.437	4.370

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 2009, as follows:

Tax rate for Parks and Recreation the sum of 0.610 mils
on each dollar of assessed valuation, or the sum of 6.100 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.610	6.100

SECTION 5: Tax Rate for Permanent Improvement Fund

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 2009, as follows:

Tax rate for Permanent Improvement, the sum of 0.187 mils
on each dollar of assessed valuation, or the sum of 1.870 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Permanent Improvement Fund	.187	1.870

SECTION 6: Discounts and Penalties

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

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

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

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 2009.

ENACTED AND ORDAINED THIS 9th day of December 2008.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Jules J. Mermelstein, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 09-1210

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2009.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2009 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, immediately following the Commissioners Planning Committee meeting, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2009 shall be held on the first Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings for the year 2009 shall be held on the first Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings for the year 2009 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Public Activities, Lands and Contracts Committee meetings for the year 2009 shall be held on the fourth Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

SECTION 6. The Commissioners Planning Committee meetings of the Township of Upper Dublin for the year 2009 shall be held on the fourth Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 pm or immediately following the Public Activities Lands & Contracts Committee meeting at 6:30 PM, local time.

SECTION 7. The public is welcome to attend all meetings, and participation by the public is welcome.

SECTION 8. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 9. All meetings will be effective January 13, 2009 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 13th day of January, 2009.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Ira S. Tackel

(V-P)

for Jules J. Mermelstein, President

Attest:
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 09-1211

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 171, Peddling And Soliciting, To Provide For Peddling And Soliciting Permits To Be Issued By The Chief Of Police, Or His Designee, Rather Than The Township Secretary; And To Clarify That The Registration Requirements Are Not Imposed On Persons And Organizations Subject To An Exemption.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, § 171-2, shall be amended to provide as follows:

Chapter 171, PEDDLING AND SOLICITING

§ 171-2. Registration and identification card required.

No person shall engage in peddling and soliciting in the township without first having registered with the Police Department and obtained an identification card from the Chief of Police, or his designee, unless such person is subject to one of the exemptions provided herein.

Section 2. The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, § 171-3, Exemptions, shall be amended to provide as follows:

§ 171-3. Exemptions.

This chapter shall not apply to boys or girls under 16 years of age who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts and Girl Scouts or similar organizations and take orders for and deliver cookies and the like, nor to any person who works for an organization which has registered with the Pennsylvania Department of State, as required by that statute known as the "Solicitation of Funds For Charitable Purposes Act," as amended from time to time, or which is exempt from such registration.

Section 3. The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, § 171-4.C, shall be amended to provide as follows:

§ 171-4. Application procedure; issuance of identification card; conditions of issuance.

* * * * * *

C. The Chief of Police, or his designee, will issue to the applicant, within 10 business days from the date of filing of the application, an identification card to which one of the applicant's photographs will be affixed.

* * * * * *

o **Section 4.** The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, § 171-5.B and § 171-5.F, shall be amended to provide as follows:

§ 171-5. Standards of conduct.

Every person to whom an identification card has been issued shall, in the conduct of his activities, comply with the following standards of conduct:

* * * * * *

B. He shall not permit any person to have possession of his identification card and shall immediately report its loss to the Police Department. He shall not cause or permit his identification card to be altered or defaced in any way.

* * * * * *

F. He shall immediately surrender his identification card to the Police Department upon revocation thereof.

o **Section 5.** The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, § 171-6, shall be amended to provide as follows:

§ 171-6. Revocation of identification card.

Any identification card may be revoked by the Chief of Police or his designee if the holder fails to comply with the standards of conduct contained in § 171-5 hereof, or any of them, or upon ascertainment by the Police Department that the holder has made a false statement in his application.

Section 6. Nothing in this Ordinance or in Chapter 171 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 171 prior to the adoption of this amendment.

Section 7. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

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

Approved by the Board this 10th day of March, 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Township Manager/Secretary

UDORDCHAPTER 171 CANVASSING & SOLICITING
2.17.09

AN ORDINANCE

No. 09-1212

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter A264, By Adding The Historic Resource Inventory To The Printed Version Of The Township Code; And By Amending The Historic Resource Inventory To Add Additional Properties.

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

Section 1. The Code of the Township of Upper Dublin shall be amended by printing in Chapter A264, §A264-1, the Historic Resource Inventory approved by the Board of Commissioners upon adoption of Ordinance 1175 on November 14, 2006 and upon adoption of the amendment to the Historic Resource Inventory by Ordinance 1196 adopted March 11, 2008, to provide as follows:

§ A264-1. Historic resource inventory. The buildings, structures and sites identified and/or located on the properties set forth below, as more fully described in the Township's Historic Resource Database and any Pennsylvania Historic Resource Form associated with such properties, shall comprise the Historic Resource Inventory of Upper Dublin Township:

House #	Street	Post Office	Class
1404 E.	Butler Pike	Ambler	C1
190-200	Camp Hill Road	Fort Washington	C1
1704	Dreshertown Road	Fort Washington	C1
528	Fort Washington Avenue	Ambler	C1
709 E.	Pennsylvania Avenue	Fort Washington	C1
1165	Pinetown Road	Fort Washington	C1
875	Welsh Road	Maple Glen	C1
1425	Welsh Road	Maple Glen	C1
7	Aiman Circle	Dresher	C2
906	Alma Avenue	Ambler	C2
425	Ambler Road	Ambler	C2
1	Ambler Road	Ambler	C2
3	Ambler Road	Ambler	C2
5	Ambler Road	Ambler	C2
7	Ambler Road	Ambler	C2
9	Ambler Road	Ambler	C2
11	Ambler Road	Ambler	C2
13	Ambler Road	Ambler	C2
15	Ambler Road	Ambler	C2

17	Ambler Road	Ambler	C2
19	Ambler Road	Ambler	C2
21	Ambler Road	Ambler	C2
23	Ambler Road	Ambler	C2
25	Ambler Road	Ambler	C2
27	Ambler Road	Ambler	C2
29	Ambler Road	Ambler	C2
31	Ambler Road	Ambler	C2
33	Ambler Road	Ambler	C2
35	Ambler Road	Ambler	C2
210	Ambler Road	Ambler	C2
465 and barn	Ambler Road	Fort Washington	C2
485	Ambler Road	Fort Washington	C2
489	Ambler Road	Fort Washington	C2
121	Apel Avenue	Oreland	C2
605	Ardross Avenue	Ambler	C2
607	Ardross Avenue	Ambler	C2
609	Ardross Avenue	Ambler	C2
502	Argyle Avenue	Ambler	C2
504	Argyle Avenue	Ambler	C2
508	Argyle Avenue	Ambler	C2
510	Argyle Avenue	Ambler	C2
512	Argyle Avenue	Ambler	C2
514	Argyle Avenue	Ambler	C2
516	Argyle Avenue	Ambler	C2
518	Argyle Avenue	Ambler	C2
520	Argyle Avenue	Ambler	C2
522	Argyle Avenue	Ambler	C2
524	Argyle Avenue	Ambler	C2
526	Argyle Avenue	Ambler	C2
528	Argyle Avenue	Ambler	C2
530	Argyle Avenue	Ambler	C2
532	Argyle Avenue	Ambler	C2
534	Argyle Avenue	Ambler	C2
536	Argyle Avenue	Ambler	C2
538	Argyle Avenue	Ambler	C2
540	Argyle Avenue	Ambler	C2
542	Argyle Avenue	Ambler	C2
544	Argyle Avenue	Ambler	C2
546	Argyle Avenue	Ambler	C2
548	Argyle Avenue	Ambler	C2
550	Argyle Avenue	Ambler	C2
552	Argyle Avenue	Ambler	C2
554	Argyle Avenue	Ambler	C2
556	Argyle Avenue	Ambler	C2
558	Argyle Avenue	Ambler	C2

560	Argyle Avenue	Ambler	C2
113	Bala Avenue	Oreland	C2
116	Bala Avenue	Oreland	C2
121	Bala Avenue	Oreland	C2
125	Bala Avenue	Oreland	C2
128	Bala Avenue	Oreland	C2
129	Bala Avenue	Oreland	C2
200 and garage	Bala Avenue	Oreland	C2
204	Bala Avenue	Oreland	C2
212	Bala Avenue	Oreland	C2
216	Bala Avenue	Oreland	C2
221	Bala Avenue	Oreland	C2
222	Bala Avenue	Oreland	C2
223	Bala Avenue	Oreland	C2
224	Bala Avenue	Oreland	C2
228	Bala Avenue	Oreland	C2
400	Bannockburn Avenue	Ambler	C2
402	Bannockburn Avenue	Ambler	C2
429	Bannockburn Avenue	Ambler	C2
431	Bannockburn Avenue	Ambler	C2
433	Bannockburn Avenue	Ambler	C2
435	Bannockburn Avenue	Ambler	C2
439	Bannockburn Avenue	Ambler	C2
443	Bannockburn Avenue	Ambler	C2
1501 (5 structures)	Beecham Drive (North)	Ambler	C2
320	Bellaire Avenue	Fort Washington	C2
325	Bellaire Avenue	Fort Washington	C2
405	Bellaire Avenue	Fort Washington	C2
408	Bellaire Avenue	Fort Washington	C2
413	Bellaire Avenue	Fort Washington	C2
415	Bellaire Avenue	Fort Washington	C2
501	Bellaire Avenue	Fort Washington	C2
503	Bellaire Avenue	Fort Washington	C2
504	Bellaire Avenue	Fort Washington	C2
506	Bellaire Avenue	Fort Washington	C2
509	Bellaire Avenue	Fort Washington	C2
511	Bellaire Avenue	Fort Washington	C2
512	Bellaire Avenue	Fort Washington	C2
513	Bellaire Avenue	Fort Washington	C2
619	Bellaire Avenue	Ambler	C2
621	Bellaire Avenue	Ambler	C2
639	Bellaire Avenue	Ambler	C2
1402	Bernard Avenue	Willow Grove	C2
1409	Bernard Avenue	Willow Grove	C2
203	Bethlehem Pike	Fort Washington	C2
206	Bethlehem Pike	Fort Washington	C2

212	Bethlehem Pike	Fort Washington	C2
214	Bethlehem Pike	Fort Washington	C2
215	Bethlehem Pike	Fort Washington	C2
222	Bethlehem Pike	Fort Washington	C2
225	Bethlehem Pike	Fort Washington	C2
228	Bethlehem Pike	Fort Washington	C2
229	Bethlehem Pike	Fort Washington	C2
233	Bethlehem Pike	Fort Washington	C2
301	Bethlehem Pike	Fort Washington	C2
303	Bethlehem Pike	Fort Washington	C2
305	Bethlehem Pike	Fort Washington	C2
403	Bethlehem Pike	Fort Washington	C2
405	Bethlehem Pike	Fort Washington	C2
407	Bethlehem Pike	Fort Washington	C2
409	Bethlehem Pike	Fort Washington	C2
500	Bethlehem Pike	Fort Washington	C2
501	Bethlehem Pike	Fort Washington	C2
503	Bethlehem Pike	Fort Washington	C2
505	Bethlehem Pike	Fort Washington	C2
508	Bethlehem Pike	Fort Washington	C2
516	Bethlehem Pike	Ambler	C2
602, original part only	Bethlehem Pike	Ambler	C2
615	Bethlehem Pike	Ambler	C2
617	Bethlehem Pike	Ambler	C2
619	Bethlehem Pike	Ambler	C2
623	Bethlehem Pike	Ambler	C2
701	Bethlehem Pike	Ambler	C2
708	Bethlehem Pike	Ambler	C2
901	Bethlehem Pike	Ambler	C2
1111	Bethlehem Pike	Ambler	C2
1407	Bethlehem Pike	Ambler	C2
1411	Bethlehem Pike	Ambler	C2
1417	Bethlehem Pike	Ambler	C2
1423	Bethlehem Pike	Ambler	C2
1425	Bethlehem Pike	Ambler	C2
1427	Bethlehem Pike	Ambler	C2
1429	Bethlehem Pike	Ambler	C2
1433	Bethlehem Pike	Ambler	C2
1435	Bethlehem Pike	Ambler	C2
1217 S.	Bethlehem Pike	Ambler	C2
1219 S.	Bethlehem Pike	Ambler	C2
1509 N.	Bethlehem Pike	Ambler	C2
620 S.	Bethlehem Pike	Ambler	C2
625 S.	Bethlehem Pike	Ambler	C2
Mile marker	Bethlehem Pike at terminus of Stuart Lane	Fort Washington	C2

Mile marker	Bethlehem Pike at NE corner of Fairview Avenue	Fort Washington	C2
230	Birch Lane	Fort Washington	C2
1205	Boden Place	Fort Washington	C2
1000 E.	Butler Pike	Ambler	C2
1001 E.	Butler Pike	Ambler	C2
1004 E.	Butler Pike	Ambler	C2
1120 E.	Butler Pike	Ambler	C2
1229 E.	Butler Pike	Ambler	C2
1245 E.	Butler Pike	Ambler	C2
1306 E.	Butler Pike	Ambler	C2
1404 E.	Butler Pike	Ambler	C2
1410 E.	Butler Pike	Ambler	C2
1411 E.	Butler Pike	Ambler	C2
1415 E.	Butler Pike	Ambler	C2
1419 E.	Butler Pike	Ambler	C2
1617 E.	Butler Pike	Ambler	C2
1624 E.	Butler Pike	Ambler	C2
1626 E.	Butler Pike	Ambler	C2
1630 E.	Butler Pike	Ambler	C2
1634 E.	Butler Pike	Ambler	C2
1636 E.	Butler Pike	Ambler	C2
1638 E.	Butler Pike	Ambler	C2
1644 E.	Butler Pike	Ambler	C2
1646 E.	Butler Pike	Ambler	C2
1648 E.	Butler Pike	Ambler	C2
1650 E.	Butler Pike	Ambler	C2
1654 E.	Butler Pike	Ambler	C2
1704 E.	Butler Pike	Ambler	C2
1718 E.	Butler Pike	Ambler	C2
1800 E.	Butler Pike	Ambler	C2
1815 E.	Butler Pike	Ambler	C2
400 W.	Butler Pike	Ambler	C2
403 W.	Butler Pike	Ambler	C2
407 W.	Butler Pike	Ambler	C2
907 E.	Butler Pike	Ambler	C2
909 E.	Butler Pike	Ambler	C2
915 E.	Butler Pike	Ambler	C2
920 E.	Butler Pike	Ambler	C2
922 E.	Butler Pike	Ambler	C2
930 E.	Butler Pike	Ambler	C2
934 E.	Butler Pike	Ambler	C2
Rose Hill Cemetery	Butler Pike	Ambler	C2
206	Camp Hill Road	Fort Washington	C2
1080	Camp Hill Road	Fort Washington	C2
1110	Camp Hill Road	Fort Washington	C2

1120	Camp Hill Road	Fort Washington	C2
1220	Camp Hill Road	Fort Washington	C2
1300	Camp Hill Road	Fort Washington	C2
Indian burial ground	Camp Hill Road	Fort Washington	C2
1230	Cedar Road	Ambler	C2
1326	Cedar Road	Ambler	C2
116	Chelsea Avenue	North Hills	C2
336	Chelsea Avenue	North Hills	C2
338	Chelsea Avenue	North Hills	C2
401	Church Street	Ambler	C2
405	Church Street	Ambler	C2
407	Church Street	Ambler	C2
409	Church Street	Ambler	C2
411	Church Street	Ambler	C2
413	Church Street	Ambler	C2
415	Church Street	Ambler	C2
417	Church Street	Ambler	C2
419	Church Street	Ambler	C2
421	Church Street	Ambler	C2
423	Church Street	Ambler	C2
425	Church Street	Ambler	C2
427	Church Street	Ambler	C2
429	Church Street	Ambler	C2
431	Church Street	Ambler	C2
433	Church Street	Ambler	C2
435	Church Street	Ambler	C2
437	Church Street	Ambler	C2
439	Church Street	Ambler	C2
441	Church Street	Ambler	C2
443	Church Street	Ambler	C2
Garage	Church Street & Renfrew Ave (alleyway)	Ambler	C2
285	Commerce Drive	Fort Washington	C2
1008	Denston Drive	Ambler	C2
1408	Dillon Road	Maple Glen	C2
1500	Dillon Road	Maple Glen	C2
1601	Dillon Road	Maple Glen	C2
1677	Dillon Road	Maple Glen	C2
1851	Dillon Road	Maple Glen	C2
409	Dogwood Drive	Maple Glen	C2
15	Dorsey Place	Fort Washington	C2
1	Douglass Street	Ambler	C2
3	Douglass Street	Ambler	C2
5	Douglass Street	Ambler	C2
7	Douglass Street	Ambler	C2
9	Douglass Street	Ambler	C2

11	Douglass Street	Ambler	C2
13	Douglass Street	Ambler	C2
15	Douglass Street	Ambler	C2
17	Douglass Street	Ambler	C2
19	Douglass Street	Ambler	C2
21	Douglass Street	Ambler	C2
23	Douglass Street	Ambler	C2
25	Douglass Street	Ambler	C2
27	Douglass Street	Ambler	C2
29	Douglass Street	Ambler	C2
31	Douglass Street	Ambler	C2
33	Douglass Street	Ambler	C2
Dresher Cemetery	Dreshertown Rd	Fort Washington	C2
495- three buildings	Dreshertown Road	Fort Washington	C2
1434	Dreshertown Road	Fort Washington	C2
1570	Dreshertown Road	Fort Washington	C2
1605	Dreshertown Road	Fort Washington	C2
1609	Dreshertown Road	Fort Washington	C2
1410	Dundee Drive	Dresher	C2
400	Ellerslie Avenue	Ambler	C2
404	Ellerslie Avenue	Ambler	C2
405	Ellerslie Avenue	Ambler	C2
408	Ellerslie Avenue	Ambler	C2
411	Ellerslie Avenue	Ambler	C2
413	Ellerslie Avenue	Ambler	C2
414	Ellerslie Avenue	Ambler	C2
415	Ellerslie Avenue	Ambler	C2
418	Ellerslie Avenue	Ambler	C2
420	Ellerslie Avenue	Ambler	C2
421	Ellerslie Avenue	Ambler	C2
423	Ellerslie Avenue	Ambler	C2
424	Ellerslie Avenue	Ambler	C2
204	Elliger Avenue	Fort Washington	C2
214	Elliger Avenue	Fort Washington	C2
218	Elliger Avenue	Fort Washington	C2
31	Elliott Avenue	Willow Grove	C2
410	Fairview Avenue	Ambler	C2
418	Fairview Avenue	Ambler	C2
422	Fairview Avenue	Ambler	C2
933	Farm Lane	Ambler	C2
1005	Farm Lane	Ambler	C2
1030	Farm Lane	Ambler	C2
901	Fitzwatertown Road	Glenside	C2
905	Fitzwatertown Road	Glenside	C2
912	Fitzwatertown Road	Glenside	C2
1001	Fitzwatertown Road	Glenside	C2

1183	Fitzwatertown Road	Roslyn	C2
1358	Fitzwatertown Road	Roslyn	C2
113	Fort Washington Avenue	Fort Washington	C2
117	Fort Washington Avenue	Fort Washington	C2
123	Fort Washington Avenue	Fort Washington	C2
125	Fort Washington Avenue	Fort Washington	C2
209	Fort Washington Avenue	Fort Washington	C2
211	Fort Washington Avenue	Fort Washington	C2
213	Fort Washington Avenue	Fort Washington	C2
217	Fort Washington Avenue	Fort Washington	C2
223	Fort Washington Avenue	Fort Washington	C2
229	Fort Washington Avenue	Fort Washington	C2
233	Fort Washington Avenue	Fort Washington	C2
235	Fort Washington Avenue	Fort Washington	C2
301	Fort Washington Avenue	Fort Washington	C2
303	Fort Washington Avenue	Fort Washington	C2
305	Fort Washington Avenue	Fort Washington	C2
307	Fort Washington Avenue	Fort Washington	C2
309	Fort Washington Avenue	Fort Washington	C2
315	Fort Washington Avenue	Fort Washington	C2
317	Fort Washington Avenue	Fort Washington	C2
321	Fort Washington Avenue	Fort Washington	C2
323	Fort Washington Avenue	Fort Washington	C2
403	Fort Washington Avenue	Fort Washington	C2
409	Fort Washington Avenue	Fort Washington	C2
411	Fort Washington Avenue	Fort Washington	C2
419	Fort Washington Avenue	Fort Washington	C2
421	Fort Washington Avenue	Fort Washington	C2
423	Fort Washington Avenue	Fort Washington	C2
528	Fort Washington Avenue	Fort Washington	C2
1185	Fort Washington Avenue	Fort Washington	C2
1205	Fort Washington Avenue	Fort Washington	C2
1221	Fort Washington Avenue	Fort Washington	C2
1245	Fort Washington Avenue	Fort Washington	C2
1252	Fort Washington Avenue	Fort Washington	C2
1311	Fort Washington Avenue	Fort Washington	C2
1315	Fort Washington Avenue	Fort Washington	C2
1323	Fort Washington Avenue	Fort Washington	C2
1506	Fort Washington Avenue	Ambler	C2
1523	Fort Washington Avenue	Ambler	C2
1580- all buildings	Fort Washington Avenue	Ambler	C2
1412	Garrison Drive	Ambler	C2
1416	Garrison Drive	Ambler	C2
1417	Gentlemen's Way	Dresher	C2
118	Girard Avenue	Glenside	C2
202	Girard Avenue	Glenside	C2

221	Girard Avenue	Glenside	C2
500	Glencoe Avenue	Fort Washington	C2
501	Glencoe Avenue	Fort Washington	C2
504	Glencoe Avenue	Fort Washington	C2
511	Glencoe Avenue	Fort Washington	C2
512	Glencoe Avenue	Fort Washington	C2
8	Haddon Place	Fort Washington	C2
1101	Hagues Mill Road	Ambler	C2
1108	Hagues Mill Road	Ambler	C2
1158	Hagues Mill Road	Ambler	C2
507	Hartranft Avenue	Fort Washington	C2
509	Hartranft Avenue	Fort Washington	C2
512	Hartranft Avenue	Fort Washington	C2
607	Hartranft Avenue	Fort Washington	C2
609	Hartranft Avenue	Fort Washington	C2
611	Hartranft Avenue	Fort Washington	C2
400	Highland Avenue	Ambler	C2
401	Highland Avenue	Ambler	C2
404	Highland Avenue	Ambler	C2
408	Highland Avenue	Ambler	C2
412	Highland Avenue	Ambler	C2
416	Highland Avenue	Ambler	C2
420	Highland Avenue	Ambler	C2
424	Highland Avenue	Ambler	C2
428	Highland Avenue	Ambler	C2
501	Highland Avenue	Ambler	C2
547	Highland Avenue	Ambler	C2
1100	Highland Avenue	Fort Washington	C2
1200	Highland Avenue	Fort Washington	C2
1412	Highland Avenue	Fort Washington	C2
1424	Highland Avenue	Fort Washington	C2
1428	Highland Avenue	Fort Washington	C2
1601	Holly Hill Lane	Maple Glen	C2
570	Homestead Lane	Ambler	C2
907	Homestead Lane	Ambler	C2
500	Inverness Avenue	Ambler	C2
149	Jackson Avenue	North Hills	C2
151	Jackson Avenue	North Hills	C2
155	Jackson Avenue	North Hills	C2
157	Jackson Avenue	North Hills	C2
161	Jackson Avenue	North Hills	C2
163	Jackson Avenue	North Hills	C2
1515	Jarrettown Road	Dresher	C2
1622	Jarrettown Road	Dresher	C2
1649	Jarrettown Road	Dresher	C2
1684	Kenmare Drive	Dresher	C2

1322	Kirks Lane	Dresher	C2
1727	Kirks Lane	Dresher	C2
117	Lafayette Avenue	Oreland	C2
125	Lafayette Avenue	Oreland	C2
459	Leah Drive	Fort Washington	C2
6	Lee Drive	Maple Glen	C2
535	Limekiln Pike North	Maple Glen	C2
600	Limekiln Pike North	Maple Glen	C2
601	Limekiln Pike North	Maple Glen	C2
970	Limekiln Pike North	Maple Glen	C2
1020	Limekiln Pike North	Maple Glen	C2
1025	Limekiln Pike North	Maple Glen	C2
1145	Limekiln Pike North	Maple Glen	C2
1314	Limekiln Pike North	Jarrettown	C2
1404	Limekiln Pike North	Dresher	C2
1407	Limekiln Pike North	Jarrettown	C2
1410	Limekiln Pike North	Jarrettown	C2
1417	Limekiln Pike North	Dresher	C2
1422	Limekiln Pike North	Dresher	C2
1453	Limekiln Pike North	Dresher	C2
1457	Limekiln Pike North	Dresher	C2
1460	Limekiln Pike North	Dresher	C2
1461	Limekiln Pike North	Jarrettown	C2
1465	Limekiln Pike North	Dresher	C2
1502	Limekiln Pike North	Jarrettown	C2
1506	Limekiln Pike North	Dresher	C2
1525	Limekiln Pike North	Jarrettown	C2
1605	Limekiln Pike North	Dresher	C2
1635	Limekiln Pike North	Dresher	C2
1647	Limekiln Pike North	Dresher	C2
1651	Limekiln Pike North	Dresher	C2
1657	Limekiln Pike North	Dresher	C2
1708	Limekiln Pike North	Dresher	C2
1525	Limekiln Pike South	Glenside	C2
1545	Limekiln Pike South	Glenside	C2
1600	Limekiln Pike South	Glenside	C2
1780	Limekiln Pike South	Glenside	C2
1783	Limekiln Pike South	Glenside	C2
1790	Limekiln Pike South	Glenside	C2
Stone Arch Bridge	Limekiln Pike South (near Twining Road)	Glenside	C2
127	Linden Avenue	North Hills	C2
328	Linden Avenue	North Hills	C2
432	Linden Avenue	North Hills	C2
1	Lindenwold Terrace	Ambler	C2
720	Loch Alsh Avenue	Ambler	C2

750	Loch Alsh Avenue	Ambler	C2
125	Logan Avenue	North Hills	C2
158	Logan Avenue	North Hills	C2
200	Logan Avenue	North Hills	C2
204	Madison Avenue	Fort Washington	C2
207	Madison Avenue	Fort Washington	C2
208	Madison Avenue	Fort Washington	C2
209	Madison Avenue	Fort Washington	C2
210	Madison Avenue	Fort Washington	C2
211	Madison Avenue	Fort Washington	C2
212	Madison Avenue	Fort Washington	C2
216	Madison Avenue	Fort Washington	C2
220	Madison Avenue	Fort Washington	C2
223	Madison Avenue	Fort Washington	C2
224	Madison Avenue	Fort Washington	C2
226	Madison Avenue	Fort Washington	C2
228	Madison Avenue	Fort Washington	C2
231	Madison Avenue	Fort Washington	C2
306	Madison Avenue	Fort Washington	C2
308	Madison Avenue	Fort Washington	C2
316	Madison Avenue	Fort Washington	C2
400	Madison Avenue	Fort Washington	C2
404	Madison Avenue	Fort Washington	C2
406	Madison Avenue	Fort Washington	C2
414	Madison Avenue	Fort Washington	C2
216	Maple Avenue	Ambler	C2
535	Meadowbrook Avenue	Ambler	C2
546	Meadowbrook Avenue	Ambler	C2
Temple U of Ambler			
11 structures	Meetinghouse Road	Ambler	C2
530	Meetinghouse Road	Ambler	C2
580	Meetinghouse Road	Ambler	C2
1000	Meetinghouse Road	Ambler	C2
1123	Meetinghouse Road	Ambler	C2
1200	Meetinghouse Road	Ambler	C2
1221	Meetinghouse Road	Ambler	C2
806	Montgomery Avenue	Fort Washington	C2
809	Montgomery Avenue	Fort Washington	C2
900	Montgomery Avenue	Fort Washington	C2
1002	Montgomery Avenue	Fort Washington	C2
1004	Montgomery Avenue	Fort Washington	C2
1006	Montgomery Avenue	Fort Washington	C2
1009	Montgomery Avenue	Fort Washington	C2
1107	Montgomery Avenue	Fort Washington	C2
1112	Montgomery Avenue	Fort Washington	C2
1200	Montgomery Avenue	Fort Washington	C2

1201	Montgomery Avenue	Fort Washington	C2
1205	Montgomery Avenue	Fort Washington	C2
1206	Montgomery Avenue	Fort Washington	C2
1210	Montgomery Avenue	Fort Washington	C2
10	Morris Road	Ambler	C2
12	Morris Road	Ambler	C2
33	Morris Road	Ambler	C2
545	Morris Road	Ambler	C2
1432	Mundock Road	Jarrettown	C2
1482	Mundock Road	Jarrettown	C2
1518	Norristown Road	Ambler	C2
1527	Norristown Road	Ambler	C2
1531	Norristown Road	Ambler	C2
1538	Norristown Road	Ambler	C2
1617	Norristown Road	Ambler	C2
1705	Norristown Road	Ambler	C2
1750	Norristown Road	Ambler	C2
1852	North Hills Avenue	Willow Grove	C2
403	Orchard Lane	Fort Washington	C2
409	Orchard Lane	Fort Washington	C2
215	Orlando Avenue	Oreland	C2
300	Orlando Avenue	Oreland	C2
301	Orlando Avenue	Oreland	C2
516	Orlando Avenue	Oreland	C2
1707	Penns Lane	Maple Glen	C2
200	Pennsylvania Avenue East	Oreland	C2
408	Pennsylvania Avenue East	Oreland	C2
900	Pennsylvania Avenue East	Oreland	C2
435	Pennsylvania Avenue West	Fort Washington	C2
437	Pennsylvania Avenue West	Fort Washington	C2
445	Pennsylvania Avenue West	Fort Washington	C2
1380	Pinetown Road	Fort Washington	C2
1390	Pinetown Road	Fort Washington	C2
507	Prospect Avenue	Fort Washington	C2
515	Prospect Avenue	Fort Washington	C2
300	Randolph Avenue	Ambler	C2
302	Randolph Avenue	Ambler	C2
304	Randolph Avenue	Ambler	C2
306	Randolph Avenue	Ambler	C2
308	Randolph Avenue	Ambler	C2
310	Randolph Avenue	Ambler	C2
312	Randolph Avenue	Ambler	C2
314	Randolph Avenue	Ambler	C2
316	Randolph Avenue	Ambler	C2
318	Randolph Avenue	Ambler	C2
320	Randolph Avenue	Ambler	C2

322	Randolph Avenue	Ambler	C2
324	Randolph Avenue	Ambler	C2
326	Randolph Avenue	Ambler	C2
328	Randolph Avenue	Ambler	C2
330	Randolph Avenue	Ambler	C2
332	Randolph Avenue	Ambler	C2
334	Randolph Avenue	Ambler	C2
608	Randolph Avenue	Fort Washington	C2
612	Randolph Avenue	Fort Washington	C2
418	Renfrew Avenue	Ambler	C2
420	Renfrew Avenue	Ambler	C2
422	Renfrew Avenue	Ambler	C2
424	Renfrew Avenue	Ambler	C2
426	Renfrew Avenue	Ambler	C2
427	Renfrew Avenue	Ambler	C2
428	Renfrew Avenue	Ambler	C2
429	Renfrew Avenue	Ambler	C2
430	Renfrew Avenue	Ambler	C2
431	Renfrew Avenue	Ambler	C2
432	Renfrew Avenue	Ambler	C2
433	Renfrew Avenue	Ambler	C2
434	Renfrew Avenue	Ambler	C2
435	Renfrew Avenue	Ambler	C2
436	Renfrew Avenue	Ambler	C2
437	Renfrew Avenue	Ambler	C2
438	Renfrew Avenue	Ambler	C2
439	Renfrew Avenue	Ambler	C2
440	Renfrew Avenue	Ambler	C2
441	Renfrew Avenue	Ambler	C2
442	Renfrew Avenue	Ambler	C2
443	Renfrew Avenue	Ambler	C2
444	Renfrew Avenue	Ambler	C2
445	Renfrew Avenue	Ambler	C2
446	Renfrew Avenue	Ambler	C2
447	Renfrew Avenue	Ambler	C2
448	Renfrew Avenue	Ambler	C2
449	Renfrew Avenue	Ambler	C2
450	Renfrew Avenue	Ambler	C2
451	Renfrew Avenue	Ambler	C2
452	Renfrew Avenue	Ambler	C2
453	Renfrew Avenue	Ambler	C2
454	Renfrew Avenue	Ambler	C2
455	Renfrew Avenue	Ambler	C2
456	Renfrew Avenue	Ambler	C2
457	Renfrew Avenue	Ambler	C2
458	Renfrew Avenue	Ambler	C2

459	Renfrew Avenue	Ambler	C2
460	Renfrew Avenue	Ambler	C2
461	Renfrew Avenue	Ambler	C2
Garages (2)	Renfrew Avenue (in alleyway)	Ambler	C2
2	Schiavone Lane	Ambler	C2
4	Schiavone Lane	Ambler	C2
5	Schiavone Lane	Ambler	C2
6	Schiavone Lane	Ambler	C2
7	Schiavone Lane	Ambler	C2
8	Schiavone Lane	Ambler	C2
9	Schiavone Lane	Ambler	C2
18	Schiavone Lane	Ambler	C2
22	Schiavone Lane	Ambler	C2
17	Shelly Lane	Fort Washington	C2
19	Shelly Lane	Fort Washington	C2
704	Spring Avenue	Fort Washington	C2
707	Spring Avenue	Fort Washington	C2
708	Spring Avenue	Fort Washington	C2
1004	Spring Avenue	Fort Washington	C2
1005	Spring Avenue	Fort Washington	C2
1006	Spring Avenue	Fort Washington	C2
1007	Spring Avenue	Fort Washington	C2
104	Stout Road	Ambler	C2
115	Stout Road	Ambler	C2
119	Stout Road	Ambler	C2
306	Stout Road	Ambler	C2
103	Summit Avenue	Fort Washington	C2
105	Summit Avenue	Fort Washington	C2
107	Summit Avenue	Fort Washington	C2
109	Summit Avenue	Fort Washington	C2
116	Summit Avenue	Fort Washington	C2
121	Summit Avenue	Fort Washington	C2
123	Summit Avenue	Fort Washington	C2
124	Summit Avenue	Fort Washington	C2
200	Summit Avenue	Fort Washington	C2
203	Summit Avenue	Fort Washington	C2
204	Summit Avenue	Fort Washington	C2
205	Summit Avenue	Fort Washington	C2
207	Summit Avenue	Fort Washington	C2
208	Summit Avenue	Fort Washington	C2
209	Summit Avenue	Fort Washington	C2
210	Summit Avenue	Fort Washington	C2
213	Summit Avenue	Fort Washington	C2
217	Summit Avenue	Fort Washington	C2
223	Summit Avenue	Fort Washington	C2

224	Summit Avenue	Fort Washington	C2
225	Summit Avenue	Fort Washington	C2
228	Summit Avenue	Fort Washington	C2
229	Summit Avenue	Fort Washington	C2
231	Summit Avenue	Fort Washington	C2
232	Summit Avenue	Fort Washington	C2
233	Summit Avenue	Fort Washington	C2
235	Summit Avenue	Fort Washington	C2
301	Summit Avenue	Fort Washington	C2
302	Summit Avenue	Fort Washington	C2
303	Summit Avenue	Fort Washington	C2
305	Summit Avenue	Fort Washington	C2
307	Summit Avenue	Fort Washington	C2
308	Summit Avenue	Fort Washington	C2
309	Summit Avenue	Fort Washington	C2
311	Summit Avenue	Fort Washington	C2
312	Summit Avenue	Fort Washington	C2
313	Summit Avenue	Fort Washington	C2
314	Summit Avenue	Fort Washington	C2
316	Summit Avenue	Fort Washington	C2
318	Summit Avenue	Fort Washington	C2
319	Summit Avenue	Fort Washington	C2
400	Summit Avenue	Fort Washington	C2
403	Summit Avenue	Fort Washington	C2
404	Summit Avenue	Fort Washington	C2
405	Summit Avenue	Fort Washington	C2
407	Summit Avenue	Fort Washington	C2
408	Summit Avenue	Fort Washington	C2
409	Summit Avenue	Fort Washington	C2
410	Summit Avenue	Fort Washington	C2
412	Summit Avenue	Fort Washington	C2
413	Summit Avenue	Fort Washington	C2
415	Summit Avenue	Fort Washington	C2
416	Summit Avenue	Fort Washington	C2
417	Summit Avenue	Fort Washington	C2
418	Summit Avenue	Fort Washington	C2
419	Summit Avenue	Fort Washington	C2
450	Susquehanna Road	Ambler	C2
625	Susquehanna Road	Ambler	C2
631	Susquehanna Road	Ambler	C2
637	Susquehanna Road	Ambler	C2
645	Susquehanna Road	Ambler	C2
720	Susquehanna Road	Ambler	C2
730	Susquehanna Road	Ambler	C2
805	Susquehanna Road	Ambler	C2
817	Susquehanna Road	Ambler	C2

925	Susquehanna Road	Ambler	C2
1445	Susquehanna Road	Dresher	C2
1660	Susquehanna Road	Dresher	C2
1668	Susquehanna Road	Dresher	C2
1704	Susquehanna Road	Dresher	C2
Lutheran Cemetery	Susquehanna Road	Ambler	C2
Whitcomb Cemetery	Susquehanna Road	Ambler	C2
500	Tennis Avenue	Ambler	C2
512	Tennis Avenue	Ambler	C2
514	Tennis Avenue	Ambler	C2
604	Tennis Avenue	Ambler	C2
700	Tennis Avenue	Ambler	C2
740	Tennis Avenue	Ambler	C2
500	Trinity Place	Ambler	C2
502	Trinity Place	Ambler	C2
504	Trinity Place	Ambler	C2
506	Trinity Place	Ambler	C2
600	Trinity Place	Ambler	C2
601	Trinity Place	Ambler	C2
602	Trinity Place	Ambler	C2
603	Trinity Place	Ambler	C2
917	Twining Road	Oreland	C2
1511	Twining Road	Willow Grove	C2
1375	Virginia Drive	Fort Washington	C2
315	Waldheim Drive	Ambler	C2
1045	Walnut Lane	Fort Washington	C2
1175	Walnut Lane	Fort Washington	C2
100	Washington Lane	Fort Washington	C2
200	Washington Lane	Fort Washington	C2
205	Washington Lane	Fort Washington	C2
206	Washington Lane	Fort Washington	C2
210	Washington Lane	Fort Washington	C2
211	Washington Lane	Fort Washington	C2
120	Weldy Avenue	Oreland	C2
121	Weldy Avenue	Oreland	C2
125	Weldy Avenue	Oreland	C2
128	Weldy Avenue	Oreland	C2
200	Weldy Avenue	Oreland	C2
201	Weldy Avenue	Oreland	C2
208	Weldy Avenue	Oreland	C2
209	Weldy Avenue	Oreland	C2
213	Weldy Avenue	Oreland	C2
214	Weldy Avenue	Oreland	C2
215	Weldy Avenue	Oreland	C2
218	Weldy Avenue	Oreland	C2
222	Weldy Avenue	Oreland	C2

228	Weldy Avenue	Oreland	C2
501	Willow Avenue	Ambler	C2
503	Willow Avenue	Ambler	C2
504	Willow Avenue	Ambler	C2
505	Willow Avenue	Ambler	C2
506	Willow Avenue	Ambler	C2
518	Willow Avenue	Ambler	C2
522	Willow Avenue	Ambler	C2
532	Willow Avenue	Ambler	C2
100	Wischman Avenue	Oreland	C2
200	Wischman Avenue	Oreland	C2
202	Wischman Avenue	Oreland	C2
208	Wischman Avenue	Oreland	C2
209	Wischman Avenue	Oreland	C2
216	Wischman Avenue	Oreland	C2
300	Wischman Avenue	Oreland	C2
308	Wischman Avenue	Oreland	C2
316	Wischman Avenue	Oreland	C2
404	Wischman Avenue	Oreland	C2
408	Wischman Avenue	Oreland	C2
415	Wischman Avenue	Oreland	C2
416	Wischman Avenue	Oreland	C2
505	Wischman Avenue	Oreland	C2

Section 2. The Code of the Township of Upper Dublin, Chapter A264, §A264-1, Historic resource inventory, shall be amended by adding thereto in alphabetical and numerical order the following properties:

House #	Street	Post Office	Class
385 and garage	Ambler Road	Ambler	C2
231	Bala Avenue	Oreland	C2
302 and barn/garage	Bethlehem Pike	Fort Washington	C2
306 and barn/garage	Bethlehem Pike	Fort Washington	C2
318	Bethlehem Pike	Fort Washington	C2
1212 and barn	Boden Place	Fort Washington	C2
1451, barn, springhouse	Broad Street	Dresher	C2
1301	Butler Avenue	Ambler	C2
1085 and barn	Fort Washington Avenue	Fort Washington	C2
1255 and barn	Fort Washington Avenue	Fort Washington	C2
1305 and barn	Fort Washington Avenue	Fort Washington	C2
212	Girard Avenue	Glenside	C2
1730 and barn	Jarrettown Road	Dresher	C2
1225N and barn	Limekiln Pike	Dresher	C2
1322N and barn	Limekiln Pike	Jarrettown	C2
1444N and barn	Limekiln Pike	Dresher	C2

1425N	Limekiln Pike	Jarrettown	C2
2 and barn	Lindenwold Terrace	Ambler	C2
3 and barn	Lindenwold Terrace	Ambler	C2
4 and barn	Lindenwold Terrace	Ambler	C2
5 and barn	Lindenwold Terrace	Ambler	C2
6 and barn	Lindenwold Terrace	Ambler	C2
7 and barn	Lindenwold Terrace	Ambler	C2
8 and barn	Lindenwold Terrace	Ambler	C2
1454	Mundock Road	Dresher	C2
400, garage, barn, tower	Orchard Lane	Fort Washington	C2
2001E	Pennsylvania Avenue	Oreland	C2
1395 and barn	Pinetown Road	Fort Washington	C2
122 and barn	Summit Avenue	Fort Washington	C2
1001 and garage	Susquehanna Rd	Fort Washington	C2

Section 3. Nothing in this Ordinance or in Chapters A264 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter A264 prior to the adoption of this amendment.

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

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

Approved by the Board this 12th day of May, 2009.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

BY: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

ORDINANCE NO. 09-1213

AN ORDINANCE Providing For The Design, Laying Out, Construction And Installation Of A Public Sidewalk Along The Northerly Side Of Commerce Drive Beginning At The Westerly Property Line Of A Parcel of Land Now Or Formerly Of G&I VI 220 Commerce FE LLC And Extending A Distance Of Approximately 50 Feet In An Easterly Direction To The Easterly Property Line of Said Parcel; Providing For The Condemnation Of Rights Of Way And Permanent And Temporary Easements Across Private Property To Accommodate Said Sidewalk; Providing For The Payment Of Costs Of Construction By Assessment According To The Foot Front Method; Providing For The Liening Of Property Subject To Assessment; And Authorizing Other Necessary Action To Accomplish Said Sidewalk Installation.

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct curbing and sidewalks; and

WHEREAS, it is deemed to be in the best interest of the residents of the Township and the health and welfare of the community to arrange for such facilities to be constructed and installed; and

WHEREAS, in accordance with Article XXIII 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 curbing and sidewalks; and

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to collect by installment the cost of such improvements; and

WHEREAS, in accordance with Article VI of the Code of the Township of Upper Dublin, it is the duty of owners of property abutting any public street, upon receipt of notice to do so from the Township, to construct in front of their respective properties and at their expense a sidewalk and curb, or either of them, as specified by the Township.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN:

Section 1. Sidewalks.

(a) A sidewalk, where the same does not presently exist, shall be constructed beginning at the westerly property line of a parcel of land identified as Montgomery County Tax Parcel No. 54-00-04396-10-4, Tax Map Id 54049-119, situated at 230 Commerce Drive, extending along Commerce Drive in an easterly direction for approximately fifty feet (50')

across the frontage of 230 Commerce Drive, the property now or formerly of G&I VI 220 Commerce FE LLC, to a point approximately forty feet (40') from the easterly property line of said property, Upper Dublin Township, Montgomery County, Pennsylvania, in accordance with plans as may be prepared by an engineering firm retained for such purpose by the Board of Commissioners of Upper Dublin Township (hereinafter "Engineer"), which sidewalks and shall be interconnected to the existing sidewalks in the Township.

(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 said and sidewalk and to pay just compensation therefore.

Section 2. Duty of Property Owner.

(a) It is the duty of the owners of said property, upon receipt of notice to do so from the Township, to construct in front of their property and at their expense the said sidewalk as specified by the Township in the notice.

(b) If the owners of said property fail to construct and install the said sidewalk as set forth in the Township notice, the Township may have the work performed either by its own employees or by an independent contractor, and the Township may charge the cost of the work to the owners.

Section 3. Assessment of Costs.

(a) If the Township constructs and installs the said sidewalk, the costs thereof shall be assessed according to the foot front method upon the abutting property benefited, improved and accommodated by the said sidewalk.

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

(c) Upon receipt of the Engineer's Declaration of Completion of the project, the Township Manager shall make out bills for the amounts assessed against the abutting property benefited by the sidewalk and a notice of assessment, which shall be forthwith served on all the owners of the 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 therefore against the property of such owner, with a penalty of five percent (5%) of the amount of such assessment, together with interest and costs as provided by law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

ENACTED AND ORDAINED this 14th day of July, 2009.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: _____
Jules J. Mermelstein, President

Attest: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 09-1214

AN ORDINANCE To Amend The Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III Uniform Construction Code, by amending Section 73-6, entitled Election and Adoption of Uniform Construction Code, Section 73-7, entitled Duties and Powers of Code Official, Section 73-8, entitled Permits, Section 73-10, entitled Fees, and Section 73-14, entitled Board of Appeals, to make administrative changes.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, Section 73-6, entitled Election and Adoption of Uniform Construction Code, Section 73-7, entitled Duties and Powers of Code Official, Section 73-8, entitled Permits, Section 73-10, entitled Fees, and Section 73-14, entitled Board of Appeals, shall be amended to make administrative changes by revising the Chapter, Article and Sections to provide as follows:

§ 73-6. Election and adoption of Uniform Construction Code.

* * * * * * *

B. The Uniform Construction Code (referred to in this Chapter as the "Code"), as adopted by the Commonwealth of Pennsylvania and contained in 34 Pa. Code, Chapters 401 through 405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Uniform Building Code of Upper Dublin Township. The codes included within the Uniform Construction Code are those published by the International Code Council, Inc., as are now and as may be hereafter supplemented, reissued, amended, revised, and adopted by the Commonwealth of Pennsylvania, copies of which have been and are now on file in the Township Department of Code Enforcement, and the same are hereby adopted and incorporated as if fully set out at length herein.

where the Code Official finds that the proposed alternative is satisfactory and complies with the provisions of the Code governing alternative construction materials and methods.

§ 73-8. Permits.

* * * * * * *

F. Application for permit. To obtain a permit, an applicant shall first file a permit application in writing on a form furnished by the Department of Code Enforcement. The application shall be completed with all data and information requested by the Department.

G. Expiration of permit. Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit or if the authorized work is suspended or abandoned for a period of six months after the time work is commenced. The Code Official may extend the time period of a building permit for one period not to exceed six months if the permittee provides reasonable justification to do so.

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§ 73-10. Fees.

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B. Schedule of fees. Applicants for permits under the Code shall pay to the Township at the time of application the fees, escrows, and deposits set forth on the then-current fee schedule which shall have been adopted by resolution or ordinance by the Board of Commissioners. When a permit fee, escrow, or deposit is based on the cost of construction, the valuation of the subject work shall be the fair market value of all the construction work. The Code Official shall evaluate

C. Qualifications. The Board of Appeals shall consist of three voting members and alternate members as may be appointed by the Board of Commissioners. All members shall be residents of the Township who are qualified by experience and training to pass on matters pertaining to building construction and who are not officials or employees of the Township. Members of the Board of Appeals may rotate between voting and alternate member status so long as three members are seated as voting members to create a quorum to hear an appeal. An alternate member may serve for the entirety of an appeal proceeding and shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for voting members. An alternate member may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board unless designated as a voting member.

D. Appeals. An appeal from any decision pertaining to the Code or this Chapter shall be taken to the Board of Appeals as specified by the Code. All appeals shall be submitted to the Board of Appeals using a form furnished by the Department of Code Enforcement. The appellant or his representative shall have the right to a hearing on the appeal if such right is requested on the appeal application form.

Section 2. Nothing in this Ordinance or in Chapter 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 73 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of, July, 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

By: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 09-1215

AN ORDINANCE Amending The Zoning Code Of The Township Of Upper Dublin With Respect To Minor Home Occupation Uses Permitted In A Dwelling In A Residential Zoning District To Allow The Resident Practitioner And One Other Person To Work On The Premises; And Providing That If Additional Paving Is Added To Create Required Additional Parking, It Shall Be Screened With A Softening Buffer; And Providing That If Construction Of Additional Parking Is Required, Then Grading Permits If And As Required By Chapters 99 And 206, Shall Be Obtained.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Structures and Uses, § 255-27, Dwellings, subsections J(1) and J(3), shall be amended to provide as follows:

Article IV. Accessory Buildings, Structures and Uses.

§ 255-27. Dwellings.

The following uses shall be accessory to dwellings:

* * * * * *

J. Minor home occupation. A "minor home occupation" is a home occupation which involves no more than one commercial visit per hour and a maximum of four commercial visits to the premises per day, with all visits falling between the hours of 9:00 a.m. and 9:00 p.m. One minor home occupation is permitted per dwelling, subject to the following requirements:

(1) The use shall be located in the principal residence of the practitioner. No person except a resident practitioner and one other person shall work on the premises in connection with the use.

* * * * * *

(3) Parking shall be provided as required by Article XIX of this

chapter. If paving is added to create an additional parking space on the lot, then landscape plantings sufficient to screen the additional parking area from adjacent lots, as provided for in Section 212-32.F(2)(d), shall be installed and maintained. Construction of any needed additional parking shall receive grading permits if and as required by Chapters 99 and 206.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of August, 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

dChapter 255\home occupation
3/4/09

AN ORDINANCE

NO. 09-1216

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, To Allow A Community Residential Program As A Special Exception; To Remove A Separation Requirement Between Community Residential Programs In Residential Districts; And To Provide That Prior To Use Buildings Housing Community Residential Programs Shall Be Inspected To Assure Adherence To The International Property Maintenance Code And Be Issued A Use And Occupancy Permit By The Code Enforcement Department.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article VII, Residential Districts, § 255-39, Permitted Uses, subsection A, paragraph (4), Community residential program, sub-paragraphs (a) and (c) thereof, shall be amended to provide as follows:

Article VII. Residential Districts

* * * * * *

§ 255-39. Permitted uses.

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

* * * * * *

(4) Community residential program, when authorized as a special exception, subject to the following:

(a) (RESERVED)

* * * * * *

(c) Each community residential program must make application to and obtain from the Code Enforcement Department a use and occupancy permit, which shall be issued after an inspection by the Township to ensure that the building(s) meet(s) the standards of the International Property Maintenance Code currently adopted by the Township. This requirement is applicable regardless of whether the residents of the community residential program are lessees or owners of the community residential program.

* * * * * * *

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of August, 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

\Chapter 255 §255-59)A)(4)
4.16.09

AN ORDINANCE

NO. 89-127

AN ORDINANCE Amending The Subdivision and Land Development Code Of The Township Of Upper Dublin With Respect To Plan Submission Requirements And Processing Procedures To Allow Adjacent Lots Owned By The Same Person To Be Consolidated By Recording A Deed Describing The Lots As A Single Parcel, Without Minor Subdivision Plan Approval.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, § 212-41, Plans required for approval, shall be amended to add a new subsection F. Lot Consolidation: to provide as follows:

ARTICLE VI, Plan Submission Requirements and Processing Procedures

* * * * * *

§ 212-41. Plans required for approval.

* * * * * *

F. Lot Consolidation. Adjacent lots owned by the same entity may be consolidated by recording a deed describing the lots as a single parcel, without minor subdivision plan approval, where the only change being made to a lot line is the elimination of one or more of them, subject to administrative review by the Township Engineer and the Code Enforcement Department. This exemption from the approval procedures set forth in this chapter shall be subject to the following:

(1) A statement must be placed in the deed acknowledging that it is a deed of consolidation intended to merge the lots and that any future independent use of the pre-consolidation lots would require subdivision approval.

(2) The application to register the deed shall constitute an application to amend the Township's plan of properties to show the consolidation.

(3) Prior to such deed being recorded at the Montgomery County Recorder of Deeds office, the Code Enforcement Department shall notify the Montgomery County Board of Assessment, the Township Engineer, the Zoning Officer, and the Township Tax Collector, of the proposed consolidation.

(4) Each deed that will be submitted for recording with the Montgomery County Recorder of Deeds shall be filed and recorded with the Township Code Enforcement Department. The filing shall include a copy of the deed and have attached thereto a plan prepared, signed and sealed by a registered surveyor showing:

i) the metes and bounds, gross and net (after deducting the rights-of-way of any public or private street) areas, and

ii) the error of closure of the consolidated lot. The error of closure shall not be greater than one part in 5,000, and

iii) no discrepancies in any property lines, and

iv) consistent bearing datum.

(5) The Township Engineer may request the applicant submit additional information, such as a title survey or binder, if necessary to clarify any existing conditions or other related issues.

i) If upon review there are discrepancies and/or inconsistencies that cannot be readily resolved, then the lot consolidation plan shall be rejected and returned to the applicant.

a) Once a rejected lot consolidations is remedied, it may be resubmitted as minor subdivisions, as provided for in this Chapter.

(6) Upon approval by the Code Enforcement Officer and merger by deed original lots shall lose their separate identity for all purposes relating to their development.

* * * * * *

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

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of August, 2009.

BOARD OF COMMISSIONERS

OF THE

TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 09-1218

AN ORDINANCE to Amend the Code of the Township of Upper Dublin to Revise Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, by Adding Section 73-17, Entitled Changes to Uniform Construction Code, to Include Subsection 73-17.A, Providing the Township's Intent and Justification for Amending the Uniform Construction Code; Subsection 73-17.B Providing Standards for Swimming Pools, Spas and Hot Tubs; Subsection 73-17.C Providing Regulations for Commercial Permits and Inspections; and Subsection 73-17.D Providing Regulations for Residential Permits and Inspections; and to Revise Chapter 127, Historic Preservation, by Amending Section 127-2, Definitions, to Add the Definition of Historic Resource; and to Revise Chapter 218, Swimming Pools; to Revise Sections 218-1 Through 218-6 to Include Reference to the Uniform Construction Code and to Specify Changes to the Uniform Construction Code with Respect to Pool Barriers.

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

Section 1. The Code of the Township of Upper Dublin Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, shall be amended by the addition of Section 73-17 entitled Changes to Uniform Construction Code, to provide as follows:

§ 73-17. Changes to Uniform Construction Code.

A. Intent. The intent of this section is to supplement and amend the provisions of the Uniform Construction Code so that it better applies to the Township and more fully satisfies the unique building code requirements of the Township for the protection of health, safety, and welfare within the Township as justified below:

(1) Established in 1701, Upper Dublin Township was originally a part of a 1684 land grant from William Penn called "Dublin." In its early years, the Township was mostly farmland with population centers around the settlements of Dreshertown, Fort Washington, Fitzwatertown, Jarrettown, Maple Glen, Rose Valley and Three Tons. During the Revolutionary War the Continental Army encamped within the

Township in 1777 and the Township was witness to many military movements and expeditions. Today, Upper Dublin Township occupies the inner suburban ring around Philadelphia and is over ninety percent (90%) built-out as a near-urban suburban community.

(2) The historic population centers of Dresher, Fort Washington, Fitzwatertown, Jarrettown, and Maple Glen grew tremendously following World War II, through the 1950's to the present. The vast majority of the thirteen square miles of Upper Dublin Township are now developed and committed to the following uses: residential use (58%); commercial, office and industrial use (11%); and as institutional and public use (27%). Only four percent (4%) of the land area of Upper Dublin Township is currently undeveloped.

(3) As of the year 2000, Upper Dublin Township accommodated a population of 25,878 persons. The Township's forecasted population in the year 2025 is 27,370. The population density of the Township in the year 2000 was 1960 persons per square mile. As a densely developed inner-ring suburban community near Philadelphia, with distinct historic neighborhoods connected by modern suburban housing and commercial development, the Township must address complex health, safety and welfare issues, including environmental protection, stormwater management, historic preservation, place identity, population density, and redevelopment. These issues are experienced on a scale within the Township that exceeds that of most other municipalities within the Commonwealth of Pennsylvania.

(4) As one consequence of the Township's size and extent of urbanization, the Township is compelled by the Clean Water Act to obtain and comply with a Municipal Separate Storm Sewer System ("MS4"), National Pollutant Discharge Elimination System ("NPDES") permit for the management and discharge of stormwater within the Township, the terms of which require increased Township regulation of development and construction activities with respect to stormwater runoff and the effects of such runoff on public health, safety, welfare, and the environment.

(5) The Board of Commissioners of Upper Dublin Township finds that the provisions of the Uniform Construction Code do not fully meet the building code requirements of the Township of Upper Dublin and therefore must be supplemented and amended to better apply to the Township.

B. The Uniform Construction Code standards as administered in Upper Dublin Township shall be supplemented and amended with the addition of the following standards:

(1) (Reserved)

(2) (Reserved)

(3) (Reserved)

(4) (Reserved)

(5) (Reserved)

(6) Swimming Pools, Spas, and Hot Tubs. In addition to the provisions of 34 Pa. Code § 403.26, the provisions of the International Residential Code and the provisions of the International Building Code relating to swimming pools, the

construction of all swimming pools, spas, and hot tubs shall comply with the provisions of Chapter 218, Swimming Pools, Article I, Construction Standards.

C. Commercial Permits and Inspections.

(1) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.42(c)(1)(xiii) regarding permit exceptions shall be amended to read, "except for Historic Resources, where the installation and replacement of windows shall require a building permit."

(2) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.43(a) regarding the grant of a permit shall have added a second sentence which reads: "When a grading permit has been applied for in conjunction with proposed construction, the thirty-day approval/denial time-frame may be extended because the building permit shall not be issued until the grading permit has been approved."

(3) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.43(g) regarding permit expiration shall read with respect to permit expiration: "A permit is valid for one year from its issue date and may be renewed annually for up to five years from its issue date."

(4) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.45(c) regarding inspections shall have added a sentence which reads: "The owner or contractor shall provide a minimum of twenty-four-hour notice to the Code Official for inspection."

D. Residential Permits and Inspections.

(1) Contrary to 34 Pa. Code §§ 403.1(b)(3) and 403.62(c) regarding exclusions and exemptions, the Uniform Construction Code as administered in Upper Dublin Township shall apply to all utility and miscellaneous use structures that are accessory to one- and two-family dwellings and that are greater than or equal to 120 square feet in building area, including, but not limited to, carports, detached private garages, greenhouses, and sheds.

(2) Contrary to 34 Pa. Code §§ 403.1(b)(8) and 403.62(c) regarding exclusions and exemptions, the Uniform Construction Code as administered in Upper Dublin Township shall apply to all uncovered decks regardless of the elevation of the deck floor above grade, and a permit shall be required for the installation of an uncovered deck.

(3) Contrary to 34 Pa. Code §§ 403.1(b)(8) and 403.1(b)(9) regarding alterations and repairs to residential buildings, the Uniform Construction Code as administered in Upper Dublin Township shall apply to alterations and repairs to residential buildings, including basement remodeling projects and the installation and replacement of doors and windows in Historic Resources.

(4) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.62(c)(8) shall be deleted. The Township shall require a building permit for the installation of an uncovered deck regardless of the height of the floor of the deck.

(5) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.63 (a) regarding the grant of a permit shall have added a second

sentence which reads: "When a grading permit has been applied for in conjunction with proposed construction, the fifteen-day approval/denial time-frame may be extended because the building permit cannot be issued until the grading permit has been approved."

(6) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.63 (g) regarding permit expiration shall read: "A permit is valid for one year from its issue date and may be renewed annually for up to five years from its issue date."

(7) As the Uniform Construction Code is administered in Upper Dublin Township, 34 Pa. Code § 403.64 (b) regarding inspections shall have added a sentence which reads: "The owner or contractor shall provide a minimum of twenty-four-hour notice to the Code Official for inspection."

Section 2. The Code of the Township of Upper Dublin, Chapter 127, Historic Preservation, shall be amended to provide as follows:

§ 127-2 Definitions.

* * * * * * *

HISTORIC RESOURCE - A building, structure, or site which is historically or archaeologically significant, or which has significant architectural, engineering, scientific, economic, agricultural, educational, social, political, military, cultural or aesthetic merit, including those buildings, structures, and sites that are classified by federal, state or local government authority as historic buildings or sites.

Section 3. The Code of the Township of Upper Dublin, Chapter 218, Swimming Pools, Article I, Construction Standards, shall be amended by revising Sections 218-1 through 218-6 to provide as follows:

§ 218-1. Permit required.

It shall be unlawful for any person or persons to construct a bathing, swimming place or swimming pool, spa, hot tub, artificial body of water, or any excavation in which water may collect to a depth of two (2) feet or greater, including a stormwater management facility, until a permit is first obtained from the Code Official of the Township of Upper Dublin.

§ 218-2. Permit application.

All applications for permits required by this Chapter shall comply with the permit requirements of Chapter 73, Building Construction – Uniform Construction Code, and shall include such plans and drawings in duplicate or other data as may be required by the Code Official and shall satisfactorily indicate the barrier method and method of securing the barrier and the manner of emptying of the pool or body of water.

§ 218-3. Permit fee.

The applicant for a permit shall, at the time of making the application, pay to the Code Official for the use of the Township a fee in accordance with the fee schedule adopted by and set forth in Chapter 110, Fees.

§ 218-4. Barrier required.

No person or persons shall construct or maintain a bathing, swimming place or swimming pool, spa, hot tub, artificial body of water, or any excavation in which water may collect in excess of two (2) feet, including a stormwater management structure within three hundred (300) feet of any property line of the property on which the stormwater management structure is located, unless it is surrounded by a barrier as specified by the requirements of Chapter 73, Building Construction – Uniform Construction Code, with the exception that the sides of an aboveground

pool structure may not be used as a barrier; however, barriers may be placed on top of aboveground pool structures to comply with the barrier requirements. Barriers may not be less than four (4) feet nor more than six (6) feet in height.

§ 218-5. Drainage.

Except as may be permitted under Chapter 206, Stormwater Management, any drain or conveyance that allows nonstormwater discharge including sewage, process waste water and wash water to enter the waters of the Commonwealth is prohibited. As authorized under Chapter 206, swimming pool, spa, hot tub, or other chemically treated water may be discharged if the water is dechlorinated and if the discharge does not otherwise significantly contribute to pollution of the waters of the Commonwealth. Swimming pool, spa and hot tub water shall be discharged to a stormwater management facility or on the property at a rate and volume to allow for maximum absorption and infiltration. The discharge shall be dechlorinated and free from pollutants. If authorized by the sanitary sewer operator, swimming pool, spa and hot tub backwash water, neutralized cleaning wastewater and standing water may be discharged to the sanitary sewer system. If a sanitary sewer is not in the immediate area and swimming pool, spa or hot tub water cannot be dechlorinated or otherwise treated onsite to remove pollutants, the water must be hauled off-site for disposal at an approved treatment facility.

§ 218-6. Violations and penalties.

Any person violating the provisions of this Chapter shall be guilty of a summary offense, and upon conviction, shall be subject to a fine not exceeding one thousand dollars ($1,000.00) for each and every violation, recoverable with costs. Each day that the violation continues shall be a separate offense and penalties shall be cumulative.

Section 4. Nothing in this Ordinance or in Chapter 73, Chapter 127, or Chapter 218 of the Township of Upper Dublin Code, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 73, Chapter 127, or Chapter 218 prior to the adoption of this amendment.

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

Section 6. This Ordinance shall take affect and be in force thirty-five (35) days after the date of its approval as required by the Pennsylvania Construction Code Act.

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of, September 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

By: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

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AN ORDINANCE

NO. 09-1219

AN ORDINANCE To Amend The Code of the Township of Upper Dublin, Chapter 152, Mechanical Standards, by deleting Section 152-2, Amendments, and by adopting a new Section 152-2, Modification of Standards.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 152, entitled Mechanical Standards, shall be amended by the deletion of the current Section 152-2, entitled Amendments, and the addition of a new Section 152-2, entitled Modifications of Standards, to provide for administrative modifications as follows:

Chapter 152
MECHANICAL STANDARDS

* * * * * * *

§ 152-2. Modification of standards.

A. Changes from the BOCA National Mechanical Code, Eighth Edition, 1993, to the Mechanical Code of the Township of Upper Dublin, are as follows:

(1) Section M-101.1, insert: "the Township of Upper Dublin" for Name of Jurisdiction.

(2) Section M-113.2, insert: "The currently adopted fee schedule for the Township of Upper Dublin as per Chapter 110, Fees."

(3) Section M-113.3, insert: "The currently adopted fee schedule for the Township of Upper Dublin as per Chapter 110, Fees."

(4) Section M-116.4, for what a person shall be guilty of for a violation, insert: "a summary offense, punishable by a fine of not more than One Thousand Dollars ($1,000.00)."

(5) Section M-117.2, for what a person shall be liable for unlawful continuance of work, insert: "a fine of not more than One Thousand Dollars ($1,000.00)."

(6) Section 121.0, delete all and add the following:

SECTION 121.0 MEANS OF APPEAL

121.1 An appeal from any decision of the Building Code Official may be taken pursuant to the Uniform Construction Code as specified by Article III, Uniform Construction Code, of Chapter 73, Building Construction – Uniform Construction Code.

(7) Section 3408.2, insert: August 15, 1994.

B. The portions of the Mechanical Code of the Township of Upper Dublin which equal or exceed the requirements of the Pennsylvania Construction Code Act and the Uniform Construction Code as adopted under Chapter 73 shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements adopted under Chapter 73.

* * * * * * *

Section 2. Nothing in this Ordinance or in Chapter 152 or Chapter 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 152 or Chapter 73 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of, September, 2009.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

By: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 09-1226

AN ORDINANCE to Amend the Code of the Township of Upper Dublin, Chapter 174, Plumbing, by Deleting Section 174-2, Amendments, and by Adopting a New Section 174-2, Modification of Standards.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 174, entitled Plumbing, shall be amended by the deletion of the current Section 174-2, entitled Amendments, and the addition of a new Section 174-2, entitled Modifications of Standards, to provide for administrative modifications as follows:

Chapter 174
PLUMBING

* * * * * * *

§ 174-2. Modification of standards.

A. Changes from the BOCA National Plumbing Code, Ninth Edition, 1993, to the Plumbing Code of the Township of Upper Dublin, are as follows:

(1) Section P-101.1, insert: "the Township of Upper Dublin" for Name of Jurisdiction.

(2) Section P-113.2, insert: "The currently adopted fee schedule for the Township of Upper Dublin as per Chapter 110, Fees."

(3) Section P-116.4, for what a person shall be guilty of for a violation, insert: "a summary offense, punishable by a fine of not more than One Thousand Dollars ($1,000.00)."

(4) Section P-117.2, for what a person shall be liable for unlawful continuance of work, insert: "a fine of not more than One Thousand Dollars ($1,000.00)."

(5) Section P-121.0, delete all and add the following:

SECTION 121.0 MEANS OF APPEAL

121.1 An appeal from any decision of the Building Code Official may be taken pursuant to the Uniform Construction Code as specified by Article III, Uniform Construction Code, of Chapter 73, Building Construction – Uniform Construction Code.

(6) Section 3408.2, insert: August 15, 1994.

B. The portions of the Plumbing Code of the Township of Upper Dublin which equal or exceed the requirements of the Pennsylvania Construction Code Act and the Uniform Construction Code as adopted under Chapter 73 shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements adopted under Chapter 73.

* * * * * * *

Section 2. Nothing in this Ordinance or in Chapter 174 or Chapter 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 174 or Chapter 73 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of, September 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

By: _____
Jules J. Mermelstein, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 09-1221

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 142, Entitled Library, Article II, Entitled Board of Directors, By Deleting The Current Section 142-8, Entitled Creation; Rules And Regulations, And Adding A New Section 142-8, Entitled Creation; Rules And Regulations, To Clarify The Authority Of The Library Board Of Directors.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 142, entitled Library, Article II, entitled Board of Directors, shall be amended by the deletion of the current Section 142-8, entitled Creation; rules and regulations, and the addition of a new Section 142-8, entitled Creation; rules and regulations, to provide as follows:

Chapter 142
LIBRARY

* * * * * * *

ARTICLE II
Board of Directors

§ 142-8. Creation; rules and regulations.

A. Pursuant to The Library Code Act of June 14, 1961, P.L. 324, as amended, and the State Library regulations, Title 22 of the Pennsylvania Code, Chapters 131-143, there is hereby created a Library Board of Directors consisting of residents of Upper Dublin Township to be appointed by the Board of Commissioners and to be known as the "Library Board of Directors."

B. The said Library Board shall oversee the planning, operation and maintenance of a free, public, nonsectarian library for the use of the residents of Upper Dublin Township; and shall have the authority to prepare and adopt rules and regulations which, in its opinion, shall effectuate the intent and provisions of this chapter.

C. In carrying out the intent and provisions of this chapter, the members of said Library Board may be guided by the standards laid down by the Department of Education of the Commonwealth of Pennsylvania and any other similar body or organization which promulgates standards that would carry out the intent of this chapter.

* * * * * * *

Section 2. Nothing in this Ordinance or in Chapter 142 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 142 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 13th day of October, 2009.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

ud\ord\Chapter 142\O-Chapter 142–Section 142-8 (draft 09.14.09)

AN ORDINANCE

NO. 09-1222

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", Section 233-54, "Parking Prohibited At All Times" By Restricting Parking On The North Side Of Prospect Avenue From Madison Avenue Westerly To Summit Avenue.

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

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

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

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

Name of Street	Side	Location
	* * * * * * *	
Prospect Avenue	North	From Madison Avenue West To Summit Avenue
	* * * * * * *	

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

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

clause, part, or provision had not been included herein.

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

ENACTED AND ORDAINED this day of , 2009.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

JULES J. MERMELSTEIN, PRESIDENT

PAUL A. LEONARD, SECRETARY

wkwrd\CH 233 VEHICLES & TRAFFICNo Parking-Prospect Ave
10.20.09

AN ORDINANCE

NO. 09-1225

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 168, Parks And Recreation, Section 168-2, Rules And Regulations, To Require A Special Permit To Carry Firearms Or Other Weapons In A Township Park, Unless Exempted.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 168, Parks and Recreation, Section 168-2, Rules and regulations, subsection I, shall be amended to provide as follows:

§ 168-2. Rules and regulations.

The following rules and regulations are set forth for the use of the parklands in the Township of Upper Dublin:

* * * * * * * *

I. Firearms or other weapons may not be carried without a special permit, unless exempted, and may only be used in a properly designated area under adequate supervision. No firecrackers, fireworks or rockets are permitted except with adequate supervision and with a special permit.

Section 2. Nothing in this Ordinance or in Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to effect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 168 prior to the adoption of this amendment.

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

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

Approved by the Board this day of , 2009.

BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF UPPER DUBLIN

Jules J. Mermelstein, President

ATTEST:

Paul A. Leonard, Secretary

w\ordinance\Chapter 168\regulations\firearms
9.17.09

ORDINANCE NO. 09-1224

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2010

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 2010.

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 2010 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	17,848,731
Receipts from Taxes of Prior Years	74,000
Other Revenues and Receipts	7,862,030
TOTAL ESTMATED RECEIPTS AND CASH	25,784,761

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,283,885
Treasurer and Tax Collector		21,065
Library		986,974
Municipal Buildings		535,023
Economic Development		110,000
	TOTAL	3,936,947
PROTECTION TO PERSON AND PROPERTY		
Police		6,368,390
Fire		1,855,891
Emergency Services		276,313
	TOTAL	8,500,594

SANITATION		2,260,475
CODE ENFORCEMENT		545,831
HIGHWAY AND ENGINEERING		3,499,859
PARKS AND RECREATION		1,835,114
DEBT SERVICE		1,933,695
NON EXPENDABLE TRUSTS		1,900
CAPITAL PROJECTS		
General Capital		2,027,596
Stormwater Management Projects		1,165,000
Open Space		64,500
	TOTAL	3,257,096
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		25,784,761

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2010.

ENACTED AND ORDAINED THIS 8th day of December 2009.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Jules J. Mermelstein, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 09-1225

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2010 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2010 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2010 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2010 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2010 FOR VOTER APPROVED OPEN SPACE DEBT AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2010, as follows:

Tax rate for General Purposes, the sum of 2.866 mils
on each dollar of assessed valuation, or the sum of 28.66 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.866	28.660

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 2010, as follows:

Tax rate for Debt Service, the sum of 0.765 mils
on each dollar of assessed valuation, or the sum of 7.760 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.765	7.650

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 2010, as follows:

Tax rate for Fire Protection, the sum of	0.437 mils
on each dollar of assessed valuation, or the sum of	4.370 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.437	4.370

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 2009, as follows:

Tax rate for Parks and Recreation the sum of	0.613 mils
on each dollar of assessed valuation, or the sum of	6.130 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.613	6.130

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2010, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of	0.068 mils
on each dollar of assessed valuation, or the sum of	0.680 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Permanent Improvement Fund	.068	0.680

SECTION 6: Discounts and Penalties

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

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

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

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 2010.

ENACTED AND ORDAINED THIS 8th day of December 2009.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Jules J. Mermelstein, President

ATTEST: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 10-1226

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 110, Entitled Fees, To Revise The Current Fee Schedule And To Impose New Fees For Permits, Inspections And/Or The Processing Of Plans Relating To Building Construction, Housing, Excavations And Grading, Plumbing, Property Maintenance, Zoning Hearing Board, Police Special Duty, Highway Occupancy, And Subdivision And Land Development Applications, And To Amend Chapter 73, Entitled Building Construction – Uniform Construction Code To Require Payment Of A $4 Uniform Construction Code Fee And To Require The Posting Of An Escrow Prior To Issuance Of A Building Permit For A Swimming Pool.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-3, "Building construction", subsection A, shall be amended to provide as follows:

§ 110-3. Building construction – Uniform Construction Code.

In accordance with Chapter 73, Building Construction – Uniform Construction Code, the following fees shall be charged:

A. Applicants for permits to be issued under Chapter 73, Building Construction – Uniform Construction Code, shall pay to the township at the time of application the fees prescribed in this section.

(1) New construction.

(a) Permit fees for new single-family and two-family dwellings, townhouses, and buildings accessory thereto shall be as follows:

* * * * * * *

[2] Where the total floor area of each unit is more than 1,500 square feet: an additional fee of $150.00 for each additional 500 square feet, or fraction thereof over 1,500 square feet.

* * * * * * *

(d) Permit fees for all other non-residential construction shall be as follows:

[1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by totaling the area determined from outside building exterior perimeter dimensions at ten-foot intervals from the basement level to the mean roof elevation or top of wall, whichever is higher, or the uppermost level. For each 1,000 square feet of floor area or fraction thereof: $400.00.

(2) Alterations, residential additions, repairs, demolition and installation of permanent equipment.

(a) Permit fees for residential additions shall be as follows:

[1] The floor area of any proposed residential addition referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For each 500 square feet or fraction thereof, including attached garages and excluding areas of crawl space, basements and attic space under six feet in height: $500.00.

(b) Permit fees for nonresidential additions shall be as follows:

[1] The floor area of any proposed nonresidential addition referred to in this subsection shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For each 1,000 square feet, including attached garages and

excluding areas of crawl space, basements and attic space under six feet in height: $425.00.

(c) Permit fees for the alteration, repair, or demolition of a residential building, the installation of permanent equipment therein, and the repair of miscellaneous structures accessory thereto, shall be as follows:

* * * * * * *

[3] The fee for miscellaneous alterations (decks etc) shall be $25 for each $1000 of the estimated cost.

(d) Permit fees for the alteration or repair of a nonresidential building and the installation of permanent equipment therein and the repair of miscellaneous structures accessory thereto, shall be as follows:

[1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building room or space to be altered, repaired, or improved with equipment. The floor area for any proposed demolition shall be computed the same as for new construction described in paragraph A.(1) above. For each 1000 square feet of floor area or fraction thereof: $850.00

[2] The fee for miscellaneous alterations shall be $25 for each $1000 of the estimated cost.

(e) Permit fees for the demolition of a residential or nonresidential building shall be based on the estimated cost of demolition:

[1] For each $1,000 of estimated cost, the fee is $30.

(f) Permit fees for erection of swimming pools, retaining walls, fences, portable storage units, membrane structures/tents and other structures of a similar nonresidential character shall be as follows:

[1] For every $1,000.00 of estimated cost, or fraction thereof, and for each portable storage unit, a fee of $25.00; for

each commercial or institutional membrane structure/tent, a fee of $75.00.

* * * * * * * *

(4) Heating and air-conditioning equipment. Permit fees for the installation, conversion or replacement of heating and air-conditioning equipment, including oil storage tanks of 550 gallons capacity or less, shall be as follows:

(a) For each $1,000 or fraction thereof of estimated cost: a fee of $25.

* * * * * * * *

(6) Fuel storage tanks and gasoline pumps. Permit fees for the installation of fuel storage tanks of every description and gasoline pumps shall be as follows:

(a) For fuel storage tanks of every description: a fee of $75.00.

* * * * * * * *

(7) Display signs. The permit fee for a display sign shall be $25 for each $1,000 of estimated cost or fraction thereof.

(8) Roadside stands. The fee shall be $25, except if the stand offers for sale any explosives, fireworks or pyrotechnic special effects, the fee shall be $250.00.

(9) Occupancy permit.

* * * * * * *

(b) For commercial permits the fee shall be $100.

(10) Electrical wiring and equipment permit.

(a) For each $1,000 or fraction thereof of the estimated cost: a fee of $25.

(11) Fire sprinklers.

(a) For the review of nonresidential sprinkler plans and permit, the

fee shall be $75 for the first $1,000 or fraction thereof of the estimated cost plus $10 for each additional $1,000 or fraction thereof of the estimated cost.

(b) For the review of residential sprinkler plans and permit, the fee shall be $75 for each review plus the third party review fee.

(12) Fire suppression systems.

(a) For plan review and permit, the fee shall be $75 for the first $1,000 or fraction thereof of the estimated cost plus $10 for each additional $1,000 or fraction thereof of the estimated cost. .

(13) Fire Alarms.

(a) For the review of nonresidential fire alarm plans, together with registration and permit, the fee shall be $75 for the first $1,000 or fraction thereof of the estimated cost plus $10 for each additional $1,000 or fraction thereof of the estimated cost.

(b) For the review of residential fire alarm plans, together with registration and permit, the fee shall be $25 for each $1,000 or fraction thereof of the estimate cost.

(14) Fireplaces. For plan review and permit for gas- or wood-burning fireplaces, the fee shall be $75.

* * * * * * * *

(16) In all cases the fee for a permit includes a final inspection to determine compliance with Township Codes. If additional inspections are required because upon initial inspection the work does not comply with Township Codes, a re-inspection fee of $50 may be charged for each additional inspection required, payable in advance of the re-inspection.

(17) The Township will endeavor to review plans and issue permits within the time limits mandated by the Uniform Construction Code. Where expedited plan review is requested, a surcharge of 30% of the permit fee otherwise payable will be charged, in which case the Township will review plans for residential development within 10 business days of presentation and will review plans for all other development within 20 business days of presentation.

(18) The fee for a blasting permit and for a fireworks display/performance permit shall be $100.

Section 2. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-4, "Basic housing fees", shall be amended to provide as follows:

§ 110-4. Basic housing fees.

A. For rental units within an apartment or condominium building, a permit fee of $30 per building plus $20 per unit shall be paid every two years.

B. For a rental unit within a single- or two-family dwelling, a permit fee of $50 per unit shall be paid every two years.

Section 3. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-5, "Excavation permits", subsection A, shall be amended to provide as follows:

§ 110-5. Excavation permits.

The following permits are issued under Chapter 99, Excavations:

A. Before issuing a grading permit, the appropriate official of the Township shall collect a permit fee as follows:

* * * * * * * *

(4) The permit fee for miscellaneous construction items involving excavation shall be as follows:

(a) Patio – slab on grade or elevated – a fee of $150 for new construction and a fee of $100 for a replacement.

(b) Deck – open construction – a fee of $150 for new construction if the area of the deck is greater than 400 sq.ft., a fee of $100 for new construction if the area of the deck is 400 sq.ft. or less, and a fee of $55 for a replacement deck.

(c) Driveways – a fee of $150 if the area of the driveway is greater than 400 sq.ft. and a fee of $100 if the area of the driveway is 400 sq.ft. or less.

(d) Retaining walls – a fee of $150 if the height of the wall at any

point is greater than 4 feet, and a fee of $100 if the height of the wall is less than 4 feet.

(e) Walkways – a fee of $150 if the area of the walkway is greater than 400 sq.ft., a fee of $100 if the area of the walkway is 400 sq.ft. or less, and fee of $55 for a replacement walkway.

(f) Raised gardens, beds, berms, diversions, mounding, and swales – a fee of $55, plus an inspection fee.

B. The fee for an application and initial inspection shall be $65.00 in addition to the permit fee above.

Section 4. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-6, "Food and Beverages", shall be deleted in its entirety.

Section 5. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-9, "Plumbing", shall be amended to provide as follows:

§ 110-9. Plumbing.

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

(1) New construction.

(a) One to 10 fixtures: $100.

(b) Each additional fixture over 10: $20.

* * * * * * * *

(6) Garbage grinder: $25.

(7) Water softener: $25.

* * * * * * * *

Section 6. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-10, presently "Reserved", shall be amended to provide as follows:

§ 110-10. Property maintenance.

The following fees shall be charged pursuant to Chapter 180, Property Maintenance:

A. Point-of-sale certification.

(1) If requested more than 30 days prior to settlement: $45.00.

(2) If requested 30 days or less prior to settlement: $90.00.

Section 7. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-12, "Streets and sidewalks", shall be amended to provide as follows:

§ 110-12. Streets and sidewalks.

Pursuant to Chapter 207, Streets and Sidewalks, the following fees shall be charged:

* * * * * * * *

B. Highway occupancy permit. The permit fee for occupying a portion of a public right-of-way shall be as follows:

(1) The permit fee for the adjustment, replacement or construction of curb and/or sidewalk shall be as follows:

(a) In front of residential properties used as a single family or duplex dwelling unit: a fee of $75.

(b) In front of all other properties: a fee of $70 plus $4.00 for every 10 lineal feet of affected curb or sidewalk, or fraction thereof.

(2) The permit fee for placing a dumpster within a public right-of-way shall be $25

C. Street opening. Before the issuance of a permit, the applicant shall make payment to the Township of the fee or fees as are hereinafter provided.

* * * * * * * *

(5) Where the applicant is permitted to make final restorations of an opening in an improved highway, road, street, avenue or public alley, he shall pay an inspection fee of $70.00 plus $4.00 for each 10 lineal feet or fraction thereof.

* * * * * * * *

Section 8 The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-13, "Subdivision and land development", shall be amended to provide as follows:

§ 110-13. Subdivision and land development.

In accordance with Chapter 212, Subdivision and Land Development, the following fees shall be charged:

A. Plan processing.

(1) Sketch plan - $250.00

(2) Minor subdivision plan

(a) Residential

Number of Lots

2 to 5	$200.00
6 to 10	$300.00

* * * * * * * *

(b) Nonresidential - $300.00

(3) Preliminary/final plan (one time charge)

(a) Residential

Number of Units

2 to 5	$150.00 plus $30.00 per unit
6 to 10	$280.00 plus $30.00 per unit
11 to 20	$430.00 plus $30.00 per unit
21 to 99	$580.00 plus $30.00 per unit
100 or more	$720.00 plus $30.00 per unit

(b) Nonresidential: $300.00, plus $70.00 per acre.

(c) Lot consolidation plan: $250.00

* * * * * * *

C. Escrow Fund. An initial escrow fund will be established for each subdivision or land development plan filed (including sketch plans) out of which those charges set forth in §212-54(C) will be paid, according to the schedule below. If a single filing encompassing both subdivision and land development is received, the required escrow will be the largest sum calculated from this schedule. If the escrowed amount falls below 25% of the initial deposit a subsequent escrow deposit will be required. In addition to any other legal or equitable remedy, the Township reserves the right to suspend the processing of plans, to decline the issuance of permits, to suspend any permits previously issued, and to withhold any site improvement releases until receipt of payment if a written statement for a subsequent escrow deposit or a written statement for the payment of charges remains unpaid for 20 days.

(1) Initial escrow deposit:

(a) Subdivision plans, per lot $ 600.00

* * * * * * *

Section 9. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-14, "Swimming pools", shall be amended to remove subsection B as follows:

§ 110-14. Swimming pools.

Pursuant to Chapter 218, Swimming Pools, the following fees shall be charged:

A. See building permit fee schedule, § 110-3A(2)(b).

Section 10. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-17, "Zoning", shall be amended to provide as follows:

§ 110-17. Zoning.

In accordance with Chapter 255, Zoning, the following fees shall be charged:

* * * * * * *

C. Zoning Hearing Board. An applicant for a variance or a special exception or an appellant from the determination of the Zoning Officer or Township Engineer shall pay the following fees:

Use	Fee
Residential	$500
Commercial or industrial	$1,500
Continued hearing	$100

* * * * * * *

Section 11. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-19, "Police, special duty", shall be amended to provide as follows:

§ 110-19. Police, special duty.

There is hereby imposed a fee for the use of off-duty Township police, in uniform, to provide police services to private individuals or corporations for special duty. The fee shall be the hourly rate, per officer, determined by the current Police Bargaining Unit Agreement.

Section 12. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-21, "Day camps", shall be deleted in its entirety.

Section 13. The Code of the Township of Upper Dublin, Chapter 73 thereof, entitled Building Construction - Uniform Construction Code, Article III, Uniform Construction Code, § 73-10, Fees, subsection (D) thereof, shall be amended to provide as follows:

§ 73-10. Fees

* * * * * * *

D. Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. One such fee is a charge of $4.00 as a Uniform

Construction Code fee which shall be charged in addition to the payment of other fees upon application for any Building, Plumbing, Electrical or HVAC permit.

Section 14. The Code of the Township of Upper Dublin, Chapter 73 thereof, entitled Building Construction - Uniform Construction Code, Article III, Uniform Construction Code, § 73-17, Changes to Uniform Construction Code, subsection (5) thereof, shall be amended to provide as follows:

§73-17. Changes to Uniform Construction Code.

* * * * * * *

(5) Section 403.26 related to Swimming Pools, shall have added the following subsection (d) which reads: "(d) Completion guaranty. Before any building permit shall be issued for the construction or installation of a swimming pool, the Township shall be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow in the amount of 20% of the estimated cost of construction, as determined by the Director of Code Enforcement, to assure that the required improvements (i.e., fencing, electrical, grading, walls and drainage structures) will be installed on or before a date specified in said bond or escrow agreement."

* * * * * * *

Section 15. Nothing in this Ordinance or in Chapters 110 or 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 110 or 73 prior to the adoption of this amendment.

Section 16. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or

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

Section 17. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED AND ORDAINED this 12th day of January, 2010.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

Robert J. Pesavento, PRESIDENT

Paul A. Leonard, SECRETARY

ORDINANCE NO. 10-1227

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2010.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2010 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, immediately following the Commissioners Planning Committee meeting, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2010 shall be held on the first Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings for the year 2010 shall be held on the first Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings for the year 2010 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2010 shall be held on the fourth Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

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

SECTION 8. All meetings will be effective February 9, 2010 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 9th day of February, 2010.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Robert J. Pesavento, President

Attest:
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 10-1228

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 180, Property Maintenance, By The Designation Of Sections 180-1 To 180-3 As Article I, Property Maintenance Code, And By The Addition Of A New Article II, Real Property Transfer Certification, To Require Sellers Of Real Property To Deliver To The Purchasers Of Real Property A Certification Of Use And Maintenance For The Property To Be Transferred With Respect To Township Code Requirements For Sidewalks, Smoke Alarms, House Numbering, Sumps And Drains, And Use Of The Property; And Providing A Procedure For Obtaining Such Certification From The Township.

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

Section 1. The Code of the Township of Upper Dublin is hereby amended by designating Chapter 180, Sections 180-1, 180-2 and 180-3 under Article I, Property Maintenance Code, and creating a new Article II, Property Transfer Certification, to provide as follows:

Chapter 180
Property Maintenance

ARTICLE I, PROPERTY MAINTENANCE CODE

* * * * * * *

ARTICLE II, PROPERTY TRANSFER CERTIFICATION

§180-4. Intent.

A. The Board of Commissioners of the Township of Upper Dublin finds that many new owners of properties in the Township are not aware of the zoning classification of their property or of the requirements and limitations imposed upon their property by the Code of the Township of Upper Dublin. This lack of knowledge on the part of property owners may result in unsafe, unhealthy, and/or nuisance properties.

B. In order to promote the public health, safety, and welfare, the Board of Commissioners finds and declares that all sellers of property in the Township shall be required to file with the Township and deliver to the purchaser not later

than the settlement date for the sale of the property, a certification showing the zoning classification for the property and a certification indicating the property's compliance status with the requirements of the Township Code relating to sidewalks, smoke alarms, house numbering, and sump pumps.

§180-5. Definitions.

As used in this Article, the following words and phrases shall have the meanings indicated:

OWNER – Any person, partnership, association, corporation, or fiduciary having legal or equitable title or any interest in any real property. Whenever used in any clause prescribing or imposing a penalty, the term "owner," as applied to partnerships and associations, shall mean the partners, or members thereof, and as applied to corporations, the officers thereof.

PURCHASER – Any person, partnership, association, corporation, or fiduciary that will receive legal or equitable title or any interest in any real property from the owner.

PROPERTY – All real property, or any interest therein, situated in Upper Dublin Township, Montgomery County, Pennsylvania.

§180-6. Certification of zoning classification, use, and Code compliance.

In Upper Dublin Township, it shall be unlawful for any owner to transfer his property, or any interest therein, unless the owner shall first deliver to the purchaser at or prior to the date of settlement or transfer the following certifications, each of which must be dated within 90 days of the transfer, signed by the owner and purchaser, or their agents, and a copy filed with the Township within 7 days after the transfer:

A. Zoning and use classification. Upon application, the Township Zoning Officer shall certify the zoning classification of the property to be sold and whether the use of the property as represented by the applicant conforms to Township Code.

(1) Application for certification statement. The application for certification statement shall be made on forms provided by the Township and shall set forth such information as the Zoning Officer may require including the following: the address of the property; the name and address of the current owners and proposed purchasers, if known, together with their authorized agents, if any; a complete statement of the current use or uses to which the property is being put.

B. Sidewalk certificate of good repair. Upon application, the Director of Code Enforcement shall determine whether the sidewalks adjacent to a property are in good repair as required by Chapter 207 of the Township Code.

(1) The Director shall issue a certification if the sidewalks are in good repair.

(2) If the sidewalks are not in good repair, the Director shall issue a report within five business days of the inspection that clearly identifies the Township Code violations and the remedial action required for compliance. Upon correction of all violations so that the sidewalks are in good repair, the applicant shall notify the Director, in writing, for a re-inspection to be conducted within five days from such notification.

C. Smoke detectors. The owner shall certify that smoke detectors have been installed and are functioning properly as required by Chapters 57 and 73 of the Township Code and the Pennsylvania Construction Code Act and Uniform Construction Code.

D. Building numbers. The owner shall certify that building numbers have been conspicuously posted in such manner that they are visible and legible from the street as required by Chapter 76 of the Township Code.

E. Sumps and drains. The owner shall certify that all sumps and drains on the property are installed and properly functioning as required by Chapter 206, Chapter 207, and Chapter 218 of the Township Code.

§180-7. Procedure To Obtain Certification.

A. Applications shall be submitted on forms provided by the Township, shall be completely filled out and shall be accompanied by a fee, the amount of which shall be set by the Board of Commissioners.

B. The application for a certificate under this section authorizes the Township to inspect the premises being transferred. Such inspection shall not be required, however, and the Township may rely solely upon the representations made in the application for certification as the basis for issuance of a certificate.

C. The Township shall respond to an application within 10 business days of its receipt.

§180-8. Violations and penalties.

A. If any owner fails to comply with any provisions required by this Article, then in any action, at law, or in equity, instituted by a purchaser against an owner, it shall be conclusively presumed that the owner, at the time of the signing of such agreement, represented and warranted to the purchaser that such property was being used in compliance with the then existing Township Code provisions relating to the certifications required above.

B. Any person who submits a false application to the Township, or who obtains a certification through misrepresentation, or who fails to provide the certifications required by this Article and whose property at the time of transfer was not in compliance with the then existing Township Code provisions relating to the certifications required above, shall be guilty of violating the provisions of this section and, upon conviction thereof in a summary proceeding, shall be subject to payment of a civil fine of not more than $600 and costs of prosecution, in addition to such other remedies as may be provided by law or equity.

Section 2. The Code of the Township of Upper Dublin, Chapter 110, Fees, shall be amended by the addition of a new §110-24, to provide as follows:

§110-24. Property Maintenance.

In accordance with Chapter 180, Property Maintenance, the following fees shall be charged:

A. Application for resale certification.

(1) Application prior to 30 days before settlement: $45.00

(2) Application within 30 days of settlement: $90.00

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

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

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

Approved this 9th day of February, 2010.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

Attest:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 10-1229

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, §255-27(E)(2), To Remove The Renting Of An Accessory Dwelling As A Use Permitted By Special Exception.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Uses and Structures, §255-27, Dwellings, subsection (E), shall be amended by removing paragraph (2), as follows:

§ 255-27. Dwellings.

* * * * * *

E. The following when authorized as a special exception for existing structures:

(1) Dwelling unit within the principal building or a building accessory thereto for household employees, caretakers, watchmen, or members of the owner's immediate family, provided the following:

(a) The owner shall record a covenant to run with the land restricting the use of such unit to these purposes.

(b) The off-street parking requirements of this chapter are met for both dwelling units.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 13th day of April, 2010.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary

udt\ordinances\chapter 255\accessory dwellings
2.9.10

TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

ORDINANCE NO. 10-1230

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $12,500,000, WHICH SHALL EVIDENCE NONELECTORAL DEBT AND A PORTION OF ELECTORAL DEBT PREVIOUSLY INCURRED BY THE TOWNSHIP AND WHICH SHALL FINANCE A PORTION OF THE COSTS OF THE CAPITAL PROJECTS DESCRIBED HEREIN; 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; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; PROVIDING FOR THE SALE OF THE BONDS AT EITHER A COMPETITIVE PRIVATE INVITED SALE OR A PRIVATE NEGOTIATED SALE, WHICHEVER PROVES TO BE IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; AUTHORIZING THE SALE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin (the "Township"), is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 Pa. Cons. Stat. §8001 *et seq.*, as amended (the "Act"), to incur indebtedness and to issue bonds for the purpose of financing the Capital Improvement Program (as hereinafter defined); and

WHEREAS, pursuant to the provisions of the Act, the Township has determined to issue up to $12,500,000 General Obligation Bonds, in one or more series (the "Bonds") to finance, or to reimburse the Township for costs it has already expended or will expend prior to the date of issuance of the Bonds in relation to some or all of the following: (a) the development and construction of a firehouse, including the acquisition of land, the purchase of related equipment and the construction of related site improvements (the "Firehouse Project"); (b) the costs of improvements to and replacements of the Township's storm water drainage systems (the "Storm Water Projects"); (c) an open space acquisition program consisting of acquiring conservation

easements, development rights, recreation and historic lands and property development rights (the "Open Space Program" and, together with the Firehouse Project and the Storm Water Projects, the "Capital Improvement Program"); and (d) the costs of issuance of the Bonds; and

WHEREAS, the electors of the Township, at an election held on November 4, 2008 (the "Election"), approved the incurrence of indebtedness for the Open Space Program in an amount not exceeding $30,000,000, so that a portion of the indebtedness authorized and incurred pursuant to this Ordinance shall constitute electoral debt of the Township, with the remaining balance of the principal amount of the Bonds being nonelectoral debt; and

WHEREAS, the Township has retained Public Financial Management, Inc. as financial advisor in connection with the issuance of the Bonds (the "Financial Advisor") which will either solicit competitive proposals via an Invitation to Bid (the "Invitation") and electronic auction process for the purchase of the Bonds or negotiate a private sale of the Bonds, whichever method proves most beneficial and in the best financial interest of the Township, and will present a report on such proposals to the Township; and

WHEREAS, the Township now desires to authorize the issuance of the Bonds for the purpose set forth above and to authorize the sale of the Bonds without further actions of the Board of Commissioners.

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

1. Authorization of the Capital Improvement Program and Incurrence of Indebtedness; Estimated Useful Lives and Estimated Total Cost of the Capital Improvement Program. The Township shall undertake the Capital Improvement Program as described in the recitals hereto. The Township hereby ratifies and confirms the incurrence of nonelectoral debt and electoral debt by virtue of the Election and authorizes the issuance of the Bonds, pursuant to the Act, in a maximum aggregate principal amount not to exceed $12,500,000 for the purpose of providing funds for and toward the costs of the Capital Improvement Program, including the financing expenses associated therewith.

It is hereby determined and declared that: (i) the average estimated useful life of the Firehouse Project is not less than fifty (50) years; the average estimated useful lives of the Storm Water Projects is not less than thirty (30) years; and the average estimated useful life of the Open Space Program is not less than fifty (50) years; and (ii) the costs of the Capital Improvement Program to be financed from the proceeds of the Bonds is approximately $12,500,000. It is further determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142 of the Act taking into account the estimated useful lives of the Capital Improvement Program.

The Township has obtained realistic estimates of the costs of the Capital Improvement Program, determined through bid prices or professional cost estimates from persons qualified by experience to provide such estimates.

The Township hereby reserves the right to undertake the individual components of the Capital Improvement Program in such order and at such time or times as it shall determine and to allocate a portion of the proceeds of the Bonds and other available moneys to the final costs of the projects in such amounts and order of priority as it shall determine; provided that the proceeds of the Bonds issued as electoral debt and the earnings thereon shall be used solely for the Open Space Program unless this Ordinance is amended to change the amounts of the Bonds allocated as electoral debt; and provided further that the proceeds of the Bonds shall be used solely to pay "costs", as defined in the Act, of the Capital Improvement Program or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

2. Authorization of Issuance of Bonds. The Township hereby authorizes the issuance pursuant to the Act and this Ordinance, of its General Obligation Bonds, in one or more series, in an aggregate principal amount not to exceed $12,500,000, to provide funds for and toward the costs of the Capital Improvement Program, including the expenses of issuing the Bonds, as authorized in Section 1 hereof.

3. Type of Indebtedness. The indebtedness authorized by this Ordinance is electoral debt to the extent of an estimated, not to exceed amount of $2,830,000 principal amount and nonelectoral debt to the extent of the remaining principal amount. For purposes for determining the outstanding electoral and nonelectoral debt of the Township during the life of the Bonds, the Bonds of each maturity shall be divided between electoral and nonelectoral debt as shown in Exhibit "A" attached hereto and made a part hereof.

4. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners and the Secretary or Assistant Secretary of the Township and their successors are hereby authorized and directed to file the Debt Statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in order to effect the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including the documents relating to the Election, a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance.

5. Type of Bonds. The Bonds when issued will be general obligation bonds. All or any portion of the Bonds may be issued as tax-exempt bonds (the "Tax-Exempt Bonds"); the Township may elect to designate all or any portion of the Bonds as taxable "Build America Bonds" (Direct Pay) (the "BABs") for purposes of the American Recovery and Reinvestment Act of 2009 and to receive a cash subsidy from the United States Treasury in an amount equal to a

percentage of the interest payable on the BABs in accordance with the Internal Revenue Code of 1986, as amended (the "Code").

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 will include in its budget for each fiscal year during the life of the Bonds the amount of the debt service on the Bonds which will be payable in each such fiscal year (other than debt service, if any, that may be payable from the proceeds of the Bonds) 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 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. Subject to the adjustment of principal payable in any year as provided in Section 9 hereof, the maximum amounts to be budgeted, appropriated and paid pursuant to the foregoing covenants are those set forth in Exhibit "B" attached hereto and made a part hereof which are hereby incorporated in the foregoing covenant with the same effect as if the same were specified in the text of such covenant.

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

(FORM OF BOND)

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

GENERAL OBLIGATION BOND, SERIES OF 2010

No. R- $_____

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
%	July 15, ____	July 15, 2010	

REGISTERED OWNER:

PRINCIPAL SUM: DOLLARS

The Township of Upper Dublin, Montgomery County, Pennsylvania (the "Township"), for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, 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 from July 15, 2010 or the most recent Interest Payment Date to which interest has been paid or duly provided for, initially on January 15, 2011 and semiannually thereafter on January 15 and July 15 of each year (each, an "Interest Payment Date"), at the interest 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 July 15, 2010. The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of Manufacturers and Traders Trust Company in Harrisburg, Pennsylvania or Buffalo, New York (the "Paying Agent"). Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the last day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of such

defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and payment date for such interest shall be given by first class mail to the registered owners of the Bonds not less than fifteen (15) days prior to the Special Record Date. Such notice shall be mailed to the persons in whose names such Bonds are registered at the close of business on the fifth (5^{th}) day preceding the date of mailing. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2010, of the Township in a maximum aggregate principal amount not to exceed $12,500,000 (the "Bonds"), 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, 53 Pa. Cons. Stat. §8001 *et seq.*, as amended (the "Act"), and pursuant to a Ordinance of the Board of Commissioners of the Township duly enacted on May 11, 2010 (the "Ordinance"). The Bonds are issued for the purpose of financing , or to reimburse the Township for costs it has already expended or will expend prior to the date of issuance of the Bonds in relation to some or all of the following: (a) the development and construction of a firehouse, including the acquisition of land, the purchase of related equipment and the construction of related site improvements; (b) the costs of improvements to and replacements of the Township's storm water drainage systems; (c) an open space acquisition program consisting of acquiring conservation easements, development rights, recreation and historic lands and property development rights; and (d) the costs of issuance of the Bonds.

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

The Bonds maturing on and after July 15, ____ are subject to redemption prior to maturity at the option of the Township, on July 15, ____ or any date thereafter, as a whole or from time to time in part, in such order of maturity or portion of each maturity as may be designated by the Township and within a maturity by lot, upon payment of a redemption price of 100% of principal amount, together with accrued interest to the date fixed for redemption.

The Bonds stated to mature on July 15, ____ (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by lot by the Township 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 of the maturity currently required to be redeemed shall not have been previously purchased from said moneys by the Township as permitted under the Ordinance) on July 15 of the years, from the maturities and in the annual

principal amounts set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds of the maturity currently required to be redeemed which shall then be outstanding):

Mandatory Redemption Schedule

Redemption Date (July 15)	Maturity From Which Selected	Principal Amount to be Redeemed or Purchased
		$

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

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

Notice of any redemption shall be given by first-class mail, postage prepaid, mailed by the Paying Agent not less than 30 nor more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the bond register maintained by the Paying Agent. Such notice shall also be sent to The Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") site. 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 corporate trust office of the Paying Agent in Harrisburg, Pennsylvania or Buffalo, New York and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such

notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for the redemption of other Bonds so called for redemption.

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

The Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender at the corporate payment trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifth (5th) day next preceding the day of selection of Bonds to be redeemed and ending at the close of business on the day on which such notice is given, or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

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

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

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

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have

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

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

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 signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto affixed, duly attested by the signature of the Township Secretary.

TOWNSHIP OF UPPER DUBLIN

By: _____
President, Board of Commissioners

Attest: _____
Township Secretary

(SEAL)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 2010, described in the within mentioned Ordinance.

DATE OF AUTHENTICATION:

MANUFACTURERS AND TRADERS TRUST COMPANY, Paying Agent

By:_____
Authorized Representative

A Statement of Insurance may be added to the Bonds if the Bonds are sold on the basis that they are to be secured by a policy of municipal bond insurance.

ASSIGNMENT AND TRANSFER

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

PLEASE INSERT SOCIAL SECURITY NUMBER
OR EMPLOYER IDENTIFICATION NUMBER
OF ASSIGNEE

/_____/

_____

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

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

Dated:

Signature Guaranteed by:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guaranteed program.

_____

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

_____

(Authorized Signature)

[END OF BOND FORM]

8. Terms of Bonds. The Bonds shall be issued in fully registered form, in denominations of $5,000 or any integral multiple thereof, shall be dated July 15, 2010, or such other date as determined by the Township, shall be issued in a maximum aggregate principal amount not to exceed $12,500,000, shall bear interest from such date payable initially on January 15, 2011, or such other date as determined by the Township, and semiannually thereafter on January 15 and July 15, or such other dates as determined by the Township, of each year until maturity or the date fixed for redemption, and may be subject to mandatory redemption. The Bonds will bear interest at fixed rates, but in no event may any Bond bear interest at a rate in excess of seven percent (7.00%) per annum (the "Maximum Rate"). Bonds may have any number of interest rates and yields, provided, however, that no such interest rate shall exceed the Maximum Rate and further provided that, in accordance with Section 8144 of the Act, no yield on the Bonds for any stated maturity date in the last two-thirds of the issue shall be less than that stated for the immediately preceding year which falls within the last two-thirds period.

The Bonds may be all serial bonds, all terms bonds or any combination of serial and term bonds subject to the limitations herein and in the Act. The Bonds shall mature or be subject to mandatory redemption not later than July 15, 2035 and in the annual amounts not exceeding those shown in Exhibit B; provided, however, that the principal amount of the Bonds maturing or subject to mandatory redemption in any year may be increased or decreased by up to $250,000 at the time of the sale of the Bonds, so long as the aggregate principal amount of the Bonds does not exceed $12,500,000.

It is hereby determined and stated that Exhibit B sets forth the estimated debt service requirements on the Bonds based upon the Maximum Rate and the estimated annual principal payments on the Bonds.

Subject to the parameters set forth herein, the terms of the Bonds, including, without limitation, the dated date of the Bonds, the actual principal payments for each maturity or mandatory sinking fund redemption of the Bonds, the actual interest rates for the Bonds and the redemption provisions for the Bonds shall be as set forth in the proposal for the purchase of the Bonds and the Report of the Financial Advisor. Upon the sale of the Bonds, a schedule of actual interest rates, annual principal payments and semi-annual debt service shall be deemed a part of this Ordinance and shall be filed with this Ordinance in the minutes of this meeting.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of Manufacturers and Traders Trust Company, in Harrisburg, Pennsylvania or Buffalo, New York, which is hereby appointed paying agent, registrar and sinking fund depository for the Bonds. Interest on the Bonds shall be payable in the manner provided in the Form of Bond set forth above.

9. Redemption of Bonds. The Bonds shall be subject to optional redemption in the manner and at the times as set forth in the Bonds and in the Invitation to Bid and purchase proposal or in the privately negotiated purchase proposal, whichever method proves to be in the best financial interest of the Township; provided, however, that the optional redemption price for any Bonds subject to redemption shall not exceed 100%. Any of the maturities of the Bonds may be mandatory sinking fund redemptions in lieu of maturities, at a redemption price of 100% of

the principal amount thereof, together with accrued interest to the redemption date. The Township may, in its discretion, instruct the Paying Agent to purchase all or a portion of the Bonds subject to being drawn for redemption in any such year (at a price not to exceed the principal amount plus accrued interest) from money in the Sinking Fund or money tendered from the Township to the Paying Agent for such purpose. In the event that the Township elects to issue BABs, the Township may cause the BABs to be subject to redemption prior to maturity in the manner and at the times as set forth in the form of Bonds.

10. Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system ("DTC Participants"). The ownership of one fully registered Bond for each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC. Each bond will be in the aggregate principal amount of such maturity as shown on Exhibit B attached hereto. The Township shall cause the Bonds to be delivered to DTC or the Paying Agent, as custodian for DTC, for the benefit of the purchaser, on or before the date of issuance of the Bonds.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Township and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Township officials then holding the offices set forth in Section 20 of this Ordinance are hereby authorized to designate a successor securities depository or to deliver certificates to the Beneficial Owners of the Bonds.

The Township shall give notice or cause the Paying Agent to give notice, to DTC in accordance with the Blanket Letter of Representations for the redemption or other retirement of all of the Bonds. The Township will provide for the form of notice. Upon receipt of such notice, DTC will forward the notice to the DTC Participants for subsequent forwarding of such notice to the Beneficial Owners of the Bonds. The Township will pay the customary charges for such mailing.

11. Sale of Bonds. The Bonds shall be sold at a competitive sale by invitation via an electronic auction sale or at a private negotiated sale, depending upon which method proves to be in the best financial interest of the Township, as hereinafter set forth in Section 14. After due consideration, the Board of Commissioners hereby authorizes and directs the Director of Finance and the Township Manager of this Township to find and determine, on the basis of all available information, which method of sale is in the best financial interest of the Township, and to award the Bonds to the Underwriter based on the method of sale most beneficial to and in the best financial interest of the Township.

12. 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 no later than January 15 and July 15 of each year beginning January 15, 2011, the semiannual debt service payable on the Bonds on such dates, as set forth in the Bond Amortization Schedule included in Exhibit B attached hereto, or such greater or lesser amount as at the time shall be sufficient to pay the principal of and interest on the Bonds as they become due on each such date.

Pending application to the purpose for which the Sinking Fund is established, the President of the Board of Commissioners or the Secretary or Assistant Secretary 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 8224 of the Act. All income received on such deposits or investments of moneys in the Sinking Fund during each applicable period shall be added to the Sinking Fund and shall be credited against the deposit next required to be made in the Sinking Fund.

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

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

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

14. Award and Sale of Bonds. The Township hereby awards and sells the Bonds to a purchaser (the "Underwriter") to be determined by the Financial Advisor, which will either solicit competitive proposals via an electronic auction process for the purchase of the Bonds

through a private invited sale or facilitate a private negotiated sale of the Bonds, whichever method proves to be in the best financial interest of the Township, at an aggregate price no less than ninety-eight and fifty hundredths percent (98.50%) of the principal amount of the Bonds (including the Underwriter's discount for the Bonds, and less original issue discount (if any) for the Bonds), and in accordance with the other terms, conditions and parameters set forth in the Invitation and purchase proposal and submitted to this meeting, which is hereby approved and accepted. A copy of the winning proposal, the Invitation or privately negotiated purchase proposal and the Financial Advisor's report on the sale of the Bonds shall be filed with this Ordinance in the official minutes of this meeting. The Director of Finance and the Township Manager of this Township are hereby authorized and directed to approve the final terms of the Bonds and to endorse the acceptance of this Township on said proposal and to deliver or cause the Financial Advisor to deliver executed copies thereof to the Underwriter. Delivery of the accepted proposal to the Underwriter shall constitute conclusive evidence that the award and sale of the Bonds under this Ordinance have become final.

15. Contract with Paying Agent. The proper officers of the Township are authorized to contract with Manufacturers and Traders Trust Company, in Harrisburg, Pennsylvania or Buffalo, New York, in connection with the performance of its duties as Paying Agent, Registrar and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act.

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

The Township hereby represents and warrants, after due investigation and to the best of its knowledge, that (i) the Bonds are not "private activity bonds" (as defined in the Code for this purpose) and (ii) the aggregate face amount of "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code ((other than private activity bonds as defined in the Code for this purpose), but including any other tax-exempt borrowing, whether through general obligation bonds or notes, revenue bonds or notes, or any guarantee or lease obligation with respect to the foregoing, or any tax anticipation notes issued or to be issued by the Township and all entities that must be aggregated with it pursuant to the Code during the 2010 calendar year, including the Tax-Exempt Bonds), is not reasonably expected to exceed $30,000,000. The Township hereby designates the Tax-Exempt Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code, to the extent applicable. The Township hereby authorizes the proper officers of the Township to execute a certificate to that effect at the time of the closing.

Based on consultations with its architect, construction manager and/or its various other professionals, the Township reasonably expects that (a) the Township will enter into binding obligations to spend at least 5% of the proceeds of the Bonds on the Capital Improvement Program within six months of the date of issuance of the Bonds, (b) the Township will proceed with due diligence to complete the Capital Improvement Program, and (c) at least 85% of the proceeds of the Bonds will be expended on the Capital Improvement Program within three years of the date of issuance of the Bonds.

The Township further covenants that to the extent that all or a portion of the Bonds are BABs, it will comply with all of the rules relating to BABs under the federal income tax laws.

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 Assistant Secretary of the Township and each such execution shall be by manual signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of an authorized representative of the Paying Agent.

18. Application of Bond Proceeds. The purchase price for the Bonds and any accrued interest payable by the Underwriter shall be paid to the Paying Agent on behalf of the Township. Upon receipt of the purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing, upon instruction from proper officers of the Township and presentation of proper invoices therefor, and shall transfer the balance of the proceeds to an appropriate Township account pending disbursement to pay the costs of the Capital Improvement Program.

The Township hereby approves the establishment of a Construction Fund to hold the proceeds of the Bonds pending their disbursement to pay the costs of the Capital Improvement Program. The moneys in the Construction Fund will be invested in accordance with Section 8224 of the Act.

Any reserves in the above-described account shall be disbursed from time to time by the Paying Agent pursuant to written instructions from the President or Vice President of the Board of Commissioners and any balance ultimately remaining in any such reserve shall, upon written instructions of the President or Vice President of the Board of Commissioners, be deposited in an account(s) of the Township established for the deposit of funds attributable to the Capital Improvement Program.

19. Continuing Disclosure. The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement in form approved

by the executing officer, such approval to be conclusively evidenced by his or her execution thereof. The Township further covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement dated as of the dated date of the Bonds issued hereunder (the "**Continuing Disclosure Agreement**"). Notwithstanding any other provisions of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder or under the Bonds; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including specific performance by court order, to cause the Township to comply with its obligations under this Section.

The Township has not failed to comply with any previous undertakings to provide continuing disclosure pursuant to Rule 15c 2-12(b)5.

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.

21. Approval of Official Statement. The Board of Commissioners hereby authorizes the preparation of a Preliminary Official Statement for use in the public offering and sale of the Bonds, and authorizes and directs the Director of Finance and the Township Manager of this Township to approve the form of such Preliminary Official Statement and a final Official Statement with respect to the Bonds. The final Official Statement, substantially in the form of the Preliminary Official Statement and also containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date of the sale of the Bonds, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

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

23. Reimbursement—Declaration of Intent. The Township reasonably expects to reimburse itself from proceeds of the obligations authorized by this Ordinance for capital expenditures with respect to the Capital Improvement Program initially paid for from current or

other temporarily available funds of the Township. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this Ordinance) are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township's control. The Township acknowledges that in order to reimburse itself for capital expenditures incurred with respect to the Capital Improvement Program, the obligations authorized by this Ordinance must be initially issued not later than one year after the later of the date the relevant capital expenditure is initially paid or the date the relevant capital improvement is placed into service.

24. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township including but not limited to all documentation necessary in connection with the issuance of BABs.

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

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

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

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

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

ORDAINED AND ENACTED this 11th day of May, 2010.

(TOWNSHIP SEAL)

ATTEST:

Secretary of
Township Board of Commissioners

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

President of Township
Board of Commissioners

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)
$12,500,000 Maximum Aggregate Principal Amount
General Obligation Bonds, Series of 2010

EXHIBIT A

ELECTORAL/NONELECTORAL DEBT BREAKDOWN

ELECTORAL
MAX PARAMETERS

DATE	PRINCIPAL	MAX RATE	INTEREST	SEMI-ANNUAL DEBT SERVICE	PROPOSED FISCAL YEAR DEBT SERVICE
1/15/2011			99,050.00	99,050.00	
7/15/2011	70,000	7.000	99,050.00	169,050.00	268,100.00
1/15/2012			96,600.00	96,600.00	
7/15/2012	75,000	7.000	96,600.00	171,600.00	268,200.00
1/15/2013			93,975.00	93,975.00	
7/15/2013	75,000	7.000	93,975.00	168,975.00	262,950.00
1/15/2014			91,350.00	91,350.00	
7/15/2014	75,000	7.000	91,350.00	166,350.00	257,700.00
1/15/2015			88,725.00	88,725.00	
7/15/2015	80,000	7.000	88,725.00	168,725.00	257,450.00
1/15/2016			85,925.00	85,925.00	
7/15/2016	80,000	7.000	85,925.00	165,925.00	251,850.00
1/15/2017			83,125.00	83,125.00	
7/15/2017	85,000	7.000	83,125.00	168,125.00	251,250.00
1/15/2018			80,150.00	80,150.00	
7/15/2018	85,000	7.000	80,150.00	165,150.00	245,300.00
1/15/2019			77,175.00	77,175.00	
7/15/2019	90,000	7.000	77,175.00	167,175.00	244,350.00
1/15/2020			74,025.00	74,025.00	
7/15/2020	95,000	7.000	74,025.00	169,025.00	243,050.00
1/15/2021			70,700.00	70,700.00	
7/15/2021	95,000	7.000	70,700.00	165,700.00	236,400.00
1/15/2022			67,375.00	67,375.00	
7/15/2022	100,000	7.000	67,375.00	167,375.00	234,750.00
1/15/2023			63,875.00	63,875.00	
7/15/2023	105,000	7.000	63,875.00	168,875.00	232,750.00
1/15/2024			60,200.00	60,200.00	
7/15/2024	110,000	7.000	60,200.00	170,200.00	230,400.00
1/15/2025			56,350.00	56,350.00	
7/15/2025	115,000	7.000	56,350.00	171,350.00	227,700.00
1/15/2026			52,325.00	52,325.00	
7/15/2026	120,000	7.000	52,325.00	172,325.00	224,650.00
1/15/2027			48,125.00	48,125.00	
7/15/2027	125,000	7.000	48,125.00	173,125.00	221,250.00
1/15/2028			43,750.00	43,750.00	
7/15/2028	130,000	7.000	43,750.00	173,750.00	217,500.00
1/15/2029			39,200.00	39,200.00	
7/15/2029	135,000	7.000	39,200.00	174,200.00	213,400.00
1/15/2030			34,475.00	34,475.00	
7/15/2030	145,000	7.000	34,475.00	179,475.00	213,950.00
1/15/2031			29,400.00	29,400.00	
7/15/2031	150,000	7.000	29,400.00	179,400.00	208,800.00
1/15/2032			24,150.00	24,150.00	
7/15/2032	160,000	7.000	24,150.00	184,150.00	208,300.00
1/15/2033			18,550.00	18,550.00	
7/15/2033	165,000	7.000	18,550.00	183,550.00	202,100.00
1/15/2034			12,775.00	12,775.00	
7/15/2034	180,000	7.000	12,775.00	192,775.00	205,550.00
1/15/2035			6,475.00	6,475.00	
7/15/2035	185,000	7.000	6,475.00	191,475.00	197,950.00
TOTALS	2,830,000		2,995,650.00	5,825,650.00	5,825,650.00

NONELECTORAL
MAX PARAMETERS

DATE	PRINCIPAL	MAX RATE	INTEREST	SEMI-ANNUAL DEBT SERVICE	PROPOSED FISCAL YEAR DEBT SERVICE
1/15/2011			338,450.00	338,450.00	
7/15/2011	250,000	7.000	338,450.00	588,450.00	926,900.00
1/15/2012			329,700.00	329,700.00	
7/15/2012	250,000	7.000	329,700.00	579,700.00	909,400.00
1/15/2013			320,950.00	320,950.00	
7/15/2013	255,000	7.000	320,950.00	575,950.00	896,900.00
1/15/2014			312,025.00	312,025.00	
7/15/2014	260,000	7.000	312,025.00	572,025.00	884,050.00
1/15/2015			302,925.00	302,925.00	
7/15/2015	265,000	7.000	302,925.00	567,925.00	870,850.00
1/15/2016			293,650.00	293,650.00	
7/15/2016	275,000	7.000	293,650.00	568,650.00	862,300.00
1/15/2017			284,025.00	284,025.00	
7/15/2017	280,000	7.000	284,025.00	564,025.00	848,050.00
1/15/2018			274,225.00	274,225.00	
7/15/2018	290,000	7.000	274,225.00	564,225.00	838,450.00
1/15/2019			264,075.00	264,075.00	
7/15/2019	305,000	7.000	264,075.00	569,075.00	833,150.00
1/15/2020			253,400.00	253,400.00	
7/15/2020	320,000	7.000	253,400.00	573,400.00	826,800.00
1/15/2021			242,200.00	242,200.00	
7/15/2021	330,000	7.000	242,200.00	572,200.00	814,400.00
1/15/2022			230,650.00	230,650.00	
7/15/2022	340,000	7.000	230,650.00	570,650.00	801,300.00
1/15/2023			218,750.00	218,750.00	
7/15/2023	355,000	7.000	218,750.00	573,750.00	792,500.00
1/15/2024			206,325.00	206,325.00	
7/15/2024	375,000	7.000	206,325.00	581,325.00	787,650.00
1/15/2025			193,200.00	193,200.00	
7/15/2025	390,000	7.000	193,200.00	583,200.00	776,400.00
1/15/2026			179,550.00	179,550.00	
7/15/2026	405,000	7.000	179,550.00	584,550.00	764,100.00
1/15/2027			165,375.00	165,375.00	
7/15/2027	430,000	7.000	165,375.00	595,375.00	760,750.00
1/15/2028			150,325.00	150,325.00	
7/15/2028	445,000	7.000	150,325.00	595,325.00	745,650.00
1/15/2029			134,750.00	134,750.00	
7/15/2029	465,000	7.000	134,750.00	599,750.00	734,500.00
1/15/2030			118,475.00	118,475.00	
7/15/2030	500,000	7.000	118,475.00	618,475.00	736,950.00
1/15/2031			100,975.00	100,975.00	
7/15/2031	525,000	7.000	100,975.00	625,975.00	726,950.00
1/15/2032			82,600.00	82,600.00	
7/15/2032	545,000	7.000	82,600.00	627,600.00	710,200.00
1/15/2033			63,525.00	63,525.00	
7/15/2033	575,000	7.000	63,525.00	638,525.00	702,050.00
1/15/2034			43,400.00	43,400.00	
7/15/2034	605,000	7.000	43,400.00	648,400.00	691,800.00
1/15/2035			22,225.00	22,225.00	
7/15/2035	635,000	7.000	22,225.00	657,225.00	679,450.00
TOTALS	9,670,000		10,251,500.00	19,921,500.00	19,921,500.00

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)
$12,500,000 Maximum Aggregate Principal Amount
General Obligation Bonds, Series of 2010

EXHIBIT B

PRELIMINARY BOND AMORTIZATION SCHEDULE[1]

ELECTORAL & NONELECTORAL
MAX PARAMETERS

DATE	PRINCIPAL[2]	MAX RATE	INTEREST	SEMI-ANNUAL DEBT SERVICE	PROPOSED FISCAL YEAR DEBT SERVICE
1/15/2011			437,500.00	437,500.00	
7/15/2011	320,000	7.000	437,500.00	757,500.00	1,195,000.00
1/15/2012			426,300.00	426,300.00	
7/15/2012	325,000	7.000	426,300.00	751,300.00	1,177,600.00
1/15/2013			414,925.00	414,925.00	
7/15/2013	330,000	7.000	414,925.00	744,925.00	1,159,850.00
1/15/2014			403,375.00	403,375.00	
7/15/2014	335,000	7.000	403,375.00	738,375.00	1,141,750.00
1/15/2015			391,650.00	391,650.00	
7/15/2015	345,000	7.000	391,650.00	736,650.00	1,128,300.00
1/15/2016			379,575.00	379,575.00	
7/15/2016	355,000	7.000	379,575.00	734,575.00	1,114,150.00
1/15/2017			367,150.00	367,150.00	
7/15/2017	365,000	7.000	367,150.00	732,150.00	1,099,300.00
1/15/2018			354,375.00	354,375.00	
7/15/2018	375,000	7.000	354,375.00	729,375.00	1,083,750.00
1/15/2019			341,250.00	341,250.00	
7/15/2019	395,000	7.000	341,250.00	736,250.00	1,077,500.00
1/15/2020			327,425.00	327,425.00	
7/15/2020	415,000	7.000	327,425.00	742,425.00	1,069,850.00
1/15/2021			312,900.00	312,900.00	
7/15/2021	425,000	7.000	312,900.00	737,900.00	1,050,800.00
1/15/2022			298,025.00	298,025.00	
7/15/2022	440,000	7.000	298,025.00	738,025.00	1,036,050.00
1/15/2023			282,625.00	282,625.00	
7/15/2023	460,000	7.000	282,625.00	742,625.00	1,025,250.00

[1] Based on Maximum Rate for the Bonds.

[2] Represents estimated principal payments in each year, subject to adjustment (increase or decrease) in amounts not exceeding $250,000 in any year, so long as the total principal amount of the Bonds does not exceed $12,500,000.

ELECTORAL & NONELECTORAL
MAX PARAMETERS

1/15/2024			266,525.00	266,525.00	
7/15/2024	485,000	7.000	266,525.00	751,525.00	1,018,050.00
1/15/2025			249,550.00	249,550.00	
7/15/2025	505,000	7.000	249,550.00	754,550.00	1,004,100.00
1/15/2026			231,875.00	231,875.00	
7/15/2026	525,000	7.000	231,875.00	756,875.00	988,750.00
1/15/2027			213,500.00	213,500.00	
7/15/2027	555,000	7.000	213,500.00	768,500.00	982,000.00
1/15/2028			194,075.00	194,075.00	
7/15/2028	575,000	7.000	194,075.00	769,075.00	963,150.00
1/15/2029			173,950.00	173,950.00	
7/15/2029	600,000	7.000	173,950.00	773,950.00	947,900.00
1/15/2030			152,950.00	152,950.00	
7/15/2030	645,000	7.000	152,950.00	797,950.00	950,900.00
1/15/2031			130,375.00	130,375.00	
7/15/2031	675,000	7.000	130,375.00	805,375.00	935,750.00
1/15/2032			106,750.00	106,750.00	
7/15/2032	705,000	7.000	106,750.00	811,750.00	918,500.00
1/15/2033			82,075.00	82,075.00	
7/15/2033	740,000	7.000	82,075.00	822,075.00	904,150.00
1/15/2034			56,175.00	56,175.00	
7/15/2034	785,000	7.000	56,175.00	841,175.00	897,350.00
1/15/2035			28,700.00	28,700.00	
7/15/2035	820,000	7.000	28,700.00	848,700.00	877,400.00
TOTALS	**12,500,000**		13,247,150.00	25,747,150.00	25,747,150.00

CERTIFICATE OF SECRETARY

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

The foregoing Ordinance authorizing up to $12,500,000 maximum aggregate principal amount General Obligation Bonds, Series of 2010 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on May 11, 2010; that public notice of said meeting was given as required by law; that the roll of the Board of Commissioners was called and such members voted or were absent as follows:

Name	Vote
Robert J. Pesavento, President	yes
Ira S. Tackel, Vice President	yes
Sharon L. Damsker	yes
Chester H. Derr, III	yes
Ronald P. Feldman	yes
Jules J. Mermelstein	yes
Stanley J. Ropski	yes

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

WITNESS my hand and seal of the Township this 11th day of May, 2010.

Secretary

(SEAL)

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 10-1231

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP POLICE PENSION PLAN TO EFFECTUATE ACT 51 OF 2009.

WHEREAS, Upper Dublin Township created the Upper Dublin Police Pension Plan ("Pension Plan") effective May 1, 1968; and

WHEREAS, from time to time, the Township has amended the Pension Plan in order to effectuate enhancements agreed to through collective bargaining and in order to ensure that the Pension Plan remains compliant with the Police Pension Fund Act, commonly referred to as "Act 600"; and

WHEREAS, one such change, effectuated through ordinance No. 1133 of 2004, included the so-called "killed in service" benefit added to Act 600 through Act 30 of 2002

WHEREAS, following the most recent round of negotiations with the Township's Police Union, the Parties agreed through collective bargaining to make certain changes to the Police Pension Plan, including the incorporation of the provisions of Act 51 of 2009, which made further changes to the killed in service benefit; and

WHEREAS, the Township's Board of Commissioners has determined that an amendment of the Police Pension Plan is necessary in order to incorporate agreed-upon changes and to maintain compliance with Act 600.

NOW THEREFORE, the Pension Plan shall be amended as follows:

1. Section 6.14 of the existing Plan shall be amended to provide as follows:

> **Killed in Service Benefit**. Effective April 17, 2002, if a Member is killed in the line of duty for the Township, and he or she dies survived by a spouse or dependent child or children, then a monthly pension benefit of one hundred percent (100%) of the member's monthly salary at the time of his or her death shall be paid to the surviving spouse until the surviving spouse dies. If there is no surviving spouse or if the surviving spouse subsequently dies, then the child or children of the Member shall be entitled to receive a monthly survivor's benefit equal to one-hundred percent (100%) of the Member's monthly salary at the time

of his or her death. Such survivor's benefit to the child or children shall continue until the child or children reach the age of 18, or until age 23, if the child is "attending college." At the time at which any surviving spouse has died and any dependent children have reached age 18, or age 23, if the child is attending college, the benefit created under this Section shall terminate. No other pension benefit shall be paid by the Township to the surviving spouse or dependent child(ren) of an officer who is killed in the line of duty.

For purposes of this Section, the phrase "attending college" shall mean being enrolled in an institution of higher learning and carrying a minimum course load of seven (7) credits per semester.

Effective January 1, 2010, the surviving family of an officer who is killed in the line of duty shall receive the benefits provided for and subject to the terms of Act 51 of 2009, which benefits are paid exclusively by the Commonwealth of Pennsylvania. With the exception of any pension benefit to which the officer was entitled prior to the officer's death, solely by virtue of the officer's age and service as a Township police officer, and any other non-pension, contractual benefits to which the officer and/or the officer's family may have been entitled prior to the officer's death, the Township shall not be obligated to pay any benefit to the family of an officer as the result of the officer's death, including, but not limited to, the killed in service pension benefit which previously existed under Act 600 prior to the passage of Act 51 of 2009.

2. This Ordinance shall take effect immediately.

Duly enacted by the members of the Upper Dublin Township Board of Commissioners, this 11th day of May, 2010.

Attest:
Paul A. Leonard, Secretary

Robert J. Pesavento
Board of Commissioners, President

AN ORDINANCE

NO. 10-1232

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, To Increase The Fine To $50 For Violation Of A Regulation Prescribed By Article III, Parking Regulations, And To Increase To $20 The Administrative Penalty If The Violation Is Not Settled Within 10 Days.

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

Section 1. The Code of Upper Dublin Township, Chapter 233, Vehicles and Traffic, Article III, Parking Regulations, §233-24, Penalties for parking violations, shall be amended to provide as follows:

Article III Parking regulations

* * * * * *

§ 233-24. Penalties for parking violations.

Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than $50 and costs; provided, however, that it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the Chief of Police all violations of any provision of this article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this article. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the Township Finance Department and pay the sum of $20 within 10 days of the notice, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of May, 2010.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

w:\word\Chapter 233\Fines and Penalties 5.5.10

ORDINANCE NO. 10-1233

AN ORDINANCE Providing For The Design, Laying Out, Construction And Installation Of A Public Sidewalk Along The Easterly Side Of Camp Hill Road Beginning At The Southern Property Line Of A Parcel Of Land Now Or Formerly Of WFP Pennland Co. LP On The Northeast Corner Of The Intersection of Virgina Drive and Camp Hill Road And Extending A Distance Of Approximately 1355 Feet In A Northerly Direction Along Camp Hill Road Past A Parcel Of Land Now or Formerly Of Will F Daniel To The Northern Property Line of A Parcel of Land Now Or Formerly Of Bell Telephone Company of Pennsylvania; Providing For The Condemnation Of Rights Of Way And Permanent And Temporary Easements Across Private Property To Accommodate Said Sidewalk; Providing For The Payment Of Costs Of Construction By Assessment According To The Foot Front Method; Providing For The Liening Of Property Subject To Assessment; And Authorizing Other Necessary Action To Accomplish Said Sidewalk Installation.

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to establish and construct curbing and sidewalks; and

WHEREAS, it is deemed to be in the best interest of the residents of the Township and the health and welfare of the community to arrange for such facilities to be constructed and installed; and

WHEREAS, in accordance with Article XXIII 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 curbing and sidewalks; and

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania and Article VI of the Code of the Township of Upper Dublin, it is the duty of owners of property abutting any public street, upon receipt of notice to do so from the Township, to construct in front of their respective properties and at their expense a sidewalk and curb, or either of them, as specified by the Township; and

WHEREAS, in accordance with Article XXIII of the First Class Township Code of the Commonwealth of Pennsylvania, Upper Dublin Township has the authority to curbing and sidewalks if abutting property owners decline to do so and collect the cost of such improvements from the property owners; and

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, does hereby ENACT AND ORDAIN:

Section 1. Sidewalks.

(a) A sidewalk, where the same does not presently exist, shall be constructed in Upper Dublin Township, Montgomery County, Pennsylvania, beginning at the southern property line of a parcel of land identified as Montgomery County Tax Parcel No. 54-00-03520-00-8, Tax Map Id 54052-008, situated on the northeast corner of the intersection of Virginia Drive and Camp Hill Road and with an address of 585 Camp Hill Road, then extending along Camp Hill Road in a northerly direction for approximately six hundred ninety-one feet (691') across the Camp Hill Road frontage of 585 Camp Hill Road, the property now or formerly of WFP Pennland Co. LP, to a point at the northern property line of said WFP Pennland Co. LP property; and then continuing along Camp Hill Road in a northerly direction for approximately two hundred fifty-six feet (256') across the Camp Hill Road frontage of a parcel of land identified as Montgomery County Tax Parcel Nos. 54-00-03529-00-8 and 54-00-03532-00-5, Tax Map Id 54052-014 and 54052-013, situated at 1035 Camp Hill Road, the property now or formerly of Will F. Daniel, to a point at the northern property line of said Will F. Daniel property; and then continuing along Camp Hill Road in a northerly direction for approximately four hundred eight feet (408') across the Camp Hill Road frontage of a parcel of land identified as Montgomery County Tax Parcel No. 54-00-16376-00-4, Tax Map Id 54052-009, with an address of 1050 Virginia Drive, the property now or formerly of Bell Telephone Company of Pennsylvania, to a point at the northern property line of said Bell Telephone Company of Pennsylvania property, in accordance with plans as may be prepared by an engineering firm retained for such purpose by the Board of Commissioners of Upper Dublin Township (hereinafter "Engineer"), which sidewalks shall be interconnected to the existing sidewalks in the Township.

(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 said sidewalk and to pay just compensation therefore.

Section 2. Duty of Property Owner.

(a) It is the duty of the owners of said properties, upon receipt of notice to do so from the Township, to construct in front of their property and at their expense the said sidewalk as specified by the Township in the notice.

(b) If the owners of said property fail to construct and install the said sidewalk as set forth in the Township notice, the Township may have the work performed either by its own employees or by an independent contractor, and the Township may charge the cost of the work to the owners.

Section 3. Assessment of Costs.

(a) If the Township constructs and installs the said sidewalk, the costs thereof shall be assessed according to the foot front method upon the abutting property benefited, improved and accommodated by the said sidewalk.

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

(c) Upon receipt of the Engineer's Declaration of Completion of the project, the Township Manager shall make out bills for the amounts assessed against the abutting property benefited by the sidewalk and a notice of assessment, which shall be forthwith served on all the owners of the 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 therefore against the property of such owner, with a penalty of five percent (5%) of the amount of such assessment, together with interest and costs as provided by law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

ENACTED AND ORDAINED this 14th day of September, 2010.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

By: _____
Robert J. Pesavento, President

Attest: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 10-1234

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2011

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 2011.

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 2011 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	18,307,116
Receipts from Taxes of Prior Years	84,000
Other Revenues and Receipts	6,177,986
Use of Prior Year Reserves	6,697,356
TOTAL ESTMATED RECEIPTS AND CASH	31,266,458

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,287,062
Treasurer and Tax Collector		21,652
Library		1,012,394
Municipal Buildings		520,812
Economic Development		85,000
	TOTAL	3,926,920
PROTECTION TO PERSON AND PROPERTY		
Police		6,462,547
Fire		603,300
Emergency Services		308,873
	TOTAL	7,374,720

SANITATION		2,298,300
CODE ENFORCEMENT		536,716
HIGHWAY AND ENGINEERING		3,519,275
PARKS AND RECREATION		1,902,893
DEBT SERVICE		1,900,360
NON EXPENDABLE TRUSTS		1,900
CAPITAL PROJECTS		
General Capital		1,075,002
Stormwater Management Projects		527,125
Fire Capital		8,123,698
Open Space		66,300
	TOTAL	9,792,125
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		31,266,458

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2011.

ENACTED AND ORDAINED THIS 14th day of December 2010.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Robert J. Pesavento, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 10-1235

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2011 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2011 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2011 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2011 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2011 FOR VOTER APPROVED OPEN SPACE DEBT, THE TAX RATE FOR THE YEAR 2011 FOR LIBRARY SERVICES AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2011, as follows:

Tax rate for General Purposes, the sum of 2.560 mils
on each dollar of assessed valuation, or the sum of 25.60 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.560	25.600

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 2011, as follows:

Tax rate for Debt Service, the sum of 0.756 mils
on each dollar of assessed valuation, or the sum of 7.560 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.756	7.560

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 2011, as follows:

Tax rate for Fire Protection, the sum of	0.508 mils
on each dollar of assessed valuation, or the sum of	5.080 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.508	5.080

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 2011, as follows:

Tax rate for Parks and Recreation the sum of	0.637 mils
on each dollar of assessed valuation, or the sum of	6.370 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.637	6.370

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2011, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of	0.077 mils
on each dollar of assessed valuation, or the sum of	0.770 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Voter Approved Open Space Debt	.077	0.770

SECTION 6: Tax Rate for Library Services

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 2011, as follows:

Tax rate for Library Services, the sum of 0.401 mils
on each dollar of assessed valuation, or the sum of 4.010 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Library Services	.401	4.010

SECTION 7: Discounts and Penalties

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

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

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

SECTION 9: This Ordinance shall take effect and be in force from and after January 1, 2011.

ENACTED AND ORDAINED THIS 14th day of December 2010.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Robert J. Pesavento, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 11-1236

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2011.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2011 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2011 shall be held on the first Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings for the year 2011 shall be held on the first Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings for the year 2011 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2011 shall be held on the fourth Tuesday of January, March, May, July, September, November, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

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

SECTION 8. All meetings will be effective January 11, 2011 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 11th day of January, 2010.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Robert J. Pesavento, President

Attest: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 11-1237

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 110, Entitled Fees, To Revise The Current Fee Schedule By Imposing New Fees For Intermediate And Re-Scheduled Inspections; And Revised Fees For Swimming Pool, New Home, Home Addition, And Detached Garage Inspections.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-3, "Building construction", subsection A (16), shall be amended to provide as follows:

§ 110-3. Building construction – Uniform Construction Code.

In accordance with Chapter 73, Building Construction – Uniform Construction Code, the following fees shall be charged:

A. Applicants for permits to be issued under Chapter 73, Building Construction – Uniform Construction Code, shall pay to the township at the time of application the fees prescribed in this section.

* * * * * * * *

(16) In all cases the fee for a permit includes intermediate and final inspections to determine compliance with Township Codes. If additional inspections are required because upon initial inspection the work does not comply with Township Codes, a re-inspection fee of $50 may be charged for each additional inspection required, payable in advance of the reinspection. This fee may also be charged where the contractor fails to appear for a scheduled inspection.

Section 2. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-5, "Excavation permits", subsection A, paragraphs (2), (3) and (4), shall be amended to provide as follows:

§ 110-5. Excavation permits.

The following permits are issued under Chapter 99, Excavations:

A. Before issuing a grading permit, the appropriate official of the Township shall collect a permit fee as follows:

* * * * * * * *

(2) The permit fee for an in-ground pool shall be two hundred seventy-five dollars ($275), plus an inspection fee of thirty-five dollars ($35) per half-hour.

(3) The permit fee for new homes or home additions greater than 400 square feet shall be $300, plus an inspection fee of thirty-five dollars ($35) per half hour. The permit fee for home additions of 400 square feet or less shall be sixty-five dollars ($65) plus an inspection fee of thirty-five dollars ($35) per half-hour.

(4) The permit fee for miscellaneous construction items involving excavation shall be as follows:

* * * * * * * *

(g) Detached garages – for detached garages with an area of 400 square feet or less, a fee of sixty-five dollars ($65) plus an inspection fee of thirty-five dollars ($35) per half-hour. For detached garages greater than 400 square feet, a fee of three hundred dollars ($300) plus an inspection fee of thirty-five dollars ($35) per half-hour.

Section 3. Nothing in this Ordinance or in Chapters 110 or 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 110 or 73 prior to the adoption of this amendment.

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

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

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

ENACTED AND ORDAINED this 8th day of February, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

Robert J. Pesavento, President

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 11-1238

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, Article XVI, EC Employment Center District, To Permit Highway Oriented Retail Sales Facilities And Accessory Fuel Dispensing, Subject To Conditions Related To Traffic, Building Size, Signage And Lighting; And With Respect To Such Use Imposing Parking And Loading Requirements, Imposing Architectural And Design Standards, Imposing Requirements And Standards For A Traffic Study, Imposing Landscape Requirements And Imposing Signage Regulations.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article XVI, EC Employment Center District, § 255-102, Permitted Uses by right, to add a new Subsection C. Highway and Interchange Uses, to provide as follows:

Article XVI. EC Employment Center District

§ 255-102. Uses permitted by-right.

* * * * *

C. Highway and Interchange Uses. Where a lot abuts a regional vehicular corridor designed with limited access points, such as the Pennsylvania Turnpike or the Route 309 corridor, and there is no more than 1,000 feet between the subject lot's access point and the vehicular corridor's access point, the following use is permitted, provided the given criteria and standards are satisfied. Measurement of the 1,000 foot distance shall be along the route vehicles must utilize to access the site.

(1) Freestanding retail sales, which attract high volumes of vehicular traffic and require convenient automobile access in relation to a highway, interchange or limited access thoroughfare, shall be permitted provided the following criteria and standards are met:

(a) Adequate provisions shall be made to accommodate increased traffic on public streets as required by § 255-114. Traffic Control.

(b) The provisions of § 255-115, Lot, yard and bulk regulations, shall apply to this use, except as noted below:

(i) Maximum Building Coverage shall be 7,500 square feet or less.

(c) Fuel dispensing may be provided as an accessory use, provided the following criteria and standards are met:

(i) There shall be no more than sixteen (16) fueling positions.

(ii) Tools and/or equipment needed for incidental activities, such as window cleaning and checking/adding air to vehicle tires, may be provided.

(iii) Fuel storage and dispensing equipment shall be located entirely outside of any floodplain and all fuel storage facilities shall be underground.

(iv) Canopies over fuel dispensing positions may be installed to protect users from poor weather conditions, provided they are no taller than 20 feet.

(d) Overnight rest facilities or publically available electric hookups are prohibited, as are showers or other similar personal hygiene facilities, except for customarily available public rest rooms.

(e) Signs permitted for Highway and Interchange uses are provided for in §255-155.D.

(f) Site lighting shall be designed so as to shield the source of illumination and eliminate glare that will be seen by motorists passing by on adjacent roadways and limited access highways.

(2) Off-Street Parking and Loading Areas.

(a) Parking shall be provided as required in this Article in § 255- 116, Parking, and in Article XIX, Off Street Parking.

(b) Parking and loading areas shall be designed so as to ensure the safe, orderly and efficient movement and use of the site by both motorists and pedestrians.

(c) Conflicts between vehicular and pedestrian movements shall be minimized to the greatest extent practical. Solutions such as changing the materials, color and texture of parking areas, driving lanes and pedestrian routes

shall be utilized to clearly define and differentiate the vehicular and pedestrian circulation patterns and pathways.

(3) Architectural and Design Standards:

(a) Other than roofing material, no less than thirty percent (30%) of the primary building's exterior facade, excluding window and door openings, shall be faced with natural building materials, such as wood, stone and/or brick, or high quality, man made materials that are engineered and designed to replicate these natural materials.

(b) Steel or other metals shall not be used on building exteriors, except as may be needed for roofing, window trim, gutters and downspouts.

(c) Unpainted concrete block, except when textured or tinted is prohibited on building exteriors.

(d) Trash receptacles and other outdoor furniture shall be designed as an integral part of the site's design and shall be consistent with and incorporated into the site's overall architectural character.

(c) All mechanical equipment shall be visually screened from all public rights of way. The screening shall be architecturally appropriate and designed as an integral part of the site's design.

* * * * * * *

Section 2. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article XVI, EC Employment Center District, § 255-114, Traffic control, shall be amended as follows:

§ 255-114. Traffic control.

A. All development in the EC District shall be designed to safely permit vehicles to enter and exit the property. A traffic impact study may be required by the Board of Commissioners for new buildings or building additions of 10,000 square feet or greater, for any freestanding retail use permitted under this Article, Subsection 255-102.C. and shall be required for all conditional uses.

B. If a traffic study is required by the Board of Commissioners, the Board of Commissioners reserves the right to request its own traffic engineer to establish the type and nature of the assumptions used for the generation and distribution of vehicular trips, review and comment on the applicant's traffic study, and require acceptable improvements necessary to minimize any identified traffic impacts. The expense for such review will be payable by the applicant to the Township.

* * * * * * *

D. The Board of Commissioners may also require the applicant to submit to the Township an emergency plan for ingress and egress of personnel for any use where the buildings, accessory facilities and/or the access and egress points onto the site are located within, raised above or cut across a floodplain.

Section 3. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article XVI, EC Employment Center District; § 255-115, Lot, yard and bulk regulations, shall be amended as follows:

§ 255-115. Lot, yard and bulk regulations.

A. Area and yard regulations.

* * * * * * *

(4) Yard requirements.

* * * * * * *

(e) Maintenance of yards and open areas. All yards and open areas (except for the portion provided for driveways and parking as herein provided) shall be planted in grass and shrubbery or trees and be maintained by the owner or tenants in a careful and prudent manner. Planting shall comply with the requirements in Chapter 212-32. Landscaping. In addition, any Front Yard shall be planted with a Softening Buffer, as provided for in Subsection 212-32.(F)(2).

* * * * * * *

Section 4. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article XXI, Signs; § 255-155, EC Employment Center Districts, shall be amended and a new Subsection D shall be added, as follows:

ARTICLE XXI. Signs.

* * * * * * *

§ 255-155. EC Employment Center Districts.

A. In EC Employment Center Districts, for all uses other than those permitted under § 255-102(C), Highway and Interchange Uses, the following signs shall be permitted and no other:

(1) Any sign permitted in any other district, provided that the use to which it refers is permitted in the EC Employment Center District and is conducted on the same lot where the sign is located

(2) For any commercial, industrial or office use, a maximum of two business signs are permitted, provided that the sign area of each sign shall not exceed 200 square feet or the sign height exceed 10 feet.

(3) Freestanding off-premises signs are permitted as a special exception pursuant to the special exception regulations of this article and the following:

(a) If the provisions with respect to location, use, size or height of signs are more restrictive in the Building Code adopted by Upper Dublin Township or any state or federal statute or regulation, those restrictions shall take precedence over the regulations and restrictions set forth in this article.

(b) A freestanding off-premises sign shall be single-faced but may have two back-to-back advertising surfaces. However, both surfaces shall be the same size and shape, the total length of the sign structure shall not exceed 50 feet, and the sign height shall not exceed 35 feet, with a total copy area not exceeding 675 square feet.

(c) Freestanding off-premises signs having a sign area greater than 25 square feet shall be located only adjacent to a limited access highway on property having frontage on a limited access highway, at a distance of not less than 25 feet from the ultimate right-of-way, and at a distance of not less than 100 feet from any property line. Freestanding off-premises signs having a sign area of 25 square feet or less shall be located no less than 50 feet from the ultimate right-of-way of any public street, and at a distance of not less than 100 feet from any property line.

(d) Except for freestanding off-premises signs having a sign area of 25 square feet or less, an open space of not less than four feet shall be maintained between the lower edge of the freestanding off-premises sign display surface and the ground.

(e) No portion of the supporting structure shall be visible above any advertising display area.

(f) No freestanding off-premises sign shall be located closer than 750 feet to the nearest freestanding off-premises sign on the same side of the highway, regardless of the size of the sign.

(g) No freestanding off-premises sign shall be allowed within 500 feet of a public or private elementary, middle or high school, religious institution or single-family residential zoning district.

(h) All freestanding off-premises signs shall be erected on permanent footings or support structures designed by a registered structural engineer.

(i) The owner or applicant, at his sole expense, will remove any freestanding off-premises sign if the sign remains without bona fide advertisement, which shall not include rental of the sign space, for 90 days, or if the right to use the property has expired for any reason whatsoever.

(j) On a lot where an off-premises sign is erected, no more than two signs of any type shall be permitted.

(k) Except for freestanding off-premises signs having a sign area of 25 square feet or less, externally illuminated signs shall be lighted by fixtures mounted at the bottom of the sign and aimed upward. The lighting of all freestanding off-premises signs shall be automatically extinguished between the hours of 11:00 p.m. and dawn and shall be so designed or fitted with fixtures to concentrate the light output onto and not beyond the sign.

B. In EC Employment Center Districts, for any freestanding retail sales use permitted under § 255-102.C, Highway and Interchange Uses, the following signs, and no others, shall be permitted:

(1) A maximum of one (1) freestanding sign may be installed to be visible for motorists traveling on limited access highways not exceeding 200 square feet or a measured height of 20 feet.

(a) In determining this freestanding sign's regulated height the measurement shall begin as if the base of the support pole was at the same elevation as the edge of the travel lane on the limited access highway closest to the subject property.

(i) For example, if the ground where the freestanding sign is placed is 15 feet below the elevation of the closest travel lane, then the actual height of the freestanding sign may not exceed 35 feet.

(ii) Or, for example, if the ground where the freestanding sign is placed is five (5) feet above the elevation of the closest travel lane, then the actual height of the freestanding sign may not exceed 15 feet.

(iii) In no case may the actual height of this freestanding sign exceed 40 feet.

(b) The support pole for the sign may be no further than 20 feet from the property line abutting the limited access highway or, if applicable, the interchange access ramp.

(c) The name of the retail use shall be shown on the sign. Fuel prices, if that use is provided, may be noted on the sign and presented digitally.

(2) A maximum of one (1) freestanding sign may be installed to be visible to motorist traveling on adjacent local roads not exceeding 35 square feet nor a height of 15 feet.

(a) The name of the retail use shall be shown on the sign. Fuel prices, if that use is provided, may be noted on the sign and presented digitally.

(b) The sign may be located no closer than 15 feet to the property line abutting the local roads or, if applicable, the interchange access ramp.

(3) A maximum of two (2) wall signs, neither of which shall exceed 35 square feet.

(a) If the principal building upon which the wall sign is affixed is further from the local road than the minimum front yard setback, then the size of that wall sign may be increased one (1) square foot for each additional five (5) feet the building is set back from the front yard setback.

(4) If canopies are provided over fueling positions, then there may be a maximum of two (2) signs displayed on each canopy, neither sign may exceed 15 square feet.

(5) A maximum of two (2) directional signs may be provided at each vehicular entrance. No individual sign may exceed two (2) square feet.

(6) Fuel pump informational signs may be provided at each dispensing point provided each sign is double faced and does not exceed two (2) square feet.

(7) All signs may be internally illuminated, subject to all applicable Township standards.

Section 5. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 10th day of May, 2011.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 11-1239

AN ORDINANCE To Amend The Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III Uniform Construction Code, by amending Section 73-14, entitled Board of Appeals, to make administrative changes by deleting the current Section 73-14 and replacing it with a new Section 73-14.

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

Section 1. The purpose of this Ordinance is to make administrative changes to the Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, Section 73-14, entitled Board of Appeals, to align the authority, composition, qualifications, and procedures of the Upper Dublin Township Building Code Board of Appeals with the requirements and specifications of the Pennsylvania Construction Code Act and Uniform Construction Code.

Section 2. The Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, Section 73-14, entitled Board of Appeals, shall be amended to make administrative changes by deleting the current Section 73-14 and replacing it with a new Section 73-14 to provide as follows:

§ 73-14. Board of Appeals.

A. General. To hear and rule on applications for variances and requests for extensions of time with respect to compliance with the requirements of the Code and this Chapter, and to hear and decide appeals of orders, decisions or determinations made by the Code Official relative to the application and interpretation of the Code and this Chapter, there is hereby created a Building Code Board of Appeals.

B. Authority. The Building Code Board of Appeals shall hear and rule on appeals, requests for variances and requests for extensions of time as specified by the Code. An appeal shall be based on a claim that the true intent of the Code or this

Chapter has been incorrectly interpreted, the provisions of the Code or this Chapter do not fully apply, or an equivalent form of construction is proposed. An application for a variance or extension of time shall be based on the reasonableness of the application of the Code and this Chapter, the extent the variance or extension of time will violate the Code and this Chapter or create an unsafe condition, the availability of technical or mechanical expertise to comply with the Code and this Chapter, the availability of materials to comply with the Code and this Code, the extent of the effort made to comply with the Code and this Chapter, and the compensatory features and actions offered to provide an equivalent degree of protection. The Building Code Board of Appeals may adopt rules of procedure for conducting its business consistent with the Code and this Chapter.

C. Composition. The Building Code Board of Appeals shall be appointed by the Board of Commissioners. The Building Code Board of Appeals shall consist of five voting members and two alternate members. An alternate member may participate in any proceeding or discussion of the Building Code Board of Appeals but shall not be entitled to vote as a member of the Building Code Board of Appeals unless designated as a voting member. Each regular and alternate member of the Building Code Board of Appeals shall serve for a term of five years, except that the terms of the regular members shall be staggered so that one shall expire each year. Each member of the Building Code Board of Appeals serves at the pleasure of the Board of Commissioners.

D. Qualifications. All members of the Building Code Board of Appeals shall be qualified by experience and training to pass on matters pertaining to building construction as specified by the Code and who are not officials or employees of the Township. All members of the Building Code Board of Appeals shall be residents of the Township unless the Board of Commissioners cannot find a sufficient number of qualified persons from within the Township to serve on the Building Code Board of Appeals.

E. Applications and Appeals. Applications for variances and extensions of time, and appeals from any decision pertaining to the Code or this Chapter shall be taken to the Building Code Board of Appeals as specified by the Code. All applications and appeals shall be submitted to the Building Code Board of Appeals with the designated fee using a form furnished by the Department of Code Enforcement. Applicants and appellants, or their representatives, shall have the right to a hearing on their application or appeal if such right is requested on the form.

Section 3. Nothing in this Ordinance or in Chapter 73 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 73 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 10th day of, May 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

By: _____
Robert J. Pesavento, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 11-1240

AN ORDINANCE Generally Amending The Subdivision And Land Development Code Of The Township Of Upper Dublin With Respect To: The Simultaneous Submission Of Multiple Plans; The Supporting Capacity For A Passable Roadway; Standards For The Location And Design Of Driveways; The Design And Performance Standards And The Requirements For Parking Areas, Sidewalks, Curbs, Lots On Public And Private Streets, Grading, Drainage, Erosion And Sediment Controls, Sanitary Sewers And On-Site Disposal Facilities, Water Supply, Streetscape Improvements, Landscaping, Reserve Strips, Rights-Of-Way And Easements; Plan Submission Requirements And Processing Procedures For Lot Line Changes, Tentative Sketches, Preliminary Plans, Minor Subdivision Plans, Minor Land Development Plans, Final Plans, Record Plans And Land Development Plans; Improvements Construction Requirements As They Relate To Submissions And Security; And The Timing Of The Payment Of Certain Fees.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article II, Terminology, § 212-4, Word usage, shall be amended to add the following:

Article II. Terminology.

§ 212-4. Word usage.

Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meanings given herein:

* * * * * *

G. The names of reviewing entities, such as the name of an advisory commission or a state agency, shall be construed as if followed by the words "or its successor."

Section 2. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article III, General Provisions, § 212-7, Plan Approval Required, shall be amended to provide as follows:

Article III. General Provisions.

§ 212-7. Plan approval required.

It shall be unlawful for the owner of any land in the Township to make a subdivision or land development thereof or to construct, open or dedicate for public use or travel or for the common use of occupants of buildings thereon any street, sanitary sewer, storm drain, water main or other facilities in connection therewith unless and until a plan thereof shall have been prepared by a registered professional engineer or surveyor, submitted to and approved in writing thereon by the Board of Commissioners, or, in the case of plans providing only for a lot line change, by the Planning Commission. Before approval, such plan shall be submitted to the Montgomery County Planning Commission for review. Before approving a subdivision or land development plan, the Board may, in its discretion, arrange for a public hearing with respect thereto, after giving such notice thereof as it deems advisable. The Board may require alterations, changes or modifications in accordance with the provisions of this chapter which it deems necessary in such plans and may refuse its approval until all such alterations, changes or modifications in the plan have been made.

Section 3. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article III, General Provisions, § 212-11, Prerequisites to sale or issuance of permit, Subsection B, shall be amended to provide as follows:

Article III. General Provisions.

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

* * * * * * *

B. No building permit for new construction within a proposed development will be issued until a working hydrant is located within 500 feet of the building which is the subject of the permit and until a passable roadway of a stone base minimum, capable of supporting 40 tons, is constructed so that fire equipment and emergency vehicles can access the proposed building.

Section 4. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-14, General Principals, Requirements and Standards, shall be amended to add the following:

Article IV. Design Standards,

§ 212-14. General Principles, Requirements and Standards.

* * * * * * *

O. Sewage Facilities Planning. All construction projects that propose new or expanded plumbing/sewage facilities require DEP review under the Pennsylvania Sewage Facilities Act (Act 537). No final subdivision or land development approval will be issued until sewage planning has been approved by DEP through the issuance of a planning module

approval or an exemption from planning, or until DEP has issued a letter stating that sewage planning is not required.

Section 5. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-15, Streets, Subsection A, Street System shall be amended as follows:

Article IV. Design Standards,

§ 212-15. Streets.

A. Street system.

* * * * * *

(9) Obstructions. No fences, trees, hedges, walls, plantings or other obstructions shall be located within or be permitted to grow into the right-of-way. Sight distances at street and driveway intersections must be in accordance with ECSIP[1] standards.

* * * * * *

Section 6. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-16, Driveways, Subsections A and B shall be amended to add the following:

Article IV. Design Standards,

§ 212-16. Driveways,

A. Location and design:

* * * * * *

(7) All driveways must comply with the provisions and standards of PADOT Chapter 441.

(8) All driveways must be offset a minimum of five feet (5') from any property line, unless approved as part of a SALDO application.

(9) All side entrance garages shall provide a minimum of 28 feet of paving for adequate turnaround area.

[1] Upper Dublin Township's most current Engineering Construction Standards and Improvements Procedures.

B. Construction.

* * * * * *

(3) All driveways shall be constructed in accordance w/the Standards

Section 7. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-17, Parking Areas, Subsections C, D, E and I shall be amended and a new Subsection K shall be added to provide as follows:

§ 212-17. Parking areas.

* * * * * * *

C. No one area for off-street parking of motor vehicles, defined as the parking spaces bounded by planting strips, within or adjacent to residential uses shall exceed 36 cars in capacity. Separate parking areas on a parcel shall be physically separated from one another by ten-foot planting strips.

D. No less than 20 feet of open space shall be provided between the curbline of any parking area and the outside wall of the building.

E. When common parking facilities are approved, subject to Chapter 255, side and/or rear yard parking requirements may be waived in order to establish unified and continuous parking areas. In such cases, access drives and sidewalks shall be so aligned as to maximize parking efficiency and minimize traffic congestion. Entrances and exits must have good visibility so that, both going in and coming out, drivers can see and cars can be seen.

* * * * * * *

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

Angle of Parking (degrees)	Parking Stall Depth (feet)	Parking stall Width* (feet)	Aisle Width One-Way (feet)	Aisle Width Two-Way (feet)
90	19	9.5	24	24
60	21	9.5	18	20
45	19	9.5	15	18

* = The township may require a minimum width of 10 feet in parking lots serving high volume/high turnover commercial facilities such as supermarkets or convenience stores.

* * * * * * * * * * *

K Crosswalks. Crosswalks for pedestrians shall be provided within parking areas..

Section 8. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-18, Sidewalks, Subsections A, B and D shall be amended to provide as follows:

§ 212-18. Sidewalks.

A. Where required.

* * * * * * *

(3) Sidewalks, a minimum of five feet (5') wide shall connect all handicapped parking areas to building entrances, wherever practical.

* * * * * * *

B. Width.

1. Sidewalks shall not be less than five feet in width in residential areas. A greater width may be required in areas in which apartments or business buildings are located, or deemed necessary at the discretion of the Board.

2. Sidewalks in the DO Dresher Overlay District, the FWVD, and the MGVD shall not be less than six feet in width.

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Section 9. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-19, Curbs, shall be amended to add the following:

§ 212-19. Curbs.

* * * * * *

D. Curbs within non-dedicated roads or parking areas may have a six inch (6") reveal, if approved by the Township Engineer.

Section 10. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-21, Lots on public and private streets, Subsections B, D and G, shall be amended to add the following:

§ 212-21. Lots on public and private streets.

* * * * * *

B. Width. The minimum width of a lot shall be that width which is measured between the points where the side yards meet the right of way line and extending there from the full depth of the principal building on the lot, plus an additional 25 feet.

* * * * * *

D Frontage. Every lot shall have frontage along the right-of-way of a public street or a private street and shall have the minimum lot width required by Chapter 255 of the Township Code on each street on which the lot abuts.

* * * * * * *

G. Building numbers. House or building numbers shall be assigned by the Township in accordance with the provisions of Chapter 76, Numbering of. Buildings and shall be shown on the Record Plan.

* * * * * * *

Section 11. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-23, Grading, Subsections A and B, shall be amended to provide as follows:

§ 212-23. Grading.

A. Topsoil preservation. No topsoil shall be removed from the site or used as spoil. Topsoil must be removed from the areas of construction and stored separately. Upon completion of the construction, the topsoil must be redistributed on the site uniformly. All areas of the site shall be stabilized by seeding or planting on slopes of less than 25% and shall be stabilized by sodding on slopes of 25% to 33%% , planted in ground cover, riprap or other slope stabilizations as may be required by the Township Engineer on slopes of greater than 33% .

B. Excavation and fill. No permanent excavation or fill shall be made with a face steeper in slope than three horizontal to one vertical, except under one or more of the following conditions:

(1) The submission of a soils report prepared by a qualified engineer or Geologist, experienced in soil exploration and licensed in the Commonwealth of Pennsylvania stating that the material in which the excavation of fill is made is sufficiently stable to sustain a slope of steeper than three horizontal to one vertical .may be submitted to the Township Engineer.

(2) A concrete or stone masonry wall designed by a qualified engineer, licensed in the Commonwealth of Pennsylvania and approved by the Township Engineer, is provided to support the face of the excavation or fill.

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Section 12. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-24, Drainage, Subsection C, shall be amended to provide as follows:

§ 212-24. Drainage.

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C. Design.

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(2) Size. Storm drains shall be adequate for the anticipated runoff when the area is fully developed as permitted by zoning. They shall have a minimum internal diameter of 18 inches and a minimum grade of ½ of 1%.

* * * * * *

(6) Streams and watercourses. Changes to natural streams shall be made only when specifically applied for and approved. Realignment must conform to proper hydraulic design and shall involve the dedication of rights-of-way of adequate width to make feasible future maintenance. Approval of the Pennsylvania Department of Environmental Protection will be required prior to any stream changes. When submitting a plan involving the construction or realignment of a watercourse, there shall be submitted, in duplicate, copies of the designer's hydraulic computations. It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream, watercourse or swale or upon the floodplain or right-of-way during the pendency of the activity and to return it to its original or equal condition after such activity is completed.

* * * * * *

Section 13. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-25, Erosion and Sediment Control, Subsections C and D, shall be amended to provide as follows:

§ 212-25. Erosion and sediment control.

* * * * * *

C. Grading for drainage. In order to provide more suitable sites for building and other uses, to improve surface drainage and to control erosion, the following requirements shall be met:

* * * * * *

(3) Excavations and fills.

(a) Cut and fill slopes shall not be steeper than 3:1 unless stabilized by a retaining wall or cribbing, except as approved by the Board when handled under special conditions.

* * * * * * *

D. Responsibility.

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(2) Maintenance of all drainage facilities and watercourses within any subdivision or land development is the responsibility of the developer/property owner/property owner's association unless the drainage facilities and watercourses and/or the maintaince thereof, are accepted by the Township or some other official agency.

* * * * * *

Section 14. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-26, Sanitary sewers and on site disposal, Subsections B and C, shall be amended to provide as follows:

§ 212-26. Sanitary sewers and on-site disposal.

* * * * * * * * *

B. Sewers.

(1) Whenever practicable, sanitary sewers shall be installed and connected to a public sanitary sewer system following review of plans and approval by the Pennsylvania Department of Environmental Protection (DEP). In areas not presently served by public sanitary sewers, appropriate sewage disposal must be provided in accordance with the regulations of the DEP and, in addition, the installation and capping of sanitary sewer mains and house laterals may be required if studies by the Township indicate that extension of public sanitary sewer trunks or laterals to serve the property subdivided appears probable or necessary to protect public health.

* * * * * *

C. Design and construction.

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(2) Laterals. Lateral connections to each lot shown on the final plan shall be installed

ten feet (10') past the right-of-way line of the street prior to paving. Each building shall have a separate connection to the sanitary sewer system.

* * * * * * *

Section 15. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-27, Water supply, Subsection F, shall be amended to provide as follows:

§ 212-27. Water supply.

* * * * * * *

F. Hydrants. Fire hydrants shall be located at accessible points throughout the subdivision when public water supply is available. The fire hydrants shall be located in accordance with the rules and regulations of the Upper Dublin Fire Marshal.

Section 16. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-29, Streetscape improvements, Subsection A, shall be amended to provide as follows:

§ 212-29. Streetscape improvements

A. Street lighting shall be installed in each subdivision by and at the expense of the developer and in accordance with a plan approved by the Township. In the DO Dresher Overlay District, street lighting shall be model "Old Town No. A850 SR," as manufactured by Sternberg Vintage Lighting, or equal as approved by the Board of Commissioners. Poles for light fixtures shall be model 5700-KP as manufactured by Sternberg Vintage Lighting, or approved equal.

* * * * * *

Section 17. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-32, Landscaping, Subsections A – F shall be amended to provide as follows:

§ 212-32. Landscaping.

A. Intent. The intent of these regulations is to promote practical, sustainable, and orderly community development by minimizing tree loss and adding new trees and plants; minimizing soil erosion and sedimentation and stimulating groundwater recharge; preventing and reducing light and heat pollution; stimulating air purification and oxygen regeneration; providing for noise abatement and visual buffering; ; maintaining and conserving the Township's natural amenities; and to provide for the harmonious development of contiguous properties in different zoning districts. This intent shall be

achieved by requiring certain minimum landscaping requirements for all land developments and subdivisions.

B. General landscape requirements.

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(1) The provisions in these regulations are not intended to restrict existing residential owners from planting or removing trees and shrubs from their property, except in the case of effective property line screening and bufferings.

* * * * * *

(4) It is required that all Landscape Plans be prepared and sealed by a landscape architect registered by the Commonwealth of Pennsylvania and familiar with this section in order to promote the proper use and arrangement of plant materials. The seal may be omitted for a two lot subdivision. These Plans shall be reviewed by the staff and consultants and voted upon by the Township Board of Commissioners.

(5) Required plant material shall be planted prior to the issuance of a permanent use and occupancy permit. In lieu of planting due to seasonal constraints, the locations of plantings will be staked, and the developer or landowner will be required to submit to the Township an agreement signed by the purchaser at the time of settlement. This agreement will indicate that the purchaser understands and acknowledges that the stakes indicate the locations of trees to be planted and that the trees will be planted by the developer or landowner as soon as the weather permits but no longer than six months after the date of the agreement.

(6) All plant material shall meet the standards of the American Standard for Nursery Stock by the American Association of Nurserymen, or most recent edition.

(7) All plant material shall be installed in accordance with the Township's planting standards and specifications.

* * * * * *

(9) The Township shall make a final inspection for acceptance at the end of the guaranty period. This inspection will be performed when plant materials are in full leaf only (May 1 through November 15). All guaranty escrow funds will be released upon acceptance following the end of the guaranty period.

(10) Non-conforming uses, special exceptions and conditional uses. Whenever there is a non-conforming use, special exception or conditional use, the use shall comply with the more restrictive landscape requirements for either the land use or the zoning district in which it is located.

(11) Redevelopment/retrofits of existing non-residentially used lots. If only a portion

of an existing non-residentially used parcel is being redeveloped/renovated, then only the area being redeveloped/renovated shall be required to comply with the provisions of this Section proportionately.

(12) All landscape material to be installed shall account for the growth, size and pattern to allow adequate area and spacing at maturity.

(13) All plantings shall be arranged to provide clear sight triangles at street intersections and shall not obstruct any sight distance requirements. The clear sight triangles shall be 100 feet at primary or lesser street classifications and shall be 125 feet on arterial or greater street classifications.

C. When a Landscape Plan is required. A Landscape Plan shall be submitted with all preliminary and final land development plans and subdivision applications.

D. Definitions. Unless otherwise expressly stated, for the purposes of these regulations, the following terms shall have the following meanings:

CALIPER -- The dimension of a trunk diameter measured six inches above grade for trees four inches in diameter or less, and at 12 inches above grade for trees greater than four inches in diameter. Such measurements apply to trees to be planted as a component of the Landscape Plan.

DIAMETER -- The dimension of a trunk of an existing tree measured outside edge to outside edge of the bark and at breast height (4 feet) above grade.

DECIDUOUS -- The type of tree or shrub drops or sheds its foliage in the fall and grows new leaves in the spring.

EVERGREEN -- A tree or shrub that does not drop its foliage in the fall and generally maintains a green color year round. .

FLOWERING/UNDERSTORY TREE -- Generally a small or mid-sized tree commonly inhabiting the understory layer.

LANDSCAPE PLAN -- A plan developed expressly for showing the location, size, quantity and species of existing and proposed plant material, to include trees, shrubs, ground cover, seeding and sodding. Information shall include planting details, plant schedules and general notes and specifications pertaining to installation and maintenance of the plant material.

MONOCULTURE -- A planting of trees or shrubs that is comprised of the same species for each installed element as determined by its Latin name.

NATURALIZED LANDSCAPE -- An established assemblage of plant material that utilizes all native trees, plants and grasses that are suitable to the physical and natural conditions of the site or site improvement.

SCREEN BUFFER -- A perimeter landscape planting for the purposes of providing a formal separation between neighboring uses. Such a buffer may be required if the new land development or land uses are the same as the adjacent zoning or land use. A screen buffer is intended to be comprised of evergreen species and to be an impenetrable visual screen after five years. It is not intended to be a monoculture of one plant species.

SHADE/CANOPY TREE -- A tree, typically deciduous with a single straight trunk that matures to a height of 40+ feet which results in it becoming part of the canopy or uppermost layer.

SOFTENING BUFFER -- A perimeter landscape planting for the purpose of providing an informal separation between neighboring uses. It shall utilize a mix of deciduous and evergreen trees and shrubs per the requirements in Table 1 and is not intended to be an impenetrable visual screen.

STREET TREE -- A shade/canopy tree with a single trunk located adjacent to a street, road or pedestrian right of way and outside the street right-of-way with distances as specified in this section of the Code.

E. Information required to be shown on the Landscape Plan.

(1) The Landscape Plan submission shall show the following existing and proposed information:

(a) Plan scale, date, north arrow and location map with zoning district designations and current land use(s) for the site and all adjacent properties.

(b) Property lines, setback lines, easements and rights-of-ways.

(c) Location of the footprints for all buildings.

(d) Location of all roads, parking, service areas and other impervious or porous site improvements

(e) Location of all outside storage and trash/recyclable receptacle areas.

* * * * * * *

(g) Locations of all underground, surface and above grade utilities, such as sanitary and storm sewers, water, electric, cable, TV, data lines, utility easements, transformers, hydrants, manholes, inlets and mechanical equipment.

(h) Location, diameter, and species of existing individual trees with trunks

eight inches or more in diameter. Trees in hedge rows, groves or woodlands with trunk diameters of eight inches or more may be shown by indicating the outer canopy edge or drip line of the tree grouping. Existing trees shown as masses must be labeled with an approximate quantity as counted or calculated. The total number of existing trees shall be included on the Plan. If the site contains 20 or more trees, then a separate tree survey plan showing the location and diameter of individual trees over eight inches in diameter is to be included. The tree survey plan is to be at the same scale of the site plan as submitted. The drawing is to be sealed by a professional land surveyor or registered landscape architect.

(i) A schedule listing existing trees eight inches or greater in diameter to be removed by the proposed development. The schedule shall indicate the botanical and common name, height, spread, diameter, quantity and special remarks for all trees proposed for removal.

(j) A planting schedule listing all new plant materials (trees, shrubs and ground cover) proposed to be installed as part of the project. This schedule shall indicate the botanical and common name, height, spread, caliper, quantity and special remarks for all proposed plant materials. Symbols may be utilized in the planting schedule and on the Landscape Plan to simplify and clarify the Plan.

(k) Plans shall be drawn to a scale of not less than one inch equals 40 feet (1"=40') and shall show all existing and proposed contours at two-foot intervals.

(l) Details and specifications for the planting and staking of trees, the planting of shrubs, establishment of ground covers by seed and/or plug, and installation of any hardscape or landscape features, including landscape furnishings such as benches, bike racks, bollards, etc.

(m) Existing natural features, such as streams and creeks, water bodies, floodplains, wetlands, rock outcroppings and slopes in excess of 25%.

(n) Location of all proposed plant materials to include trees, shrubs, ground cover, including perennials, annuals, meadow and/or lawn.

(o) Information in the form of notes or specifications pertaining to planting and lawn areas. Such information shall specify the quality requirements and material for planting and staking, seeding, sodding, ground cover establishment, mulching and the like.

(p) Using a graphic symbol, the limits and details of temporary tree protection fencing proposed to protect existing trees and shrubs from equipment damage during construction.

(q) Interior parking lot green space calculations for parking lots larger than 5,000 square feet shall have a minimum landscape area of 10%. The area of the parking lot shall be measured from five feet outside the edge of the paving, or face of curb, where applicable, if the outside area is planted or turfed. Green space may include tree islands, rain gardens, planted or turfed corners and the outside perimeter of parking lots if they are planted or turfed. Green space to be considered shall be depicted graphically on the Plan and the calculation shall appear on the drawings in the following form:

Total Green Space	Parking Lot Area	Percent of Parking Lot Devoted to Green Space
_____ square feet (numerator))	_____ square feet (denominator)	_____ . ____ %

(r) A table showing compliance with each section of the Code is required. Landscape Plans shall use symbols or labels to indicate which plant material meets which code requirement.

* * * * *

F. Specific planting requirements. Street trees, softening buffers, screen buffers, general on-site screening, parking area landscaping, detention basin landscaping and individual lot landscaping shall be provided according to the following standards:

* * * * * *

(1) Street Trees.

(a) When required.

[1] Street tree planting requirements applicable to each zoning district are listed in Table 1.

[2] Street trees shall be required for any subdivision or land development where suitable street trees do not exist. Areas requiring such street trees shall include:

(a) New streets.

(b) New sidewalks or pedestrian ways.

(c) Existing streets, sidewalks, pedestrian ways, highways, bicycle trails or pathways when they abut or lie within the subdivision or land development.

(d) Access driveways to residential developments serving three or more single-family residences.

(e) Access driveways to nonresidential developments.

(b) Location.

[1] Street trees shall be spaced to permit the healthy growth of each tree. In no instance shall they be closer than 50 feet on center nor further than 75 feet on center for each side of the street. The length of frontage may be reduced for calculation purposes by the right of way of intersecting street(s).

[2] Street trees shall be planted no closer than two feet nor more than 15 feet outside the street right-of-way, as measured to the center of the trunk; street trees shall be planted no closer than eight feet (8') to any public sidewalk.

[3] At intersections, trees shall be located no closer than 40 feet from the intersection of the curbs and must be outside the clear sight triangle.

[4] Where trees exist along a roadway, existing healthy shade trees over eight inches in diameter within 20 feet of the curb face or edge of pavement may be counted toward the street tree requirement. Where existing street trees are over 75 feet apart, new shade trees shall be planted between these existing trees at a spacing of no greater than 75 feet on center and no less or closer than 25 feet to any existing tree.

[5] Street trees may be grouped (in groups of three or more) or planted in an informal arrangement, if appropriate to the area. The number of trees as calculated by the above standard shall be equal or greater quantity and may be spaced a minimum of 40 feet on center with appropriate species and with no spacing or gaps between tree groupings greater than 150 feet.

[6] Street trees shall not be planted over underground utilities or beneath overhead utility lines. If utility lines are present or proposed, the street trees shall be shown at a distance of no less than 10 feet nor more than 25 feet from the center line of the overhead or underground utility. Where this is not possible due to space limitations or other reasons, the species of street tree shall be changed to a species that grows to a lower mature height as recommended by the Township consultants.

(c) Plant Material Requirements (size, type and quality standards).

[1] Street trees shall be a minimum of two and one half inches (2.5") in caliper. Trees shall meet the general specifications for height and

spread in relationship to caliper for shade trees as stated in the American Standard for Nursery Stock by the American Association of Nurserymen. All branches shall be pruned to a clearance height of seven feet above the ground. No side branching on tree trunks will be allowed below six feet eight inches from the ground. Trees shall have a single, straight trunk and central leader and be free of disease and mechanical damage. Tree leaders shall not be cut. Recommended street tree species are found in Subsection I, Recommended plant list.

(2) Softening buffer.

(a) When required.

[1] Softening buffer planting requirements applicable to each zoning district or land use are listed in Table 1 at the end of this chapter.

[2] A softening buffer is required along the perimeter of a site proposed for land development or subdivision. Existing healthy trees and shrubs meeting the requirements of Table 1 may be counted in satisfying those requirements. A softening buffer is not required along internal side and rear yard lines of new lots created by a proposed residential development.

[3] The buffer area shall be 25 feet in width and used for no purpose other than planting of trees and shrubs to meet planting requirements. The area may include a wall or fence provided it does not exceed six feet in height. Any wall or fence shall be constructed in such a manner that it will not conflict with the character of the abutting district or land use.

[4] The applicant may not be required to provide buffer planting when existing planting, topography and/or man-made structures are shown on the plans and serve the same purpose..

[5] A softening buffer is not required where a screen buffer is provided.

(b) Location. Required buffer plantings, shall be aligned adjacent to property lines or rights-of-way boundaries but may be positioned elsewhere on the property with the recommendation of Township staff or consultants and approved by the Board of Commissioners. An innovative and free-form arrangement of the required plant material is encouraged.

(c) Plant material requirements.

[1] Not more than 35% of plants shall be evergreen.

[2] Deciduous and semi-deciduous plants may be used with evergreen species to provide color and a softer, more interesting and natural effect.

* * * * * * *

(3) Screen buffer.

(a) When required.

[1] Screen buffer planting requirements applicable to each zoning district or land use are listed in Table 2 at the end of the chapter.

[2] If a screen buffer exists, this requirement may be reduced or eliminated, upon the recommendation of Township staff or consultants and approval by the Board of Commissioners.

* * * * * *

(b) Location.

[1] The screen buffer is to provide a visual barrier between adjacent land uses. The screen buffer shall be 30 feet in width and aligned adjacent to property lines or ultimate rights-of-way boundaries or may be positioned elsewhere on the property upon the recommendation of Township staff or consultants and approval by the Board of Commissioners.

[2] The screen planting shall be broken only at points of vehicular/pedestrian access and easements where plantings are prohibited.

[3] Screen buffers are not required in front yards.

(c) Plant material requirements.

[1] Trees used for screen buffers shall be composed of a minimum of 80% evergreen varieties. Shrubs may be a combination of evergreen and deciduous species. At the same time the required plant material shall be so arranged as to provide a visual screen of 50% and at least eight feet in height. Where the screen buffer planting requires more than 50 trees, no more than half of these trees may be of a single species.

[2] Walls, ornamental structures, fences and earth berms, or a combination of these, may be used in combination with appropriate

plant material, upon the recommendation of Township staff or consultants and approval of the Board of Commissioners.

[3] Recommended evergreen tree species used for screening are found in Subsection I, Recommended plant list. Spacing requirements are included in Table 1.

(4) Parking area landscaping.

(a) Landscaping requirements applicable to each zoning district or land use are listed in Table 1. Selected plant material shall account for the sub base conditions, especially related to acid and alkaline sub base rock and ballast.

(b) In addition to the trees and shrubs required for buffers and parking areas, a minimum of 10% of any parking lot over 5,000 square feet in gross area shall be devoted to landscaping.

(c) A maximum of 12 parking spaces shall be permitted in a row without a landscape island. This island shall contain not less than 400 square feet of planting area with a minimum island width of 20 feet and one shade tree, or flowering trees, of a size and type suitable to the parking lot. Where area restrictions exist, flowering trees may be used upon the recommendation of Township staff or consultants and approval by the Board of Commissioners.

(d) Raised continuous curbing shall be required around all planting islands, except those used for stormwater management such as rain gardens where openings are needed. In addition, curbed planting islands shall be placed at the end of each row of parking spaces which begins or terminates at an internal circulation drive.

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(5) Detention Basin Landscaping.

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(b) Drainageways, detention basins and retention ponds shall be aesthetically pleasing and compatible with the adjacent land use. Creative grading, innovative basin forms and naturalized plantings and groundcovers shall be employed where feasible.

(c) Basin floors and sides.

[1] Floors dry most of the year shall be landscaped in one or a combination of the following:

[a] Turf (seeded, hydro-seeded or sodded).

[b] Seeded in low-maintenance naturalized mix that includes groundcovers with warm season meadow grasses and wildflowers. Commercial mixes shall be matched to site conditions.

[c] All-season ground cover.

[2] Basin floors, portions of a floor or channels which are wet most of the year shall be landscaped in one or a combination of the following:

[a] Wet habitat grasses and ground covers.

[b] Seeded in low-maintenance, naturalized mix that include groundcovers with warm season meadow grasses and wildflower. Commercial mixes shall be matched to wet site conditions.

(d) Basin perimeter plantings.

[1] Basin perimeter planting requirements applicable to each zone or land use are listed in Table 1. To promote diversity, up to 50% of the shade trees may be substituted with an option of two flowering trees, two evergreen trees or 10 shrubs for every shade tree. No plantings shall be placed on the fill area of the berm acting as an impoundment structure. Trees and shrubs shall not be planted in the basin floor.

(e) Recommended tree and shrub species are found in Subsection I, Recommended plant list.

(6) Individual Lot Landscaping.

(a) When required.

[1] Individual lot landscaping includes those areas of the site not covered by Subsection F(1) through (5) above.

[2] Lot landscaping requirements applicable to each zone or land use are listed in Table 1.

[3] Lot landscape requirements shall not be met for any lot by the transplanting of other plant material from the subject lot or lots created as part of this application, unless approved as provided in this Chapter (Subsection G).

(b) Location. Trees specified under this section shall be planted on the lot. They may be planted within the general open space of the subdivision or land development, upon recommendation by Township consultants and approval by the Board of Commissioners.

(c) Plant material requirements.

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[2] To permit greater diversity and interest, up to 50% of the shade tree requirement may be substituted with an option of two flowering trees, two evergreen trees, and ten shrubs for each shade tree. Substitute plan material shall be from the Recommended Plant List, Subsection I and refer to Note No. 1 on Table 1.'

(7) Landscaping on Slopes.

(a) When required. Landscaping shall be required on disturbed areas of the site with slopes in excess of one foot vertical to 4 feet horizontal (4:1 or 25% slope).

(b) Plant material requirements.

[1] Sodded lawn. and/or ground cover plantings are required on all slopes of between 25% and 33%.

[2] Ground cover plantings are required on slopes of 33% or greater (one foot vertical to three feet horizontal).

(c) Supplemental plantings. Supplemental plantings may be applied toward the replacement tree requirements of Subsection H, except where these plantings are required by other sections of this chapter. Supplemental plantings of shade trees, ornamental trees and evergreen trees and shrubs may be planted as a part of landscaping on slopes.

(8) Watercourse Buffers

(a) When required.

[1] Watercourse buffer planting requirements applicable to each zoning district or land use are listed in Table 2.

[2] Buffers are required along all permanent and intermittent streams and watercourses where they cross a property. Where existing healthy vegetation exists it must be retained. It must be supplemented per the requirements of this chapter.

[3] Buffers must be provided on each side of the stream or watercourses except when the waterway forms the property boundary, in which case the buffer is required only on the subject property side.

(b) Location. Buffers shall be aligned with the stream/creek embankment or watercourse edge.

(c) Plant material requirements.

[1] Buffers must be a minimum of 35 feet for unnamed watercourses, 50 feet for named waterways and 100 feet for Sandy Run and Wissahickon Creek. Named waterways are: Rose Valley Creek (North and South Branches), Tannery Run, Honey Run, Small Creek, Rapp Run, and Pine Run.

[2] Buffer plantings must be selected based on site conditions, and in particular with respect to flow, flooding, soil wetness and elevation.

[3] Plant diversity and informal planting schemes are recommended to replicate natural streamside buffers and habitat.

(9) Landscaping of Other Areas. Any area not used for buildings, structures, paved areas, planting beds, or screening shall be planted in an all-season ground cover or lawn and other landscape materials. Wherever possible, healthy and suitable existing vegetative materials shall be preserved.

(10) Existing Vegetation. In cases where preserved natural features existing on the subject site duplicate, or essentially duplicate, the planting requirements of this chapter, these requirements may be waived or amended upon the recommendation of Township consultants and approval by the Board of Commissioners.

G. Preservation and Protection of Existing Trees.

(1) All subdivisions and land developments shall be laid out in such a manner so as to preserve the healthy trees and shrubs on the site, whenever possible. Special care must be taken to preserve trees over 20 inches in diameter and trees standing in groves. Special care shall include avoiding woodland fragmentation, protecting native species, and removing invasive plant species. The Township may refuse approval of any plan showing the unnecessary destruction of healthy trees and shrubs, particularly those for which special care is required. Financial benefit to the developer will not constitute a sufficient reason to avoid compliance with this subsection.

(2) During the construction of any site, trees and shrubs, as defined herein, shall be protected by temporary fencing to ensure that there is no encroachment or disturbance within the area of their dripline by changing grade, trenching,

stockpiling of building materials or topsoil or compacting the soil and roots by any equipment. In addition, the following regulations shall apply:

(a) Existing trees where the root zone (dripline) has been encroached upon are not to be counted as preserved.

(b) Existing trees where trunks are within five feet of proposed sidewalks, walkways or driveways, or within ten (10) feet of proposed roadways are not to be counted as preserved.

(c) At the direction of the Township staff or consultants, existing trees which have not been adequately protected or have been significantly damaged are to be removed.

(d) Standing trees that are confirmed by the Township staff or consultants as dead or substantially in decline or stressed or invasive species that are undesirable for the site or site conditions will not be counted as preserved and shall be removed.

(3) The foregoing requirements for trees in Subsection F(1), (2), (3), (4) and (8) (street trees, softening buffers, screen buffer, parking area, and watercourse buffers) shall be met by preserving existing healthy, native trees. To that end, the number of trees required by these subsections may be reduced by a credit for approved preserved trees as follows:

(a) Approved preserved trees eight inches or greater in diameter remaining on an individual lot may offset the requirements as noted herein on a ratio set forth in subsection (d). For example, if two eight inch healthy native shade trees are preserved on a lot, two trees may be deducted from the calculated requirements.

(b) A preserved tree may not be used to offset more than one landscape code requirement.

(c) Transplanting plant material within the subject property may be permitted when unusual or unique conditions exist, such as crowding, a change in site conditions or prior planting conditions (e.g., nursery.)

(d) Credits for approved preserved trees to offset landscape code requirements shall be calculated as follows:

Diameter of Trunk of Approved Preserved Tree (inches)	Number of Tree Credits
37 or greater	5
25 to 36	4
13 to 24	2
8 to 12	1

H. Replacing Trees Destroyed by Development.

(1) Where more than 25% of the existing trees have been removed, every remaining tree, eight inches in diameter or more, which is destroyed because of site improvements shall be replaced. It is intended that tree replacement be the initial steps towards re-establishing woodland and reforestation. Replacement shall be according to the following formula:

(a) One-third of the required replacement trees shall be shade trees at a ratio of one shade tree to one removed tree (1:1),

(b) One-third shall be flowering trees and evergreen trees at a ratio of two flowering/evergreen trees to one removed tree (2:1),

(c) One-third shall be shrubs at a ratio of ten shrubs to one removed tree (10:1), or, all or some part of this third may be groundcover at a ratio of 40 groundcover plants to one removed tree (40:1).

(2) Replacement plant material shall be positioned, spaced and planted to replicate a native woodland or forest and near other woodland where possible to expand existing woodland areas. All species are to be selected from Subsection I, Recommended Plant List.

(a) Such new plant material shall be planted in addition to that required in Subsection F above.

(b) Replacement trees must be planted in common areas within and between lots rather than as foundation plantings around individual structures.

(c) Recommended sizes and species of shade trees, evergreen trees, flowering trees, shrubs and groundcovers are listed in Subsection I.

(3) Calculation and estimation of existing trees before construction shall be performed based on the following procedure:

(a) Healthy trees over eight inches in diameter standing alone will be documented individually and noted on the Landscape Plan. Dead trees or trees in severe decline shall be omitted.

(b) The quantity of large trees standing in masses of over 10 trees shall be estimated by the following method:

[1] Three one-hundred-by-one-hundred-foot (100'x100') square areas will be staked out in locations acceptable to the owner/developer and the Township staff or consultants.

[2] The quantity of trees in each area will be counted and the totals averaged to determine the average number of trees per 10,000 square feet of wooded area.

[3] This average quantity per area shall serve as a representative sample and will be used to determine both the quantity of trees being removed and the quantity of trees to remain in large masses.

(4) Calculation and estimation of existing trees remaining after construction shall be prepared by the applicant and confirmed by Township staff or consultants based on the procedure noted above.

(5) Calculations of the required replacements for existing trees eight inches or more in diameter removed during construction shall be submitted by the applicant and confirmed by Township staff or consultants based on the following formula:

(a) Twenty-five percent of the total number of existing trees on the site may be removed without the need for replacement.

(b) If more than 25% but less than 75% of the total number of existing trees are to be removed, the replacement quantity shall be based on a 1:1 ratio and the plant material selected based on woodland replacement criteria as stated above in Subsection H.(1) .

(c) If 75% or more of the existing trees are to be removed, the calculation of replacement trees for the last 25% of the trees removed shall be at a ratio of 2:1; two new two and one half (2 ½)-inch caliper shade trees for each existing tree removed. The replacement plant material shall be based on the woodland replacement criteria as stated above in Subsection H.(1).

6 The total number of trees on site before construction, the total number of trees proposed to be removed and the total quantity of required replacement trees are to be listed on the Landscape Plan.

I. Recommended Plant List. The following is the recommended list of trees, shrubs and ground cover for use in Upper Dublin Township. However, the Board of Commissioners may permit other planting types if they are hardy to the area, are not subject to blight or disease and are of the same general character and growth habit as those listed below. Substitutions for suitable plants not listed will be considered on a case by case basis. Any plant material proposed for use and not listed must be reviewed and recommended for approval by Township staff or consultants and approved by the Board of Commissioners.

(1) Shade/Canopy Trees- minimum two and one half (2 ½) inches caliper*, 12 to 14 feet high, eight feet minimum spread, clear trunk to seven feet above the ground and full branching structure.

Acer rubrum - Red Maple
Acer saccharum - Sugar maple*

Aesculus Glabra – Buckeye
Betula nigra – River Birch
Carpinus betulus – European Hornbeam*
Cercidiphyllum japonica - Katsura Tree*
Carya glabra – Pignut Hickory
Carya ovata – Shagbark Hickory
–
Corylus colurna – Turkish Filbert*
Fagus (species) – Beech
Fraxinus (species) - Ash (disease resistant strains)*

Ginko biloba – Ginko (male only)*
Gleditsia triacanthos inermis - Honey Locust
Gymnocladus dioicus – Kentucky Coffee Tree
Juglans cinerea – Butternut
Juglans nigra – Black Walnut
Larix decidua - Larch
Liquidambar styraciflua - Sweet gum
Liriodendron tulipifera - Tulip Popular
Metasequoia glyptostroboides – Dawn Redwood
Nyssa sylvatica - Black gum
Platanus acerifolia - London Plane-Tree
Platanus occidentallis – Sycamore
Phelloendron amurense – Amur Corktree

Quercus acutissima – Sawtooth Oak*
Quercus alba – White Oak
Quercus bicolor – Swamp White Oak
Quercus imbricaria – Shingle Oak*
Quercus macrocarpa – Bur Oak
Quercus palustris - Pin Oak

Salix albe – White Willow
Salix babylonica - Weeping Willow
Sophora japonica – Scholar tree*

Tilia cordata - Littleleaf linden
Ulmus x(hybrid species) – Elm*
Zelkova (speidces) - Zelkova*

* Suitable for street trees

* Nursery grown trees four inches caliper or less are measured at six inches above ground level as defined by the American Association of Nurserymen. Nursery grown trees of greater than four-inch caliper are measured at 12 inches above the ground level.

(2) Evergreen Trees: minimum eight feet in height, four-foot minimum spread*, single leader, symmetrically branching to the ground.

Abies concolor – Concolor Fir
Abies fraseri – Fraser Fir
Cedrus (species) – Cedar
Chamaecparis (species) – False Cypress
Ilex opaca - American Holly
Juniperus virginiana – Eastern Red cedar
Picea abies – Norway Spruce
Picea glauca – White Spruce
Picea omorika Serbian Spruce
Picea pungens – Colorado Spruce
Pinus bungeana – Lacebark Pine**
Pinus flexilis – Limber Pine**
Pinus strobes – White Pine**
Pseudotsuga menziesii - Douglas Fir

* = Spread may be less than four feet for upright or columnar varieties.
** = Not to be used for buffer plantings

(3) Flowering Understory Trees- minimum eight feet in high, five-foot minimum spread, symmetrically branched to within four feet from the ground.

Acer ginnala – Amur Maple
Acer griseum – Paperbark Maple
Amelanchier (species) - Shadblow
Carpinus caroliniana – Ironwood
Cercis canadensis – Redbud
Cladrastus lutea – Yellowwood
Cornus (species) - Dogwood
Crataegus (species) - Hawthorne
Halesia Carolina – Carolina Silverbell
Koelreuteria paniculata – Golden Rain Tree
Magnolia (species) - Magnolia
Malus (species) – Crabapples (disease resistant varieties)
Ostrya virginiana – American Hornbeam
Oxydendron arboreum - Sourwood
Prunus (species) - Cherries and Plums (disease resistant varieties)
Pyrus callaryana – Pear (disease resistant varieties)

Sassafras albidum – Sassafras

(4) Deciduous Shrubs: thirty-inch minimum height, twenty-four-inch minimum spread and symmetrically branched to the ground.

Abelia x grandiflora – Glossy Abelia
Aesculus paryiflora – Bottlebrush Buckeye
Aronia arbutifolia – Red Chokeberry
Callicarpa bodinieri – Beautyberry
Calycanthus floridus – Sweetbrush
Cephanlanthus occidentalis – Buttonbush
Chaenomeles speciosa – Common Flowering Quince
Cornus sericea – Redosier Dogwood
Corylopsis glabrescens – Fragrant Winterhazel
Cotoneaster (species) – Cotoneaster
Cytisus scoparius – Scotch Broom
Daphne odora – Fragrant Daphne

Deutzia gracilis – Slender DeutziaEnkianthus campanulatus – Redvein Enkianthus

Euonymus alatus" - Winged Euonymus
Forsythia (species) – Forsythia
Fothergilla gardenia – Dwarf Fothergilla
Hamamelis (species) - Witchhazel
Hydrangea (species) – Hydrangea
Hypericum prolificum – St. Johnswort
Ilex verticillata - Winterberry Holly
Ilex virginica – Virginia Sweetspire
Jasminum nudiflorum – Winter Jasmine
Kalmia latifolia – Mountain Laurel
Ligustrum amurense – Amur Privet
Lindera benzoin – Spicebush
Lonicera frangrantissima – Winter Honeysuckle
Myrica pensylvanica – Northern Bayberry
Philadelphus coronaries – Mockorange
Physocarpus opulifolius – Common Ninebark
Rhus (species) – Sumac
Skimmia japonica – Japanese Skimmia
Spiraea (species) – Spiraea
Syringa (species) Lilac
Vaccinium corymbosum – Highbush Blueberry
Viburnum (species) – Viburnum
Weigelia Florida - Weigelia

(5) Evergreen Shrubs: twenty-four-inch minimum height, eighteen-inch minimum spread and symmetrically branched to the ground.

Berberis (species) – Barberry
Buxus (species) – Boxwood
Cupressocyparis leylandii – Leyland Cypress
Ilex (species) - Holly

Juniperus (species) - Juniper
Leucothoe fontanesiana - Leucothoe
Mahonia aqufolium – Oregon Hollygrape
Osmanthus heterophyllus - Osmanthus
Pieris (species) – Pieris
Prunus laurocerasus – Cherrylaurel
Rhododendron (species) - Rhododendron
Taxus (species) - Yews

* Height and spread requirements may be reversed for spreading varieties of evergreen shrubs.

(6) Groundcover Plants.

(a) Shrubs – heavily rooted plants in two gallon containers planted a maximum of 36 inches on center

Calluna vulgaris – Schotch Heather
Cotoneaster (species) – Contoneaster (low-growing and spreading cultivars)
Erica (species) – heath
Forsythia viridissima "Bronxensis" – Bronx Forsythia
Juniperus horizontalis and Sabina species – Juniper
Microbiata decussate – Siberian Cypress
Stephanandra incise – Cutleaf Stephanandra
Symphoricarpos x chenaultii – Prostrate Chenault Coralberry
Vaccinum macrocarpon "Lohzam" – Lohzam American Cranberry

(b) Herbaceous Plants – heavily rooted plants in number 2 containers planted a minimum of 18 inches on center:

Ajuga reptans – Bugle Weed
Baultheria procumbens – Eastern Teaberry
Hedera helix – English Ivy
Liriope (species) Lilly Turf
Pachysandra terminalis – Pachysandra
Vinca minor – Myrtle, Periwinkle
Hardy Ferns
Ornamental grasses

* * * * * *

Section 18. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article IV, Design Standards, § 212-33, Reserve strips, rights of way and/or easements, deeds, Subsection D, shall be amended to provide as follows:

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

* * * * * *

D. Easements. Easements for present or ultimate construction of storm drains and sanitary sewers having a minimum width of 25 feet shall be provided where necessitated by topographical conditions. Five feet (5') of additional width shall be provided for each additional utility beyond the first one. Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such widths as will be adequate to preserve natural drainage.

Section 19. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-41, Plans required for approval, Subsection C, Minor subdivision plan shall be amended and a new Subsection G shall be added as follows:

ARTICLE VI, Plan Submission Requirements and Processing Procedures

* * * * * * *

§ 212-41. Plans required for approval.

Applicants shall be required to submit the following plans:

* * * * * * *

C. Minor subdivision plan (required). A minor subdivision plan as described in §212-44 is required for all applicable subdivisions. A determination will be made by Township officials, consisting of the Township Manager, Engineer, Solicitor, and Planner as to when a minor subdivision plan should be required in accordance with the criteria for a minor subdivision.

* * * * * *

G. Lot Line Change. A change to one lot line between two adjacent lots may be approved administratively, without minor subdivision plan approval, where the only change being made is to adjust the one common lot line, subject to review by the Township Engineer and the Code Enforcement Department. This exemption from the approval procedures set forth in this chapter shall be subject to the following:

(1) A statement must be placed in each deed acknowledging that it is a revised deed intended to revise a single lot line.

(2) The application to register the deeds shall constitute an application to amend the Township's plan of properties to show the lot line revision.

(3) Prior to such deed being recorded at the Montgomery County Recorder of Deeds office, the Code Enforcement Department shall notify the Montgomery County Board of Assessment, the Township Engineer, the Zoning Officer, and the Township Tax Collector, of the proposed lot line revision.

(4) No new lots may be created as a result of the application.

(5) The revised lots shall be no less conforming than the original lots with respect to lot areas and other dimensional requirements of the applicable zoning district.

(6) Each deed that will be submitted for recording with the Montgomery County Recorder of Deeds shall be filed and recorded with the Township Code Enforcement Department. The filing shall include a copy of the deed and have attached thereto a plan prepared, signed and sealed by a registered surveyor showing:

(a) The metes and bounds, gross and net (after deducting the rights-of-way of any public or private street) areas.

(b) The error of closure of each lot. The error of closure shall not be greater than one part in 5,000.

(c) No discrepancies in any property lines.

(d) Consistent bearing datum.

(e) Information required in Section 212-42.

(f) Any additional plan information as required by the Township Engineer.

(7) The Township Engineer may request the applicant submit additional information, such as a title survey or binder, if necessary to clarify any existing conditions or other related issues.

(a) If upon review there are discrepancies and/or inconsistencies that cannot be readily resolved, then the lot line change application and plan shall be rejected and returned to the applicant.

[1] Once a rejected lot line change application and plan is remedied, it may be resubmitted as minor subdivisions, as provided for in this Chapter.

(8) Upon approval by the Code Enforcement Officer the revised lots shall lose their pre-procedure identity for all purposes relating to any future development.

Section 20. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing

Procedures, § 212-42, Tentative sketch requirements, Subsection F, shall be amended to provide as follows:

§ 212-42. Tentative sketch requirements.

Applicants desiring to submit a tentative sketch shall show the following information:

* * * * * *

F. Existing tract features, such as woodlands, watercourses, floodplains, steep slopes (as defined in Zoning Code Section 255-7 and 255-34 and in Chapter 99, Excavations), buildings and parking areas with access from a public road.

* * * * * * *

Section 21. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-43, Preliminary plan requirements, Subsection A, C and D – F shall be amended to provide as follows:

§ 212-43. Preliminary plan requirements.

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

A. Drafting standards.

* * * * * * *

(4) The sheet or sheets shall be one of the following sizes: 24 inches by 36 inches or 30 inches by 42 inches. If more than one sheet is necessary, each sheet shall be the same size and consecutively numbered to show its relation to the total number of sheets comprising the plan (i.e., Sheet No. 1 of 5). In addition, a digital copy of all materials shall be submitted in a ".pdf" format. .

* * * * * * *

(7) The minimum text size shall be 0.1 inches in height

* * * * * *

C. Existing features.

(1) All topographic and physical features within the tract being subdivided which impacts it shall be shown:

(a) The location, name of roads including the width (cartway and right-of-way) dimensions, center line courses, distances, curve data, curblines,

curbline radii at intersections and street location tie ins by courses and distances to the nearest intersection.

(b) The location of steep slopes (as defined in Zoning Code Section 255-7 and 255-34 and Chapter 99, Excavations), watercourses, floodplains, riparian corridors, stormwater management facilities and drainage flows.

(c) The location, size and ownership of utility lines above and below ground, including but not limited to storm sewers, water, sanitary sewers, gas mains, fire hydrants, electric cable and pipelines.

(d) Any man-made or natural features, not limited to steep slopes, soil types, deed restrictions having a significant impact on the tract to be subdivided.

(e) Contours at vertical interval of two feet in sufficient detail to show the course, structure and capacity of all stormwater management facilities, including the method of drainage on adjacent tracts.

[1] If the distance between contour lines exceeds 100 feet horizontally, a lesser contour interval will be required as determined by the Township Engineer.

[2] Benchmarks to which contour elevations refer shall be noted on the plan and shall be: Horizontal NAD 83 (1992 adjustment), Vertical NACD 88.

(f) 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.

(g) The location of existing monuments with references to them.

(2) The off-site topographical information and physical features within the 100 feet abutting the property must be shown with the same degree of accuracy and detail required by 212-43.C(1). This information may be supplemented by an aerial map. The level of information/detail required is to be determined by the Township Engineer. The Township Engineer may also require the applicant to provide information within a greater abutting distance.

(3) Where the property is a resource listed on the Historic Resource Inventory, the applicant shall submit a statement with the plan, indicating which, if any, of such historic resources would be changed or affected to any substantial extent by the implementation of the subdivision plan and the development of the property and the manner in which they would be changed or affected.

D. Proposed features (lots and improvements). All proposed improvements as required by the design standards (accompanied by all supporting documents) shall be shown on the plan.

* * * * * * *

(4) Tentative grades of proposed streets to existing streets to a point 400 feet beyond the boundaries of the tract being subdivided, when required by the Township Engineer.

* * * * * * *

E. Improvement Construction Plan.

(1) 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 40 feet to the inch, and the vertical scale shall be two, four, five or 10 feet to the inch, whichever is more appropriate.

(2) 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 sewers and stormwater management facilities, 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:

(a) Horizontal plan. The horizontal plan shall show details of the horizontal layout as follows:

[1] Information shown on the approved preliminary plan.

[2] The beginning and end of proposed immediate construction.

[3] Stations corresponding to those shown on the profile.

[4] The curb elevation at tangent points or horizontal curves at road or alley intersections and at the projected intersections of the curblines.

[5] 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 stormwater management facilities, inlets and manholes.

[6] The location, type and size of curbs and all paving widths.

[7] The location and species of all shade trees and the location and type of fire hydrants and streetlights.

(b) Profiles. The profile plan shall show vertical details of the horizontal plan as follows:

[1] Profiles and elevations of the ground along the center line of proposed roads.

[2] Profiles of sanitary sewers with profiles over the sewer of the present and finished ground surface showing manhole locations beginning with the lowest manhole.

[3] Profiles of stormwater management facilities showing basin structures, basin inlet and discharge points, manhole and/or inlet locations, swales and other significant structures, conveyances and control measures.

[4] Profiles of water mains

(c) 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:

[1] The ultimate right-of-way width and location and width of the cartway.

[2] The type, depth and crown of paving.

[3] The type and size of curb.

[4] When sidewalks are required, grading of the sidewalk 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.

[5] When required, the location, width, type and depth of sidewalks

[6] The typical location, size and depths of sewers, stormwater management facilities and utilities.

(d) Additional information. Additional information shall be submitted with the final plan as follows:

[1] All required local, state and federal permits shall be submitted. These permits may include Upper Dublin Township, Montgomery County, Pennsylvania Department of Transportation (PennDOT) and Pennsylvania Department of Environmental Protection (DEP) permits. DEP permits may be required for stormwater management, stream alteration, dams, erosion and sedimentation control, air pollution or sanitary sewer facilities.

[2] All engineering calculations which support the proposed improvements, such as stormwater management, sanitary facility design or structural calculations shall be submitted.

[3] 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."

F. Certificates. Upon approval, the preliminary plan must show:

* * * * * * *

Section 22. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-44, Minor Subdivision Plan (final), Subsections A, B, and D shall be amended to as follows:

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

It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor subdivisions may be submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

A. Criteria for minor subdivisions. A minor subdivision is a subdivision of a tract that:

* * * * * *

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

B. Drafting standards. The same standards shall be required for a minor subdivision plan as are required in § 212-43A for a preliminary plan.

* * * * * *

D. Existing features. The same standards shall be required for a minor subdivision plan as are required in § 212-43C for a preliminary plan.

Section 23. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-44.1, Minor land development plan, Subsections B, C, D and F, shall be

amended to provide as follows:

§ 212-44.1. Minor land development plan.

It is the purpose of this section to provide for simplified plan submission and processing requirements by which minor land development may be submitted and approved. Plans submitted under the provisions of this section must meet the following criteria, conform to established standards and provide the required information:

* * * * * *

B. Drafting standards. The same standards shall be required for a minor land development as are required in § 212-43A for a preliminary plan.

* * * * * *

C. Existing features. The same standards shall be required for a minor land development plan as are required in § 212-43C for a preliminary plan.

D. Proposed features. The same standards shall be required for a minor land development plan as are required in § 212-43D for a preliminary plan.

* * * * * *

F. Procedures.

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(3) Each application will be forwarded to the Upper Dublin Township Planning, Parks & Library Committee, for comment and recommendation at its next regularly scheduled meeting. The applicant shall be responsible for presenting his application and demonstrating why consideration as a minor land development is appropriate. Applicant will also be responsible for securing reviews from the following advisory groups:

(a) Planning Commission.

* * * * * * *

(4) Upon recommendation by the Planning Commission and the Commissioner's Planning, Parks & Library Committee, the application will be sent to the Board of Commissioners for consideration for final approval.

* * * * * *

Section 24. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, § 212-45, Final plan, Subsections B and C, shall be amended to provide as follows:

§ 212-45. Final plan.

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

* * * * * *

B. Improvement construction plan. The same standards shall be required for a final plan as are required in § 212-43E for a preliminary plan.

C. Record plan.

(1) Drafting standards. The same standards shall be required for a record plan as for the preliminary plan and, in addition for recording purposes, the plans shall be placed on sheets sizes 24 inches by 36 inches. All lettering and lines shall be drawn so as to still be legible should the plan be reduced to half size. In addition, all plans and reports shall be submitted in a .pdf format.

(2) Existing features. The same standards shall be required for a record plan as are required in § 212-43C for a preliminary plan.

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Section 25. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, § 212-46, Land development plans, Subsection C, Final Plan, shall be amended to provide as follows:

§ 212-46. Land development plans.

Applicants submitting a land development plan shall be required to conform to the following standards and submit these plans:

* * * * * *

C. Final plan. A final plan shall be submitted and conform to the standards set forth in §212-45 of this article with appropriate data plus the following additional information shall be shown on the plan:

(1) Improvement construction plan. Applicants shall submit an Improvement Construction Plan as provided for in § 212-43E.

* * * * * *

Section 26. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, § 212-47, Plan processing procedures, Subsections A – M shall be amended to provide as follows:

§ 212-47. Plan processing procedures.

For approval of a subdivision or land development plan, all applicants shall comply with the following plan processing procedure:

A. All plans filed for approval shall be submitted, with the appropriate application and fee as provided in the Township fee schedule in the following order:

* * * * * * *

B. The Township Manager or his designee shall have seven days from the date of submission of an application to check the plans and documents to determine if on their face they are in proper form and contain all information required by this chapter. If defective, the application and fees may be returned to the applicant with a statement of rejection, within the seven-day period; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Manager under this section to the Board of Commissioners.

C. Each plan revision, whether to a tentative, preliminary or final plan, shall be filed one at a time. the filing of a plan revision shall constitute a withdrawal of the preceding version of that plan .

(1) The Township Manager or his designee shall have seven days from the date of submission to examine amended or corrected applications to determine whether such amended or corrected applications result in a substantial amendment to the plan or in the filing of a plan so changed as to be considered a new plan.

D. 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 90 days following the next regularly scheduled meeting of the Board or, if that meeting is more than 30 days following the filing of the revised plan, then 90 days following the 30th day after filing. If the applicant refuses to extend the time for plan

processing, the Board of Commissioners shall at its next public meeting deny the original application.

E. 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 Subsection A herein and the additional procedures below.

F. Applications for approval of a subdivision or land development plan shall be filed with the Township Code Enforcement Office. Any application for approval of a subdivision or land development plan must include payment of the required fee, comply with the subdivision and land development plan checklist requirements, and include complete copies in a paper and pdf format of all materials filed.

G. 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.

H. Schedule of plan processing steps.

The following number of copies of each plan shall be submitted with the application to the Township:

(1) Tentative sketch. A minimum of 20 copies of the tentative sketch shall be submitted for distribution by the Township as follows:

Distribution	**Number of Copies**
Planning, Parks & Library Committee)	3
President, Board of Commissioners	1
Engineer	2
Manager	1
Solicitor	1
Municipal Planner	1
Planning Commission	2
Environmental Planning Advisory Board	2
Public Works Department	1
Parks and Recreation Department	1
Code Enforcement Department	4
Montgomery County Planning Commission	1

(2) Preliminary plan.

(a) A minimum of 20 copies shall be submitted for distribution by the Township as provided for in subsection 212-47.G(1)(a) above:

(b) Depending upon the nature of the plan, up to four (4) additional copies

may be required for distribution as follows:

Distribution	Number of Copies
Montgomery County Conservation District	1
Montgomery County Department of Roads and Bridges	1
Pennsylvania Department of Environmental Protection	1
Pennsylvania Department of Transportation	1

(3) Final plan. Improvement construction and final plan. A minimum of 15 copies shall be submitted for distribution by the Township as follows:

Distribution	Number of Copies
Township	
Engineer	2
Planning, Parks & Library Committee	1
Manager	1
Code Enforcement Department	8
Public Works Department	1
Police Department	1
Montgomery County Planning Commission	1

I. The date shall be stamped on each copy received.

J. Prior to Preliminary Plan approval, the applicant shall provide evidence of a formal review and response from the following agencies, if applicable:

* * * * * *

(2) Pennsylvania Department of Environmental Protection, approval for:

(a) Planning module for land development.

(b) Water quality management permit.

(c) Stream encroachment permit.

(d) General Permits

(e) Others.

* * * * * * *

K. Plan Review.

(1) The Township Engineer, the Planning Commission, and the Montgomery County Planning Commission shall review the plans and shall submit their comments and recommendations to the Board of Commissioners. Where the property is listed on the Upper Dublin Historic Inventory, the Historical Commission shall also review the plans and shall submit their comments. Where applicable, the Environmental Protection Advisory Board will also submit its comments.

* * * * * *

(3) A point by point response letter addressing each review comment shall be provided with all resubmissions.

L. The final plan, complying with all applicable requirements, shall be filed with the Township for approval within 12 months from the date of the approval of the preliminary plan. Failure to comply with the time limitation herein provided shall make the approval of the preliminary plan null and void unless an extension of time is granted in accordance with this section. The twelve-month period may be extended by the Board of Commissioners upon application by the applicant filed in writing no less than 30 days prior to the end of the twelve-month period, if all of the following is demonstrated:

* * * * * *

M. 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 guaranty 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 27. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-47.1, Plans provided on magnetic media, shall be amended to provide as follows:

§ 212-47.1. Plans provided on magnetic media.

Upon final approval of a plan of subdivision or land development, all final plans shall be provided on a disk with digital files (.pdf format)

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Section 28. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VI, Plan submission Requirements and Processing Procedures, § 212-48, Plans recording, shall be amended to provide as follows:

§ 212-48. Plan recording.

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

Section 29. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VII, Improvement Construction Requirements, § 212-49, Required improvements, Subsection A, shall be amended to provide as follows:

ARTICLE VII Improvement Construction Requirements

§ 212-49. Required improvements.

A. The applicant shall agree, in writing, to construct all improvements required by this chapter. The work shall be performed in strict accordance with the approved plans and the Township Standards and Specifications, Bucks County Water and Sewer Authority, or other Authority, or the applicable provisions of the Pennsylvania Department of Transportation. No plan shall be finally approved until the developer has completed all of the necessary and appropriate improvements as required as a condition for final approval of the plan; or until such time as the applicant has provided a proper guaranty in the form of a performance bond or bonds with surety satisfaction to the Township, or by the deposit of funds or securities in escrow, equal to an amount deemed necessary by the Township Engineer to cover the estimated construction cost and engineering cost for such improvements. The applicant shall also guarantee that no lot will be sold or building constructed in any flood-prone area prior to completion of all floodproofing measures planned for such lot and necessary access facilities.

* * * * * * *

Section 30. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VII, Improvement Construction Requirements, § 212-50, Release from liability, and Subsections A and B, shall be amended to provide as follows:

§ 212-50. Release of Construction Security

A. The construction security shall be released only upon complete installation of the required improvements in accordance with the approved improvement construction plan. Strict compliance with procedures established by 53 P.S. §10509, of the Pennsylvania Municipalities Planning Code, shall be followed with respect to the release of performance bond or other security. If the Board fails to comply with the time limitations of said section, all improvements will be deemed to have been approved, and the developer shall be released from all liability pursuant to the performance bond.

B. If the required improvements are not completely installed within the period fixed or extended by the Board, the Board shall declare a default and authorize the Township Manager to collect the amount payable from the construction security. Upon receipt of such amount, the Township shall install such improvements as were covered by the construction security and as shown in the approved plan, in accordance with 53 P.S. §10511.

* * * * * * *

Section 31. The Code of the Township of Upper Dublin, Chapter 212, entitled Subdivision and Land Development, Article VIII, Fees and Conditions of Acceptance, § 212-54, Fees and costs, Subsection B , shall be amended to provide as follows:

ARTICLE VIII, Fees and Conditions of Acceptance

§ 212-54. Fees and costs.

* * * * * *

B. Application fees for preliminary plans shall be paid to the Township in accordance with a fee schedule set forth by the Board of Commissioners.

(1) Final plan. If no Preliminary Plan fee has been paid, the Preliminary Plan fee will be charged at the time of Final Plan submission.

* * * * *

Section 32. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

Section 33. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 34. This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this day of , 2010.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

FOR Robert Pesavento, President

ATTEST:

Paul A. Leonard, Secretary
ud\ord\Chapter 212\general subdivision amendments
110110

AN ORDINANCE

NO. 11-1241

AN ORDINANCE To Amend The Historic Preservation Code Of The Township Of Upper Dublin, Chapter 127 By The Addition Of Criteria For Designation As A Class I Historic Resource; And To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, By Adding Definitions For Cultural Landscape, Historic Resource And Historic Resource Home Occupation; By Adding A New Article XXXIV, Historic Resource Overlay District, Setting Forth The Legislative Intent Of The District, Providing For Incentive Uses Within The District, Providing For The Relaxation Of Certain Bulk, Area And Setback Regulations Otherwise Applicable To Historic Resources, Providing Regulations For The Grant Of Conditional Uses For Such Incentive Uses, And Providing For The Submission Of An Historic Impact Study Where Applications For Development And/Or Subdivision Are Received With Respect To Properties On Which Certain Historic Resources Are Located.

Section 1. The Code of Upper Dublin Township, Chapter 127, entitled Historic Preservation, § 127-5, Historic Resource Inventory, sub-section (A), Criteria for designation as a Class I Resource, shall have added thereto subsections (5) and (6), to provide as follows:

§ 127-5 Historic Resource Inventory

(A) Criteria for designation as a Class I Resource. A building, structure, or site, or a complex of the same, may be placed on the Historic Resource Inventory as a Class I resource if it meets any one of the following criteria:

* * * * * * *

(5) If documented as "Contributing Resources" in any National Register Historic District.

(6) If documented as "Contributing Resources" in any local historic district certified by the Pennsylvania Historical and Museum Commission (PHMC) in accordance with Pennsylvania Act 167.

Section 2. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article I, General Provisions, § 255-7, Definitions, shall have added thereto in alphabetical order the following:

ACCESSORY APARTMENT - - A dwelling unit added to or created within a single family dwelling with provision for independent cooking, living, bathroom facilities and sleeping.

CONTRIBUTING RESOURCE(S) - - A building, structure, site or object that adds to the historic associations, historic architectural qualities or archeological values for which a property, neighborhood or district is significant because it was present during the period of significance, relates to the documented significance of the property, neighborhood or district and possesses historic integrity and/or is capable of yielding important information about the period.

CLUB - A nonprofit organization or association of persons who are bona fide members paying annual dues, and their guests, organized for social, intellectual, recreational or athletic purposes, not involving the sale of alcohol.

CULTURAL LANDSCAPE -- The minimum essential setting or context in which an identified Historic Resource retains its historic integrity; "resource" being constituted by either individual object, site or structure or by multiple objects, sites or structures (historic district); " setting" including both natural (trees, streams, slopes, etc.) and man-made features (bridges and walls, outbuildings, such as spring houses, barns, corn cribs, railroad tracks, cemetery markers, etc.); "historic integrity" being the unimpaired state which allows the viewer of the resource to have a better understanding of the materials and culture of the past.

HISTORIC RESOURCE — A building, structure, or site which is historically or archaeologically significant, or which has significant architectural, engineering, scientific, economic, agricultural, educational, social, political, military, cultural or aesthetic merit, including those buildings, structures, and sites that are classified by Federal, State or local government authority as .historic buildings or sites.

HISTORIC RESOURCE HOME OCCUPATION--A home occupation which involves not more than eight (8) commercial visits per day. There may be one employee in addition to the practitioner for every 500 square feet of gross floor area devoted to the home occupation.

Section 3. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article III, General Regulations, shall be amended by the addition of a new Section 24.2, Overlay District Uses, to provide as follows:

§ 255-24.2 Overlay District Uses. Where a proposed use is permitted in an overlay district by conditional use, and is also permitted in the underlying district by special exception, conditional use application to the Board of Commissioners shall be made in accordance with the applicable provisions in lieu of a special exception application to the Zoning Hearing Board.

Section 4. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, shall be amended by the addition of a new Article XXXIV, Historic Resource Overlay District, to provide as follows:

Article XXXIII.
Historic Resource Overlay District

§ 255-253. Legislative intent.

It is hereby declared as a matter of public policy that the preservation and protection of buildings, structures and sites of historic, architectural, cultural, archaeological, educational and aesthetic merit are a public benefit and are in the interests of the health, prosperity and welfare of the people of Upper Dublin Township. To that end, a separate zoning district is hereby created to overlay all other zoning districts in the Township. The provisions of this article, coupled with the provisions of Chapter 73 and Chapter 127, are intended to:

A. Promote the general welfare by protecting the integrity of the historic resources of Upper Dublin Township.

B. Provide incentives for the continued use of historic resources and to facilitate their appropriate reuse.

C. Establish a clear and public process by which proposed land use incentives affecting historic resources can be reviewed.

D. Discourage the unnecessary demolition of historic resources.

E. Encourage the conservation of historic settings and landscapes.

F. Promote retention of historical integrity in the context of proposed land use and/or structural changes.

§ 255-254. Applicability.

The provisions of this article shall apply to all properties containing structures meeting the criteria for Class I and Class II Historic Resource as set forth in Chapter 127 of the Upper Dublin Township Code. Properties which meet the criteria shall constitute the Historic Resource Overlay District which shall constitute an overlay to the Township Zoning Map.

§ 255-255. Permitted uses.

The following uses and no others shall be permitted on properties within the Historic Resource Overlay District

A. Any use permitted in the underlying zoning district in which the property is located.

B. For those properties within the Historic Resource Overlay District which also contain a structure designated as a Class 1 or Class 2 Historic Resource on the Upper Dublin

Township Code, § A 264-1, Historic Resource Inventory, the following uses are permitted:

(1) Provided that the guarantee referenced in § 255-257B(4) has first been submitted and approved, historic resources on properties which obtain **access from any street** may, in addition to the use permitted in Subsection A above, be used for any of the following uses, subject to obtaining a recommendation for approval from the Historical Commission pursuant to Chapter 127, and obtaining conditional use approval from the Board of Commissioners:

(a) Bed-and-breakfast, subject to the following conditions:

[1] The historic resource must have a gross floor area of 2,500 square feet or more to be eligible for this use.

[2] A maximum of five guest suites shall be permitted in any one bed-and-breakfast establishment, with a maximum occupancy of 15 guests.

[3] There shall be no kitchen or cooking facilities in any guest suite.

[4] The use of any amenities provided by the establishment, such as swimming pool or tennis courts, shall be restricted in use to guests staying at the establishment.

[5] Off-street parking spaces shall be provided at a rate of one space per guest suite plus the regularly required parking for any other permitted use.

[6] The property owner, the manager or the lessor of the Bed and Breakfast must reside on the premises.

(b) Artist studio or crafts workshop producing objects which may be sold at retail on the premises. Such crafts shall include painting, sculpting, model making, rug weaving, lapidary work, furniture making and similar crafts.

[1] The historic resource must have a gross floor area of 2,500 square feet or more to be eligible for this use.

[2] The property owner or artisan selling the objects must reside on the premises.

[3] There may be no more than three (3) employees.

[4] There may be no more than eight (8) retail visits per day.

(c) Historic Resource Home Occupation; provided that one additional off-street parking space is provided for each employee.

[1] No more than 1/3 of the gross floor area of the historic resource shall be utilized for the home occupation.

[2] An historic resource home occupation may be conducted in a structure accessory to the practitioner's principal residence, provided that the accessory structure already exists on the property as of the date of adoption of this Article and provided the Historic Commission recommends approval of the application because the architectural character of the accessory structure is complementary and sympathetic to the structure listed on the Historic Resource Inventory.

(d) Accessory Apartment. This use may also be conducted in a structure accessory to the principal dwelling on the property, provided that the accessory structure already exists on the property as of the date of adoption of this Article and provided the Historic Commission recommends approval of the application because the architectural character of the converted accessory structure is complementary and sympathetic to the structure listed on the Historic Resource Inventory.

(e) Conversion. The historic resource may be converted into a multi-family dwelling, subject to the following requirements:

[1] Each dwelling unit shall not have less than 750 square feet of floor area.

[2] The lot area per dwelling unit shall be no less than 30% of that required by this chapter for a single family dwelling in the district in which the Historic Resource is situated.

[3] External alterations to the Historic Resource, as permitted herein below by conditional use, shall be reviewed and recommended for approval by the Historical Commission. Fire escapes, outside stairways or other life, health and safety improvements shall, where practicable, be located so they are not visible from any public right of way and/or to the rear of the building.

(f) A Club or Fraternal Organization on a parcel having a gross lot area of twice that required by this chapter for a single family dwelling in the district in which the Historic Resource is situated. No more than 25% of the gross floor area of the historic resource may be utilized for this incentive use.

(2) Provided that the guarantee referenced in § 255-257.B(4) has first been submitted and approved, historic resources on properties which obtain **access from an Arterial, Primary or Secondary Street**[1], may, in addition to the use permitted in Subsection A above, be used for any one of the following uses, subject to obtaining a recommendation for approval from the Historical Commission, pursuant to Chapter 127, and obtaining conditional use approval from the Board of Commissioners:

(a) Any use permitted in § 255-255.B(1)[a] – [f].

(b) Professional office, limited to one non-resident employee per 500 square feet of gross floor area devoted to professional office use.

(c) Cultural studio, teaching skills such as music, theatre or dance, subject to the following conditions, if located in a residential zoning district:

[1] The historic resource must have a gross floor area of 4,000 square feet or more to be eligible for this use.

[2] The use shall be limited to one class at a time with no more than 10 students per class and no more than two instructors.

[3] The property owner or the manager of the studio must reside on the premises.

C. On properties where uses permitted in both § 255-255.A & B above occur, the use permitted in the underlying zoning district may only occur in a structure in existence on the lot as of the date of adoption of this Article.

D. For all uses permitted in § 255-255.B(1) & (2) on a property located in a residential zoning district, the following additional regulations shall apply:

(1) Unless otherwise provided for in this Section the off-street parking requirements of this chapter are applicable.

(2) To the extent that they are visible from neighboring residential properties, new off-street parking areas for guests, students, employees, patients or clients shall be visually screened from such properties. The screening shall meet the intent of a Screen Buffer, as defined in the SALDO, Chapter 212, but may utilize plant material or a combination of plant material, fencing or berms.

(3) Newly required off street parking spaces built to serve an incentive use approved under this Article may be no closer than five (5) feet from a lot's side or rear property lines.

[1] See Upper Dublin Township's Engineering and Construction Standards, Improvement Procedures for specific street names

() There shall be no use of show windows or displays or advertising visible outside the premises, other than a single, non-illuminated sign, not exceeding three (3) square feet.

(5) There shall be no outdoor storage of materials and/or supplies for a use occurring on a property, where that use was authorized as part of the review and approval process set forth in this Article.

(6) Refuse on the property shall be stored indoors where possible feasible. In the alternative refuse may be stored outdoors within a trash enclosure that is architecturally compatible with the historic resource or is not visible to pedestrians or occupants within vehicles utilizing adjacent streets or sidewalks.

(7) The hours of operation for the uses listed in § 255-255.B(1)(b) (c) & (f) or in 255-255.B(2)(b) & (c) shall fall between the hours of 9:00 a.m. and 9:00 p.m.

(8) No use shall be permitted which generates noise perceptible at the property line.

(9) Site lighting shall be designed to screen the source of illumination and glare from adjacent properties.

(10) Special events which will generate an unusual volume of traffic beyond that normally generated by a permitted use on a daily basis, such as fund-raising events, recitals, stage performances, lectures and exhibitions, are prohibited unless specifically allowed by conditional use, in which case the applicant shall have the burden of proving that the public interest will be protected considering the criteria set forth at § 255-174.

(11) No square footage added to a structure/property after the date of adoption of this Chapter may be used in the calculation of gross floor area for purposes of this section.

E. The provisions of Chapter 73 relating to building permits for Historic Buildings are incorporated herein by reference.

§ 255-256. Bulk, area and setback requirements.

Provided that the guarantee referenced in § 255-257.B(4) has first been submitted and approved, the underlying zoning district standards regulating building area, impervious surfaces and front, side and rear yard setbacks may be modified by up to 15% with respect to a property listed on the Township's Historic Resource Inventory, subject to obtaining a recommendation for approval from the Historical Commission, pursuant to Chapter 127 and obtaining conditional use approval from the Board of Commissioners. Any modifications shall apply to the area of the lot as it existed on the date of adoption of this Article.

A. Where the requirements are modified pursuant to this section, the applicant must demonstrate to the satisfaction of the Board of Commissioners that the degree of relief is required to accommodate the reasonable development, use or enhancement of the historic resource.

B. The additional building area and impervious surface coverages permitted by this section may each not exceed 100% of the building area of the historic resource(s) subjected to the guarantee submitted as required by § 255-257.B(4).

C. Where the requested relief is determined by the Board of Commissioners to be essential to the preservation of the historic resource, because without such relief it would not be physically or economically possible to maintain the historic resource, the Board of Commissioners may reduce such dimensional requirements to a greater degree than that permitted by this section.

§ 255-257. Specific requirements for conditional use approval.

A. Application procedures.

(1) An applicant seeking conditional use approval under the provisions of this article shall submit the appropriate application to the Director of Code Enforcement in accordance with the provisions of § 255-192. The information to be provided shall, in addition, include the following:

(a) Name and address of the record owner and applicant (if different).

(b) Site plan showing all buildings and structures on the property.

(c) Recent photographs of the historic resource.

(d) A detailed narrative description of the proposed use(s).

(e) Any physical changes proposed for the affected historic resource(s) and their surrounding landscape.

(f) Any proposed modifications to otherwise applicable area, bulk and parking regulations.

(2) The conditional use application shall be accompanied by an historic resource impact study where any land development or subdivision is proposed on:

(a) Any property that contains any Class I or Class II Historic Resource(s).

(b) Any contributing property within the boundaries of any National Register Historic District or any local historic district.

(3) The Director Of Code Enforcement shall forward the complete application to the Historic Commission and the Planning Commission in accordance with §255-193. The Historical Commission, at a regular or special meeting, shall review the application for conditional use and shall promptly forward its recommendations to the Director of Code Enforcement for distribution to the Board of Commissioners. In formulating its recommendations, the Historical Commission shall consider each of the criteria imposed by this section for the grant of conditional use approval.

(4) The Board of Commissioners shall act upon the application in accordance with the provisions of Article XXV of this Chapter. The Board may refer the application to a hearing officer to conduct any hearings and make recommendations to the Committee.

B. Criteria for the grant of conditional use approval. Where a use is permitted in an Historic Resource Overlay District by conditional use, that use shall not be granted unless the following requirements have been satisfied in addition to those set forth at §255-194:

(1) The applicant shall have the burden of demonstrating that approval of the application will not jeopardize the preservation of the Historic Resource(s) contained on the property subject to application. To sustain this burden the applicant shall present evidence demonstrating the following:

(a) The exact location of the area in which the work is to be done, supports the applicants ability to preserve the Historic Resource.

(b) The exterior changes to be made or the exterior character of the structure to be erected aids in the preservation of the Historic Resource.

(c) A list of the surrounding structures with their general exterior characteristics and how they relate to the Historic Resource and how and if the proposed improvements change that relationship.

(d) The effect of the proposed improvements upon the general historic and architectural nature of the property.

(e) The appropriateness of exterior architectural features of structures involved with the proposed work and how they support or enhance the application's preservation of the Historic Resource.

(f) The general design, arrangement, texture, material, scale, mass and color of any affected building, structure or site and how the proposed improvements affect the historic resource as well as the relationships between such factors to similar features of other structures on the property.

(g) That proposed improvements and any rehabilitation work will preserve the distinguishing qualities or character of the historic resource and cultural landscape.

(h) In the event that replacement of contributing architectural features is necessary and can not be done in kind, the new material shall, as closely as possible, match the material being replaced. At a minimum, the composition, design, color, texture and other aesthetic qualities shall be sympathetic to and in character with the historic resource. In instances where original materials are either unavailable or their use economically infeasible, the Board may approve the use of materials which are aesthetically consistent with, even if not completely duplicative of, the character of the historic resource.

(i) That the distinctive stylistic features or examples of skilled craftsmanship are preserved.

j) Changes which may have taken place in the course of time are evidence of the history and development of the building, structure or site and its environment. Provided the Historical Commission deems these changes have acquired significance in there own right, the proposed application recognizes and respects this significance.

(k) The property is used for its historic purpose or is placed in a new use that requires minimal change to the defining characteristics of the building and its Cultural Landscape.

(2) The most current version of the Secretary of the Interior's Standards for Rehabilitation of Historic Structures, as amended, shall be used as a guideline in carrying out any plans involving the rehabilitation, alteration or enlargement of historic resource(s).

(a) Additions and/or expansions to Historic Resources shall be sited to the rear or side of the building being preserved, provided that location is the best opportunity to preserve the structure's significant architectural features.

(3) Where plans involving the rehabilitation, alteration or enlargement of historic resource(s) will result in all or portions of any such resource(s) remaining unoccupied, such unoccupied resources shall be securely sealed and barred off and the utilities turned off for safety, in a manner not jeopardizing historical integrity, as per the most current construction techniques for historic structures.

(4) A means to guarantee the permanent protection of the historical integrity of the subject resource(s), such as the establishment of conservation easement(s) or appropriate covenants in a form acceptable to the Township Solicitor, shall be provided.

(5) The applicant shall have the burden of proving that the historical integrity of the resource has been provided for through the design of the building improvements as well as through implementation of buffering, landscaping, lighting, storage, access and traffic management, interior circulation, loading, parking, fencing, signage and all other land development features.

(6) The applicant shall have the burden of proving that the grant of the application will not be destructive of the integrity of the historic resource or detrimentally affect the value of surrounding properties.

(7) Unless otherwise provided for in this Article, the off-street parking requirements of this chapter are applicable to the proposed use as set forth in this article. The Board of Commissioners may prohibit any additional parking between the right-of-way and the facade of the building if the Board finds such parking would negatively impact the historical integrity of the resource.

(8) The applicant must comply with the requirements of this chapter with respect to signage. The Board of Commissioners may condition approval on a reduction in the size of the signage if it finds that the permitted signage will obstruct views required to assure the safety of the public or to retain the historic nature of the property.

(9) The Board of Commissioners may attach conditions to achieve the objectives set forth in this section and to promote the public health, safety and welfare, which conditions may relate to any aspect of the proposed use of the property, including but not limited to buffering, parking, signage, traffic volume and flow, hours of operation, noise and odor emission.

(10) Where the Board of Commissioners waives any requirement which thereby increases the rate or volume of stormwater generated on the property, the additional rate and/or volume of runoff caused by such waiver shall be controlled for the one-hundred-year storm.

C. Any conditional use granted under this subsection shall expire unless a building permit to perform the work for which the conditional use was sought, or an occupancy permit to allow such use, is issued within one year after the same shall have been granted.

§ 255-258. Historic Resource Impact Study.

A. The historic resource impact study shall be prepared by a qualified land planner with professional expertise in historic preservation, historical architecture or related disciplines as provided for in 36 CFR 61.

B. Contents. The study shall contain the following information unless the Director of Code Enforcement determines them to be not pertinent to the application:

(1) Background information.

(a) If not otherwise provided by the applicant, a site plan, including existing structures, topography, watercourses, vegetation, landscaping, existing drives, etc.

(b) General description and classification of all historic resources located on the subject tract as shown on the site plan, or on tracts immediately adjacent to the subject tract.

(c) Statement of the significance of each Class I or II Historic Resource, both relative to the Township and region in general.

(d) Sufficient number of black and white eight-inch by ten-inch photographs to show every historic resource identified in Subsection B(1) above, in its setting.

(e) Narrative description of the historical development of the subject tract.

(2) Proposed change.

(a) General description and site plan of the project, including time table or phases.

(b) Description of impact on each Class I or II Historic Resource affected by the proposed development or subdivision, with regard to architectural integrity, historic setting and future use.

(c) General description of effect of noise and traffic and other impacts generated by the proposed change on any Class I or II Historic Resource affected by the proposed development or subdivision.

(3) Mitigation measures. Recommendations for mitigating the project's impact on Class I or II Historic Resources, including design alternatives, buffering, landscaping, conservation of existing, shall be detailed.

Section 5. Nothing in this Ordinance or in Chapters 127 or 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 127 or 255 prior to the adoption of this amendment.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of June, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

FOR Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary

udord\Chapter 127 & 255\historic resources
111110

AN ORDINANCE

NO. 11-1242

AN ORDINANCE to Amend the Code of the Township of Upper Dublin to Amend Chapter 192, Sewers, Addressing the Regulation, Maintenance and Installation of a Sanitary Sewer System in Upper Dublin Township, to Add Article I, General Provisions; Article III, General Regulations; Article IV, Discharge Regulations; Article V, Wastewater Discharge Permit Administration; Article VI, Pretreatment of Wastewater; Article VII, Reporting Requirements; Article VIII, Compliance Monitoring; Article IX, Enforcement Remedies; Article X, Affirmative Defenses To Discharge Violations; and Article XII, Ambler Wastewater Treatment Plant; and to delete Article II § 192-6, Definitions in its entirety; and to Amend Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, Section 73-8, Permits, by adding a Paragraph I, Sewage Facilities Planning.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 192, Sewers, shall be amended by adding thereto Article I, General Provisions; Article III, General Regulations; Article IV, Discharge Regulations; Article V, Wastewater Discharge Permit Administration; Article VI, Pretreatment of Wastewater; Article VII, Reporting Requirements; Article VIII, Compliance Monitoring; Article IX, Enforcement Remedies; Article X, Affirmative Defenses To Discharge Violations; and Article XII, Ambler Wastewater Treatment Plant, as follows:

ARTICLE I
General Provisions

§ 192-1. Purpose and policy.

A. The purposes of these regulations are to:

(1) Set forth uniform requirements for direct and indirect contributions to sanitary sewer systems within the boundaries of Upper Dublin Township and to adjacent sanitary sewer systems, including the systems of Ambler Borough, Abington Township, Bucks County Water and Sewer Authority, Horsham Water and Sewer

Authority, Springfield Township, and Upper Moreland Hatboro Joint Sewer Authority.

(2) Enable the Township, adjacent municipalities, and sanitary sewer operators to comply with the Clean Water Act, the Pennsylvania Clean Streams Law, General Pretreatment Regulations (40 CFR 403), and other applicable federal, state and local laws and regulations.

(3) Prevent the discharge of pollutants to sanitary sewer systems that will:

(a) Interfere with the operation of the sanitary sewer systems.

(b) Contaminate resulting sludge from the sanitary sewer systems.

(c) Cause the sanitary sewer systems to violate their respective NPDES discharge permits.

(d) Pass through the sanitary sewer systems, inadequately treated, into receiving waters or the atmosphere.

(e) Be otherwise incompatible with the sanitary sewer systems.

(f) Improve the opportunity to recycle and reclaim wastewater and sludge from the sanitary sewer systems.

(g) Protect the general public and sanitary sewer system personnel who may be affected by sewage and sludge.

B. These regulations provide for the regulation of direct and indirect users to the sanitary sewer systems within Upper Dublin Township through enforcement of general

requirements for all users; monitoring and enforcement activities; and reporting and compliance activities.

C. These regulations shall apply to all users who discharge wastewater to the sanitary sewer systems within the Township.

D. Portions of the sanitary sewer systems within the Township discharge sewage to adjacent sanitary sewer systems for treatment. The Township may from time to time, upon recommendation from the appropriate officials of the sanitary sewer systems, adopt regulations by resolution or ordinance applicable to users' sewage treated by the respective sanitary sewer systems. However, unless otherwise specified, the regulations set forth in this Chapter shall apply to all users in the Township who discharge sewage that is collected, transported, and/or treated by the sanitary sewer systems, excepting those instances where the regulations of the sanitary sewer systems are more stringent than those set forth herein. Where the respective sanitary sewer system regulations are more stringent, the more stringent regulations shall apply.

§ 192-2. Abbreviations.

The following abbreviations shall have the designated meanings:

ASTM	American Society for Testing and Materials
BMP	Best Management Practice
BMR	Baseline Monitoring Report
BOD	Biochemical Oxygen Demand
CBOD	Carbonaceous Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
COD	Chemical Oxygen Demand
DEP	Pennsylvania Department of Environmental Protection
EPA	Environmental Protection Agency

GPD	Gallons per Day
IU	Industrial User
l	Liter
mg	Milligrams
MGD	Million Gallons per Day
mg/l	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
NSCIU	Non-Significant Categorical Industrial User
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Noncompliance
SWDA	Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq.
TSS	Total suspended solids
USC	United States Code
WPCF	Water Pollution Control Federation
WWTP	Waste Water Treatment Plant

§ 192-3. Definitions.

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

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.

AMBLER -- The Borough of Ambler.

AMBLER WASTEWATER TREATMENT PLANT (AWTP) -- The sewer treatment plant owned by Ambler and operated for the benefit of Ambler and areas of the Townships of Lower Gwynedd, Upper Dublin, Whitpain and

Whitemarsh served by said POTW pursuant to an intermunicipal agreement between and among the said municipalities dated December 16, 1959, as amended by several subsequent agreements.

APPROVAL AUTHORITY -- The Regional Administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program, and the Director in an NPDES state with an approved state pretreatment program.

AUTHORIZED AGENT -- An employee of the operator, professional engineer, industrial pretreatment program coordinator, plumbing inspector, or other qualified person authorized by the operator to administer and enforce this Section.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR SIGNIFICANT INDUSTRIAL USER:

A. If the user is a corporation:

(1) The president, secretary, treasurer or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(2) The manager of one or more manufacturing, production or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct

other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

B. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

C. If the user is a federal, state or local facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility or his or her designee.

D. The individuals described in Subsections A through C above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to a POTW.

BEST MANAGEMENT PRACTICES (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to

control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND (BOD) -- The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20° C., expressed in terms of weight and concentration [milligrams per liter (mg/l)].

BUILDING SEWER -- A private sewer conveying wastewater from the premises of a user to a POTW.

BUCKS COUNTY WATER AND SEWER AUTHORITY (BCWSA) -- The municipal authority that owns and operates a substantial portion of the sanitary sewer system within Upper Dublin Township.

BYPASS -- The intentional diversion of waste streams from any portion of an industrial user's pretreatment facility.

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD) -- The quantity of oxygen utilized in the biochemical oxidation of carbonaceous organic matter under standard laboratory procedures, five days at 20° C., expressed in terms of concentration [milligrams per liter (mg/1)].

CATEGORICAL STANDARDS -- 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. § 1317) which apply to a specific category of users and which

appear in 40 CFR Chapter I, Subchapter N, Parts 405 - 471, or any amendment thereto.

CATEGORICAL INDUSTRIAL USER -- An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

CHEMICAL OXYGEN DEMAND or COD -- A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

COMMONWEALTH -- The Commonwealth of Pennsylvania.

COMPOSITE SAMPLE -- A timed sequential collection of samples of equal volume or a collection of grab samples combined in a single reservoir to determine concentration(s) of pollutant(s).

CONTROL AUTHORITY -- Refers to the respective operator of a sanitary sewer system or treatment plant.

COOLING WATER -- The water discharged from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat and which does not contain a level of contaminants detectably higher than that of the source of the water.

DAILY MAXIMUM -- The maximum allowable discharge of a pollutant during a calendar day. Where maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of a day. Where "daily maximum" limitations are expressed in terms of concentration, the daily discharge

is the arithmetic average measurement of the pollutant derived from all measurements taken that day.

DEPARTMENT -- The Department of Public Works of the Township of Upper Dublin.

DIRECT DISCHARGE -- The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.

ENVIRONMENTAL PROTECTION AGENCY (EPA) -- The United States 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.

FLASH POINT -- The temperature at which a liquid or volatile solid gives off vapor sufficient to form an ignitable mixture with the air near the surface of the liquid or within the test vessel. "Flash point" is determined by the Tagliabue open cup method (American Society for Testing and Materials D1310-63), usually abbreviated "TOC."

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

HOLDING TANK WASTE -- Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

HORSHAM WATER AND SEWER AUTHORITY (HWSA) – A municipal authority that owns and operates a portion of the sanitary sewer system within Upper Dublin Township.

INDIRECT DISCHARGE -- The discharge or the introduction of pollutants from any nondomestic source into a POTW, including holding tank waste discharged into the system.

INDUSTRIAL, COMMERCIAL OR INSTITUTIONAL USER -- An industrial, commercial or institutional source of indirect discharge regulated under the federal, state or local laws and regulations.

INDUSTRIAL WASTE – Any liquid, gaseous or solid substance resulting from any manufacturing or industrial processes.

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

INTERFERENCE -- A discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts a POTW, its treatment processes, operations, maintenance or its sludge processes, use or disposal which contributes to the violation of any requirements of the POTW's NPDES permit. The term includes prevention of sewage sludge use or disposal by a POTW in compliance with any of the following statutory/regulatory provisions or permits

issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the "Resource Conservation and Recovery Act (RCRA)"; any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research and Sanctuaries Act which are applicable to the method of disposal or use employed by a POTW.

INTERMUNICIPAL AGREEMENT -- The December 1959 agreement and amendments thereto between Ambler Borough and the Townships of Lower Gwynedd, Upper Dublin, Whitpain and Whitemarsh, and as applicable to the Bucks County Water and Sewer Authority, to provide for the discharge of certain sewage from the municipalities to the Ambler Wastewater Treatment Plant.

MEDICAL WASTE -- Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

MIDDLE TIER CATEGORICAL INDUSTRIAL USER -- A User which meets the requirements found in 40 CFR 403.12(e)(3) and maybe classified as such upon a determination made solely by the operator.

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. § 1317), which applies to a specific category of

industrial users and pretreatment standards as published in 40 CFR Chapter I, Subchapter N, Parts 401 - 471.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM OR NPDES PERMIT -- A permit issued pursuant to Section 402 of the Act (33 U.S.C. § 1342).

NATIONAL PROHIBITIVE DISCHARGE STANDARD or PROHIBITIVE DISCHARGE STANDARD -- Any regulation developed under the authority of Section 307(b) of the Act and 40 CFR 403.5.

NEW SOURCE:

A. Any building, structure, facility or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(1) The building, structure, facility or installation is constructed at a site at which no other source is located; or

(2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Subsection A(1)(b) or (c) above but otherwise alters, replaces or adds to existing process or production equipment.

C. Construction of new source as defined under this subsection has commenced if the owner or operator has:

(1) Begun, or caused to begin, as part of a continuous on-site construction program:

(a) Any placement, assembly, or installation of facilities or equipment; or

(b) Significant site preparation work, including clearing, excavation or removal of existing buildings, structures or facilities which is necessary for the placement,

assembly or installation of new source facilities or equipment.

(2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this subsection.

NONCONTACT COOLING WATER -- Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

NONDOMESTIC USERS -- Commercial, industrial, municipal or other users whose discharge may have an effect on the sanitary sewer system.

NON-SIGNIFICANT CATEGORICAL INDUSTRIAL USER -- A User which meets the requirements found in 40 CFR 403.3 (v)(2) and maybe classified as such upon a determination made solely by the Authority.

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

OPERATOR -- An entity lawfully operating a public sanitary sewer system in the Township or receiving sewage from within the Township for further conveyance and/or treatment. Operators serving the Township include, but may not be limited to Bucks County Water and Sewer Authority ("BCWSA"), Upper Moreland-Hatboro Joint Sewer Authority ("UMHJSA"), Horsham Water and Sewer Authority ("HWSA"), Ambler Borough, Abington Township and Springfield Township.

PASS-THROUGH -- A discharge which exits a POTW into waters of the United States or the Commonwealth or the atmosphere in quantities or concentrations which alone, or in conjunction with discharge(s) from other sources, are a cause of a violation of any requirement of a POTW's NPDES permit or a violation of any air emission standard set by the Clean Air Act or state or local rules and regulations governing emissions to the air (including an increase in the magnitude of duration of violation).

PERSON -- Any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

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

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

POLLUTION -- The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

POTW TREATMENT PLANT or TREATMENT PLANT -- That portion of a POTW designed to provide treatment to wastewater.

PRETREATMENT or TREATMENT -- The reduction of the amount of pollutants, the elimination 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, elimination or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard or except as prohibited by 40 CFR 403.6(d).

PRETREATMENT REQUIREMENTS -- Any substantive or procedural requirement related to pretreatment, other than a Pretreatment Standard, as mandated by the Department and contained in this Chapter. These requirements

are in addition to any National Categorical Pretreatment Standard and they shall take precedent over the National Categorical Pretreatment Standards when this Chapter's requirements are more restrictive.

PRETREATMENT STANDARDS or STANDARDS -- Prohibited discharge standards, categorical pretreatment standards and local limits.

PROCESS WASTEWATER -- Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES -- Absolute prohibitions against the discharge of certain substances as identified elsewhere in these regulations or as described in an operator's industrial wastewater discharge and pretreatment rules.

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 the Township or another municipality or municipal authority, including any devices and systems used in the storage, treatment, recycling or reclamation of municipal sewage and industrial waste. This definition includes any sewers that convey wastewater to a POTW treatment plant, but does not include pipes, sewers or other conveyances not ultimately connected to a facility providing treatment. For the purposes of this Chapter, "POTW" shall also include any sewers outside the

township that convey wastewaters to a POTW from persons outside the township who are, by contract or agreement with the Township, users of a POTW.

RIGHT-OF-WAY -- Includes the cartway and the shoulder of the street or road in which a sewer main is located.

SANITARY SEWAGE – The waste products or excrement or other discharge from the bodies of human beings or animals, household liquid waste and all substances defined by the Commonwealth of Pennsylvania as "sewage," but shall not include stormwater, roof or surface waters, steam or air-conditioning condensate, oils, tar, grease, gasoline, benzene or other combustible gases and liquids, 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.

SEVERE PROPERTY DAMAGE -- Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss caused by delays in production.

SEWER SYSTEM or SANITARY SEWER SYSTEM – Refers to a sanitary sewage collection, transport, and/or treatment system acquired or constructed by and operated by an operator serving the Township and all additions, extensions, and improvements thereto, but excluding stormwater management facilities and storm sewers.

SIGNIFICANT NONCOMPLIANCE (SNC) -- An Industrial User or User is in significant noncompliance if its violation meets one or more of the specific criteria set forth in 40 CFR 403.8 (f) (2) (viii).

SIGNIFICANT INDUSTRIAL USER (SIU):

A. Except as provided in Subsection A(2) below:

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that

(a) Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontract cooling and boiler blow-down wastewater);

(b) Is designated as such by the operator on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

(3) The operator may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gpd of total categorical wastewater (excluding sanitary, non-

contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(a) The Industrial User, prior to operator's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements.

(b) The Industrial User annually submits the certification statement required in Section 6.14 B[see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and

(c) The Industrial User never discharges any untreated concentrated wastewater.

(4) Upon finding that a User meeting the criteria in Subsection A(1) above has no reasonable potential for adversely affecting a POTW's operation or for violating any Pretreatment Standard or Requirement, the control authority [as defined in 40 CFR 403.12(a)] may at any time, on its own initiative or in response to a petition received from an Industrial User or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

SLUG LOAD or SLUG DISCHARGE -- Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance. A Slug Discharge is any Discharge of a non-

routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

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, as amended.

STATE -- The Commonwealth of Pennsylvania.

STORM SEWER -- A public or private conveyance or system of conveyances (including roads, streets, catch basins, curbs, gutters, ditches, man-made channels, swales, pipes, culverts or storm drains and other stormwater management facilities) primarily used for collecting and conveying stormwater runoff.

STORMWATER -- Any flow occurring during or following any form of natural precipitation and resulting therefrom.

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

TOTAL SUSPENDED SOLIDS or SUSPENDED SOLIDS (TSS) -- The total suspended matter that floats on the surface of or is suspended in water, wastewater or other liquids and which is removable by laboratory filtering expressed in terms of concentration [milligrams per liter (mg/1)].

TOWNSHIP -- The Township of Upper Dublin or its authorized agent.

TOXIC POLLUTANT -- Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provision of the Act, Section 307(a) or other state or federal statutes.

UPPER DUBLIN SEWAGE TREATMENT PLANT -- The sewage treatment plant within Upper Dublin Township owned and operated by the Bucks County Water and Sewer Authority, and also referred to as the "Upper Dublin Wastewater Treatment Plant."

UPPER MORELAND HATBORO JOINT SEWER AUTHORITY (UMHJSA) – The municipal authority that owns and operates a portion of the sanitary sewer system within Upper Dublin Township.

USER -- Any person who contributes, causes or permits the contribution of wastewater into a POTW.

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 stormwater that may be present, whether treated or untreated.

WATERS OF THE COMMONWEALTH -- All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the commonwealth or any portion thereof.

§ 192-4. Sanitary Sewer Service Areas.

A. Sanitary sewer service is provided throughout a large part of Upper Dublin Township by the Bucks County Water and Sewer Authority (BCWSA).

B. Other providers of sanitary sewer service within the Township are the Horsham Water and Sewer Authority (HWSA), the Upper Moreland Hatboro Joint Sewer Authority (UMHJSA), Abington Township, and Springfield Township.

C. Sewage collected by operators within the Township is treated by various publically owned treatment works including:

(1) Ambler Wastewater Treatment Plant.

The Ambler WWTP is located off Church Street in Ambler Borough and presently serves portions of Upper Dublin Township, Lower Gwynedd Township, Whitpain Township, Whitemarsh Township, as well as Ambler Borough.

(2) Abington Wastewater Treatment Plant.

The Abington WWTP is located on Fitzwatertown Road in Upper Dublin Township and presently serves portions of Abington Township, Upper Dublin Township, Springfield Township, Cheltenham Township and the Upper Moreland-Hatboro area.

(3) City of Philadelphia Southwest Sewage Treatment Plant.

The City of Philadelphia Southwest Sewage Treatment Plant (Philadelphia SW STP) is located in Philadelphia at 8200 Enterprise Avenue. The facility has a service area of several outlying Townships in addition to the flow from within the City. Wastewater from Upper Dublin Township is transmitted to Springfield

Township, which in turn transmits the sewage to the Philadelphia SW STP for treatment.

(4) Horsham Water and Sewer Authority Park Creek Sewage Treatment Plant.

The Park Creek STP is located on Keith Valley Road approximately 1000 feet from the intersection of County Line Road. The plant primarily serves the central and northwestern portions of Horsham Township. The northern most corner of Upper Dublin Township lies within the Park Creek Drainage Area. A small portion of Upper Dublin Township containing commercial properties within the Maple Glen triangle (area between Welsh Road, Norristown Road, and Limekiln Pike), is served by a public sewer extension for the Park Creek STP. All remaining wastewater generated within the area of Upper Dublin that is tributary to Park Creek is pumped to the Ambler WWTP for treatment.

(5) Upper Dublin Wastewater Treatment Plant.

The Upper Dublin WWTP is located on Delaware Avenue adjacent to the Pennsylvania Turnpike and serves the Rapp Run/Pine Run Drainage Basins. The tributary collection system provides service to the central portion of the Township, including the Fort Washington Office Park, Dreshertown Plaza and residential customers.

(6) Upper Moreland-Hatboro Joint Sewer Authority Sewage Treatment Plant (UMHJSA STP)

The UMHJSA STP is located off Terwood Road approximately 4000 feet northeast of the Route 611 intersection. The wastewater treatment plant serves portions of Upper Dublin Township, Horsham Township, Warminster Township

and all of Upper Moreland Township and Hatboro Borough. The wastewater collection system in Upper Dublin Township tributary to the UMHJSA STP serves the existing Prudential Office Complex, the shopping center at Twining and Welsh Roads, and approximately 380 residences.

§ 192-5 Wastewater Collection Conveyance System.

A. Gravity Collection and Interceptors

The wastewater collection system within Upper Dublin Township includes an extensive interceptor system to convey collected wastewater to the various sewage treatment plants serving the Township.

(1) Ambler WWTP Collection System

There are three gravity connections to the Ambler WWTP collection system from Upper Dublin Township and there are five primary collection areas within the Ambler WWTP/Upper Dublin Township collection area. The areas are: Willow Avenue/Tennis Road, Hagues Mill Road/Butler Pike, Argyle Avenue, the 18" interceptor, and the 12" interceptor.

(a) The Willow Avenue/Tennis Avenue Area serves the Willowmere, Arrowhead, and Rose Valley areas.

(b) The Hague's Mill Road/Butler Pike Area includes approximately 7,150 LF of collection sewer lines and serves Rose Valley, a portion of Bethlehem Pike, and Cedar Wood.

(c) The Argyle Avenue Area collection system includes almost 22,000 LF of sewer lines and serves a portion of Butler Pike, Fairview Avenue,

Meadowbrook Avenue, Douglass Street, Argyle Avenue, Loch Alsh Avenue, Ardross Avenue, Linwold Terrace, Cedar Road, Booth Lane, Heather Road, Hoffman Road, Lake Drive and a portion of Susquehanna Road to a 10" sewer off Woodland Avenue.

(d) The 18" interceptor includes over 38,000 LF of 8" pipe, 2,650 LF of 16" pipe, and 10,370 LF of 18" pipe. The collection system serves both a gravity collection area and flows pumped from the Tennis Avenue Pumping Station, the Butler Pike Pumping Station, the Maple Glen Pumping Station, the Welsh Road Pumping Station and the Meetinghouse Road Pumping Station. The gravity collection area includes: Joel Drive, Russell Place, Tanneries Run, Jonathan Way, Denton Drive, a portion of Susquehanna Road, the Woods Apartments, Tanneries Woods Townhouses, a portion of Loch Lash Avenue, Schiavone Drive, Van Sant Lane, Melissa Drive, Windsor Place, Shady Place, Thelma Lane, a portion of Highland Avenue, St. Mary's Manor, Villa Drive, Bellaire Avenue, a portion of Bethlehem Pike, Inverness Avenue, Stuart Creek Farms, Brookwood Drive, Randolph Avenue, Glencoe Avenue, a portion of Hartranft and Prospect Avenues, Ellerslie Avenue, Stuart Lane, Bannockburn Avenue, Renfrew Avenue, Trinity Place and Church Road. The 18" interceptor connects to the Ambler WWTP collection system on Church Road below Main Street.

(e) The 12" interceptor includes 2,800 LF of 12" pipe, 1,000 LF of 10" pipe, and 14,650 LF of 8" pipe. The collection system serves both a gravity

collection area and flows pumped from the Commerce Drive Pumping Station. The gravity collection area includes: Orchard Lane, a portion of Ambler Road, a portion of Bethlehem Pike and Fort Washington Avenue, Washington Lane, Elliger Avenue, Locust Road, and portions of Prospect, Spring, and Montgomery Avenues. The 12" interceptor connects to the Ambler WWTP collection system adjacent to the railroad west of Ambler Road.

(2) Abington WWTP Collection System

The Abington WWTP is located within Upper Dublin Township. Two 18" interceptors are commonly shared between the two municipalities. A third 10" interceptor is located between Lenape Drive and the plant and serves Upper Dublin Township. The two 18" interceptors are located in Fitzwatertown Road, east and west of the plant. The areas served by the Abington WWTP can be divided into three areas, Meter No.1, Meter No.2, and the unmetered.

(a) The Meter No.1 area includes flows from the eastern 18" interceptor and the 10" interceptor. The service area includes gravity collection areas and flows pumped from the Sandy Run Pumping Station, Ayr Lane Pumping Station and the Dreshertown Road Pumping Station. The gravity collection area includes: Afton Road, Lenape Drive, Alpin Drive, Duncan Drive, Glen Burnie Drive, Dundee Drive, Ori Place, a portion of Twining Road, Bum Brae Drive and Woodside Court.

(b) The Meter No.2 area includes flows from the western 18" interceptor. The service area includes gravity collection areas and flows pumped from the Malcolm Drive Pumping Station and Abington's Kimbal Drive Pumping Station. Wastewater flows from the Meter No.2 location (Fitzwatertown Road Woodland Road intersection) into Abington Township. The wastewater ultimately flows back into Upper Dublin Township via the western 18" interceptor and into the Abington WWTP plant. The gravity collection area includes: a portion of Fitzwatertown Road and Kimbal Road, Alba Road, Willow Avenue, School Lane, Woodland Road, and Bernard Avenue.

(c) The third area served by the Abington WWTP is unmetered. The unmetered flows include wastewater from Abington's North Hill Pumping Station and the Fitzwatertown Road/North Hills Avenue area including the following roadways: North Hills Avenue, Eastview Drive, Chapel Road, Northview Drive, Lukens Avenue, Quarry Road, Avenues "G", "H" and "J", and Spear Avenue. This area connects to the western 18" interceptor prior to entering the Abington WWTP.

(3) UMHJSA Terwood Road STP Collection System.

The collection system located in Upper Dublin Township owned, operated and maintained by UMHJSA, and tributary to the UMHJSA STP is located between the Pennsylvania Turnpike and Fitzwatertown Road near Welsh Road. The collection system contains approximately 21,100 LF of 8" pipe. There are approximately 383 customers in Upper Dublin Township tributary to the

UMHJSA STP. The customers include: The Prudential Office Complex, the Upper Dublin Township Shopping Center, and residential customers.

(4) Springfield Township/Philadelphia SW STP Collection System.

The Upper Dublin Township collection system tributary to Springfield Township and ultimately the Philadelphia SW STP is located in the southwest portion of the Township. The collection system consists of approximately 44,300 LF of 8" pipe and two pumping stations (Twining Valley Road Pumping Station and the Camp Hill Road Pumping Station). The collection system also includes a 61 unit low pressure collection system in the Applewood, Crestview, and Leah Drives area. Flows enter into Springfield Township in three locations.

(a) The first connection is located on Pennsylvania Avenue across from Mill Road and serves portions of Mill Road, Garden Road, and Manor Place, Oreland Place, Cannon Place, Jackson Avenue, Girard Avenue, Logan Avenue and a portion of Linden Avenue.

(b) The second connection is located on Pennsylvania Avenue across from Baal Avenue and serves the Twining/Valley Pumping Station in addition to Weld Avenue, Baal Avenue, Ape Avenue, and portions of Twining Road, Washman Avenue, Orlando Avenue and Lafayette Avenue.

(c) The third connection is also on Pennsylvania Avenue outside of the Township boundary, between Camp Hill Road and Belmont Avenue. The collection system serves portions of Washman Avenue, Lafayette Avenue, Orlando Avenue, and Rich Avenue, Belmont Avenue, the Apple wood,

Crestview, Leah Drives low pressure system, Winner Way, Wordsworth Academy and portions of Camp Hill and Dresher town Roads.

ARTICLE II
Connections

§ 192-6. (Reserved)

§ 192-7. Connections required.

A. Where properties abutting upon a sanitary 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 sanitary sewer system shall, at their own expense, make the connection within two months after notice to do so from the Township.

B. All persons owning any premises abutting on a sanitary sewer system upon which an occupied building is hereafter erected shall, at the time of the erection of such building and at their own expense, make the connection with the sanitary sewer system.

C. All persons owning any occupied building upon premises which hereafter shall abut on a sanitary sewer system shall, at their own expense, make the connection with the sanitary sewer system within two months after notice to do so from the Township.

§ 192-8. Individual systems.

A. It shall be unlawful for any person owning any occupied building on premises abutting on a sanitary sewer system to erect, construct or use or maintain or cause to be erected, constructed, used or maintained any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage.

B. 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 a sanitary sewer

system in violation of this Part 1 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.

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

No connection shall be made to a sanitary sewer system except in compliance with the appropriate ordinances of the Township and with such rules and regulations of the operator and the Commonwealth of Pennsylvania. The following rules and regulations shall apply to all sanitary sewer systems within the Township:

A. Application for service line.

(1) Persons owning an occupied building upon premises abutting on a sanitary sewer system desiring the introduction of a service line from the sewer system to their premises must first make written application on the forms furnished by the operator. The application must be signed by such persons or their duly authorized representative.

(2) 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 operator.

B. Permit for connection. Before making any connection to a sanitary sewer system, a permit must be obtained from the operator.

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 respective operator. The property owner is responsible for the construction and maintenance of the lateral connection from the building to the sewer main. The lateral line shall be constructed at

the owner's expense. All sewer connection and disconnection work must be inspected and approved by the respective operator.

D. Sewage Facilities Planning. All construction projects that propose new or expanded plumbing/sewage facilities require DEP review under the Pennsylvania Sewage Facilities Act (Act 537). No building permit, certificate of occupancy, final subdivision or land development approval, or other proposed construction approval may be issued until sewage planning has been approved by DEP through the issuance of a planning module approval or an exemption from planning, or until DEP has issued a letter stating that sewage planning is not required.

E. Sewage discharge.

(1) No stormwater, roof drain, condensate line, 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 connected or discharge to a sanitary sewer system.

(2) No person shall discharge or cause to be discharged into a sanitary 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.

(3) All hotels, restaurants, boardinghouses and public eating places, before draining into a sanitary sewer system, shall install grease traps on the house drains of such character as may be specified by the Township and/or the operator.

(4) Sewage shall not be discharged to storm sewers.

F. Inspections. The Township, the operator or their representatives shall have the right of access at all reasonable times to all parts of any industrial or commercial premises connected with a sanitary sewer system and to examine and inspect the connections thereto and the plumbing fixtures or any improper connection, installation, maintenance or use. The Township and operator may make reasonable charges for such inspections to users of the sewer system.

G. Release of liability.

(1) The Township and the respective operator shall not 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 a sanitary sewer system that no claims shall be made against the Township or operator 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.

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

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

I. Changing rules and regulations. The Township and the operators reserve the right to change or amend, from time to time, their sanitary sewer rules and regulations in accordance with law.

§ 192-10. Violations and penalties.

The provisions and the rules and regulations set forth in this Article II 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, in addition to any authorized operator assessed penalties, forfeit and pay a fine of not more than $1,000 to the 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 whenever such person shall have been notified by the 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.

ARTICLE III
General Regulations

§ 192-11. Rules and regulations.

A. The Township reserves the right to, and may from time to time, adopt, revise and amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of sewer systems, and all such rules and regulations shall be and become a part of this Chapter.

B. Sanitary sewer system users within the Township shall comply with Township rules and regulations and the rules and regulations established by the operators within their respective service areas.

C. No industrial waste shall be discharged into the sanitary sewer systems within the Township without the express approval of the respective operators. In the event that an operator agrees to accept industrial wastes, pretreatment by the discharger shall be required as specified by the operator to upgrade such waste to operator specified levels prior to discharge into a sanitary sewer system.

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ARTICLE IV
Discharge Regulations

§ 192-14. Prohibited discharge standards.

A. General prohibitions. No user shall introduce or cause to be introduced, directly or indirectly, to a sanitary sewer system any pollutant or wastewater that causes pass-through or interference with the operation or performance of a sanitary sewer system. These general prohibitions apply to all users of a sanitary sewer system whether or not the user is subject to federal categorical pretreatment standards or any other federal, state or local pretreatment standards or requirements.

B. Specific prohibitions. No user shall introduce or cause to be introduced into a sanitary sewer system the following:

(1) Pollutants that create a fire or explosive hazard in a sanitary sewer system , including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;

(2) Wastewater having a pH less than 6.0, or more than 9, or otherwise causing corrosive structural damage to a sanitary sewer system;

(3) Solid or viscous substances in amounts which will cause obstruction of the flow in a sanitary sewer system resulting in interference, but in no case solids greater than 1/2 inch in any dimension;

(4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with a POTW;

(5) Wastewater having a temperature greater than 120 degrees F, or which will inhibit biological activity in a POTW resulting in Interference, but in no case wastewater which causes the temperature at the introduction into a POTW to exceed 104 degrees F (40 degrees C);

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within a sanitary sewer system in a quantity that may cause acute worker health and safety problems;

(8) Trucked or hauled pollutants, except at discharge points designated by the operator;

(9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

(10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to a POTW's effluent, thereby violating the operator's NPDES permit;

(11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

(12) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Township and the operator;

(13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

(14) Medical Wastes, except as specifically authorized by the operator a wastewater discharge permit;

(15) Wastewater causing, alone or in conjunction with other sources, a POTW effluent to fail toxicity test;

(16) Detergents, surface-active agents, or other substances which that might cause excessive foaming in a POTW;

(17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than fifty (50) mg/l or that concentration otherwise specified by the operator;

(18) Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5%) or any single reading over ten percent (10%) of the Lower Explosive Limit of the meter.

(19) Any wastewater which, because of its chemical nature or composition, causes the sewer atmosphere to contain airborne chemical concentrations in excess of concentrations established by the United States Department of Labor, Occupational Safety and Health Administration (OSHA), under 29 CFR 1910, regardless of duration of exposure experienced by any individual, unless specific authorization is granted by the operator.

(20) Any wastewater containing any organic chemical in excess of limits specified by the operator.

(21) Any wastewater where there is a significant likelihood of producing toxic effects to biota in the receiving water of a POTW or a POTW's effluent.

C. In addition, the following activities are prohibited:

(1) No person shall discharge wastewater into stormwater inlets or through sewer manholes.

(2) No person who generates wastewater at one property shall discharge it at another property without approval from the operator.

(3) No person shall discharge wastewater in quantities or at rates of flow which may have an adverse or harmful effect on or overload an operator's sewer system or wastewater treatment plant or cause excessive or additional treatment costs.

(4) No person shall discharge a wastewater flow contributing more than the five-day biochemical oxygen demand limitation contributing more than the suspended solids limitations, or having a volume in excess of the specific limitations of the respective operator.

§ 192-15. Specific pollutant discharge limitations.

A. No person shall discharge wastewater to a sanitary sewer system containing in excess of the pollutant discharge limitations specifically authorized by the operator.

B. Discharge limitations apply to all points within and throughout a sanitary sewer system.

§ 192-16. Dilution.

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement.

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ARTICLE V
Wastewater Discharge Permit Administration

§ 192-19. Permit required; update of information.

A. No significant industrial user shall discharge wastewater into a POTW without first obtaining a wastewater discharge permit from the operator.

B. An operator may require other users to obtain wastewater discharge permits as necessary to carry out regulatory purposes.

C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of these regulations and subject the wastewater discharge permittee to the sanctions set out elsewhere in these regulations, the operator's regulations, and the permit. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal, state, and operator pretreatment standards or requirements or with any other requirements of federal, state and local law.

D. A user must submit information on the nature and characteristics of its wastewater when requested by the operator. The operator may prepare a form for this purpose and may periodically require users to update this information.

§ 192-20. Existing and new connections.

Any nondomestic user who discharges into a sewer system must obtain a wastewater discharge permit. An application for a wastewater discharge permit under these regulations must be filed in accordance with the applicable rules and instructions of the operator.

§ 192-21. Contents of permit application.

All users required to obtain a wastewater discharge permit must submit a permit application as specified by the operator. The operator may require all users to submit as part of an application the following information:

A. All information required pursuant to baseline monitoring reports as described elsewhere in these regulations.

B. Description of activities, facilities and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to a POTW.

C. Number and type of employees, hours of operation and proposed or actual hours of operation.

D. Each product produced by type, amount, process or processes and rate of production.

E. Type and amount of raw materials processed (average and maximum per day).

F. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, floor drains and appurtenances by size, location and elevation and all points of discharge.

G. Time and duration of discharges.

H. Any other information as may be deemed necessary by the operator to evaluate the wastewater discharge permit application.

§ 192-22. Certification.

All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain a certification statement approved by the operator.

ARTICLE VI
Pretreatment of Wastewater

§ 192-23. Adoption of federal and state categorical pretreatment standards; construal of provisions.

A. The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 401 - 471, as amended, and as adopted by the respective operators, are hereby incorporated by reference as if set forth fully herein.

B. An operator may establish by regulation more stringent limitations or requirements on discharges to sanitary sewer systems if deemed necessary to comply with federal or state objectives.

§ 192-24. Accidental discharge/slug control plans.

Operators may periodically evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The operator may require any user to develop, submit for approval and implement such a plan. Alternatively, the operator may develop such a plan for any user. An accidental discharge/slug control plan may address, at a minimum, the following:

A. Description of discharge practices, including non-routine batch discharges.

B. Description of stored chemicals.

C. Procedures for immediately notifying the operator of any accidental or slug discharge, as required by these regulations.

D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff (i.e., a spill prevention plan), worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

§ 192-25. Hauled wastewater.

A. Septic tank waste may be introduced into a sanitary sewer system only at locations designated by the operator and at such times as are established by the operator. Such waste shall not violate these regulations or any other requirements established by the operator. The operator may require septic tank waste haulers to obtain wastewater discharge permits.

B. The operator may require haulers of industrial waste to obtain wastewater discharge permits. The operator may require generators of hauled industrial waste to obtain wastewater discharge permits. The operator also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of these and the operator's regulations.

C. Industrial waste haulers may discharge loads only at locations designated by the operator. No load may be discharged without prior consent of the operator. The operator may collect samples of each hauled load to ensure compliance with applicable standards. The operator may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit

number, truck identification, names and addresses of sources of waste and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

§ 192-26. Oil and Grease Interceptor/Trap Systems.

A. The purpose of this Section is to provide for the regulation, inspection, maintenance, and rehabilitation of oil and grease interceptor/trap systems, to permit intervention in circumstances which may constitute a public nuisance or health hazard; and to establish penalties for violations of the provisions of this Section.

B. Applicability. Oil and grease interceptor/trap systems are required for all restaurants, food preparation facilities, or other commercial, industrial and institutional establishments determined by the operator to have the potential to discharge oil and/or grease into a sanitary sewer system.

C. Permits.

(1) No person shall install, construct or alter an oil and grease interceptor/trap or occupy or utilize any structure in which an oil and grease interceptor/trap system shall be installed without first obtaining written approval from the operator, which said approval shall identify the site and approve the plans and specifications so as to ensure compliance with the provisions of this Section.

(2) All oil and grease interceptor/traps shall be available for inspection by the operator during normal business hours.

(3) After receipt of all required approvals, any person desiring to construct a permanent oil and grease trap interceptor system shall notify the operator at least seventy-two (72) hours in advance of the commencement of the construction so as to arrange the required inspections.

D. Design and Inspection.

(1) All oil and grease interceptor/trap systems must be the type and capacity approved by the owner's design professional and must be located for easy accessibility to clean and inspect.

(2) The owner or person utilizing any property connected to a sanitary sewer system shall permit an authorized agent of the operator:

(a) To enter all properties and facilities for the purpose of inspection, sampling, and testing to determine compliance with the provisions of these regulations; and

(b) To examine and copy any and all records required to be maintained by the owner for the purpose of determining compliance with the provisions of these regulations.

(3) Any oil and grease interceptor/trap system may be inspected by an operator's authorized agent at any reasonable time.

(4) Inspection of an oil and grease interceptor/trap system may require a physical tour of the property, sampling of the oil and grease interceptor/trap, and dye-testing of the interior plumbing to determine the path and ultimate destination of the generated wastewater.

(5) An initial inspection may be conducted determine the type and functionality oil and grease interceptors and traps.

(6) A schedule of routine inspections may be established to assure proper functioning of oil and grease interceptors and traps.

(7) An operator's authorized agent may inspect systems known or alleged to be malfunctioning. Should said inspections reveal the system is malfunctioning, the authorized agent will order action to be taken to correct the malfunction.

E. Maintenance.

(1) Every person owning a building or structure containing an oil and grease interceptor/trap system, as well as any person making use of the oil and grease interceptor/trap system shall have the oil and grease interceptor/trap pumped by a qualified pumper/hauler at least every three months, or as required by manufacturer recommendations, or as required by the operator, whichever schedule provides for more frequent pumping. The owner and/or utilizer of the oil and grease interceptor/trap shall submit to the operator receipts from the pumper/hauler confirming the pumping of the oil and grease interceptor/trap within two (2) weeks after the removal of the accumulated oil and grease.

(2) The required pumping frequency may be increased by the operator for good cause shown.

(3) Any person owning a property served by an oil and grease interceptor/trap, as well as any person making use of the oil and grease interceptor/trap system, must submit, with each required pumping receipt, a written statement from the pumper/hauler that the baffles in the oil and grease interceptor/trap have been inspected and found to be in good working order. Any person whose oil and grease interceptor/trap baffles are determined to require repair or replacement must first contact the operator for approval of the necessary repair.

(4) Any person owning a building served by an oil and grease interceptor/trap, as well as any person utilizing an oil and grease interceptor/trap system, must follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement must be submitted to the operator within sixty (60) days of the effective date of this ordinance. In no case may the service or pumping intervals for the oil and grease interceptor/trap exceed those recommended by the manufacturer.

F. System Rehabilitation.

(1) A written notice of violation may be issued to any person who is the owner of any property and/or any person utilizing the oil and grease interceptor/trap system, which is found to be served by a malfunctioning oil and grease interceptor/trap system or which is discharging oil and grease without a permit.

(2) Within seven (7) days of notification by the operator that a malfunction has been identified, the property owner and/or the person utilizing the oil and grease interceptor/trap system, must make application to the operator for approval to repair or replace the malfunctioning system. Within thirty (30) days of initial notification by the operator, construction of the permitted repair or replacement must commence. Within sixty (60) days of the original notification by the operator, the construction must be completed unless conditions mandate a longer period, in which case the operator may set an extended completion date.

(3) In the event the modifications do not result in the elimination of the malfunction of the existing oil and grease interceptor/trap system, the person owning and/or making use of the interceptor system shall bear responsibility for the continued

malfunction of the system. The owner and/or utilize of said system shall be required to take such action as necessary to eliminate the malfunction.

G. Liens. The operator, upon notice that an imminent public health or safety hazard exists due to failure of a proper owner and/or utilize to maintain, repair or replace an oil and grease interceptor/trap system, shall have the authority to contract to have the work performed. The owner of record of the property will be charged for the work performed and, if necessary, a lien will be entered therefore in accordance with the law.

H. Oil and Grease Disposal.

(1) All grease originating within the operator's collection system shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980, 35 P.S. § 6018.101 et seq.) and all other applicable laws and at sites or facilities approved by DEP.

(2) Pumpers/haulers of oil and grease shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. § 6018.101-6018-1003) and all other applicable laws.

I. Violations. Should any person violate the provisions of this Section, the Township or the operator is authorized to pursue all legal remedies available to it in order to effectuate compliance.

§ 192-27. Additional pretreatment measures.

A. Pretreatment Facilities. Users shall provide wastewater treatment as necessary to comply with these and the operator's regulations and shall comply with all categorical pretreatment standards, local limits and the prohibitions set out in these and the operator's regulations within the time limitations specified by EPA, the state, the operator or the Township, whichever is more stringent. Any facilities necessary for compliance shall be

provided, operated and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the operator for review and shall be acceptable to the operator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the operator under the provisions of these regulations.

B. Sand interceptors shall be provided when, in the opinion of the operator, they are necessary for the proper handling of wastewater containing excessive amounts of sand or grit, except that such interceptors shall not be required for residential users unless a residential user who is contributing excessive amounts of sand or grit has first been given the opportunity to reduce the discharge by other means. All interception units shall be of type and capacity approved by the operator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, by the users at their expense, in accordance with any procedure for the installation and maintenance of grease traps as may be established from time to time by the Township or the operator.

C. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

D. Whenever deemed necessary, the operator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams and such other conditions as may be

necessary to protect the POTW and determine the user's compliance with the requirements of this chapter.

E. The operator may require any person discharging into a POTW to install and maintain, on his/her property and at his/her expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

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ARTICLE VII
Reporting Requirements

§ 192-35. Baseline monitoring reports.

A. Within either 180 days after the date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), or as required by the operator, whichever is later, existing categorical users currently discharging to or scheduled to discharge to a POTW shall submit to the operator a report which contains information as requested by the operator. At least 90 days prior to commencement of their discharge, or as required by the operator, new sources and sources that become categorical users subject to the promulgation of an applicable categorical standard shall submit to the operator a report which contains the information as required by the operator. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

§ 192-38. Periodic compliance reports.

B. All significant industrial users shall, at a frequency determined by the operator, submit a report indicating the nature and concentration of pollutants in the discharge which are

limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with the operator's regulations.

C. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

D. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the operator, using the procedures prescribed in these regulations, the results of this monitoring shall be included in the report.

§ 192-36. Reports of changed conditions.

Each user must notify the operator, at least 60 days before the change, of any planned significant changes to the user's operations or system which might alter the nature, quality or volume of its wastewater.

§ 192-37. Reports of potential problems.

A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge or a slug load, that may cause potential problems for a POTW, the user shall immediately telephone and notify the operator of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user, along with the identity of the person or persons believed to be responsible for the discharge.

B. Within five (5) days following such discharge, the user shall, unless waived by the operator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to a POTW or natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties or other liability which may be imposed pursuant to these regulations.

C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in Subsection A above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

§ 192-38. Reports to unpermitted users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the operator as the operator may require.

§ 192-39. Notice of violation; repeat sampling and reporting.

If sampling performed by a user indicates a violation, the user must notify the operator within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the operator within thirty (30) days after becoming aware of the violation.

§ 192-40. Notification of discharge of hazardous waste.

A. Any user who commences the discharge of hazardous waste shall notify the operator, the EPA Regional Waste Management Division Director and state hazardous waste authorities, in writing, of any discharge into a sanitary sewer system of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261. Such

notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number and the type of discharge (continuous, batch or other). If the user discharges more than 100 kilograms of such waste per calendar month, the notification also shall contain the following information to the extent such information is required by the operator: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.

B. Discharges are exempt from the requirements of Subsection A above during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

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

D. In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

§ 192-41. Recordkeeping.

Users subject to the reporting requirements of these regulations shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by these regulations and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the user or the Township, or the operator, or a POTW, or where the user has been specifically notified of a longer retention period by the Township or operator.

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ARTICLE VIII
Compliance Monitoring

§ 192-48. Right-of-entry inspection and sampling.

A. The operator shall have the right to enter the premises of any user, without notice, to determine whether the user is complying with the requirements of these regulations and any wastewater discharge permit or order issued hereunder. Users shall allow the operator ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

B. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security personnel so that, upon presentation of suitable identification, the operator will be permitted to enter without delay for the purposes of performing specific responsibilities.

C. The operator shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

D. The operator may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated to ensure their accuracy.

E. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the operator and shall not be replaced. The costs of clearing such access shall be born by the user.

F. Unreasonable delays in allowing the operator access to the user's premises shall be a violation of these regulations.

G. When it would be impractical or cause undue hardship on the user to situate the monitoring facility on the user's premises, the Township may allow the facility to be constructed in a 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 condition at the expense of the user.

§ 192-49. Search warrants.

If the operator has been refused access to a building, structure or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of these regulations, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the operator designed to verify compliance with these regulations or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Township and the operator may seek issuance of a search warrant from the District Justice in whose jurisdiction the property is situate.

§ 192-50. Public access to information.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits and monitoring programs, and from the operator's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the operator, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and

characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

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ARTICLE IX
Enforcement Remedies

§ 192-52. Surcharge in lieu of enforcement remedy.

With respect to conventional pollutants, the operator may, from time to time and at its discretion, adopt a policy whereby certain specifically identified conventional pollutants are permissibly discharged to a POTW for removal at the plant, with the cost of such removal to be borne by the discharger. The operator may expand or limit the list of conventional pollutants to which this surcharge system applies based upon the plant's capacity/ability to effectively remove particular conventional pollutants. In the event that a conventional pollutant is within the scope of the surcharge system as it exists at the time of discharge, then such conventional pollutant discharge shall not be considered a violation of these regulations. However, any failure to pay the surcharge cost for the plant's removal of the pollutant shall itself be considered a violation of these regulations and subject to enforcement action, in addition to all generally held rights of collection.

§ 192-53. Administrative remedies.

A. Notification of violation. When the Township or the operator find that a user has violated, or continues to violate, any provision of these regulations, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Township or the operator may serve upon that user a written notice of violation. When the notice of violation includes a plan for satisfactory correction and prevention of the violation, submission of such plan in no way relieves the user of liability for any

violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Township or the operator to take any action, including emergency action or any other enforcement action, without first issuing a notice of violation.

B. Consent orders. An operator may enter into consent orders, assurances of voluntary compliance or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same effect as the administrative orders authorized elsewhere in these regulations and shall be judicially enforceable.

C. Compliance order. When the Township or the operator finds that a user has violated, or continues to violate, any provision of these regulations, a wastewater discharge permit or order issued hereunder or any other pretreatment standard or requirement, the Township or the operator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation,

including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

D. Cease and desist orders.

(1) When the Township or the operator find that a user has violated, or continues to violate, any provision of these regulations, a wastewater discharge permit or order issued hereunder or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Township or the operator may issue an order to the user directing it to cease and desist all such violations and directing the user to:

(a) Immediately comply with all requirements; and

(b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

(2) Issuance of a cease and desist order shall not be a bar against or a prerequisite for taking any other action against the user.

E. Administrative fines.

(1) When the Township or the operator find that a user has violated, or continues to violate, any provision of these regulations, a wastewater discharge permit or order issued hereunder or any other pretreatment standard or requirement, the Township or the operator may fine such user in an amount permitted by law. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(2) Unpaid charges, fines and penalties shall be assessed a penalty as specified by the operator, and interest shall accrue thereafter at a rate determined by the operator. A lien against the user's property may be sought for unpaid charges, fines and penalties.

(3) Users desiring to dispute such fines must file a written request for the Township or operator to reconsider the fine along with full payment of the fine amount within 20 days of being notified of the fine. Where a request has merit, the Township or the operator may convene a hearing on the matter. In the event that the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The costs of preparing administrative enforcement actions, such as notices and orders, may be added to the fine.

(4) Issuance of an administrative fine shall not be a bar against or a prerequisite for taking any other action against the user.

F. Emergency suspensions.

(1) The operator may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The operator may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of a POTW, or which presents, or may present, an endangerment to the environment.

(2) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply

voluntarily with the suspension order, the operator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to a POTW or its receiving stream or endangerment to any individuals. The operator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the operator that the period of endangerment has passed, unless the termination proceedings in these regulations are initiated against the user.

(3) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the operator prior to the date of any show cause or termination hearing described elsewhere in these regulations.

(4) Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

G. Termination of discharge.

(1) In addition to the provisions in these regulations, any user who violates the following conditions is subject to discharge termination:

(a) Violation of wastewater discharge permit conditions;

(b) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(c) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

(d) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling; or

(e) Violation of the pretreatment standards in these regulations.

(2) Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause why the proposed action should not be taken. Exercise of this option by the operator shall not be a bar to or a prerequisite for taking any other action against the user.

§ 192-54. Judicial enforcement remedies.

A. Injunctive relief. When the operator determines that a user has violated, or continues to violate, any provision of these regulations, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the operator may petition the Court of Common Pleas of Montgomery County for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order or other requirement imposed by these regulations on activities of the user. The operator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against or a prerequisite for taking any other action against a user.

B. Civil penalties. In the event that the operator is required to seek court redress for violations of these regulations, then all amounts recoverable elsewhere herein as administrative fines shall be recoverable as civil penalties; attorney's fees, court costs and related expenses shall also be recoverable. Filing suit for civil penalties shall not be a bar against or a prerequisite for taking any other action against a user.

C. Criminal prosecution. In the event that any discharge or other violation of these regulations constitutes a violation of any criminal or penal statute, then, in addition, to all enforcement remedies described elsewhere in these regulations, the Township shall have the unfettered right to initiate and/or assist in any state or federal criminal proceedings as a result of such violation. Examples of criminal conduct in connection with a violation include, but are not limited to, knowing or intentional introduction of any substance into the wastewater system which causes injury to persons or property, otherwise undertaking any act or failing to undertake any act which recklessly endangers the well-being of the community or plant personnel, falsification of documents required to be filed pursuant to these regulations, and tampering with or otherwise rendering inaccurate a monitoring device or similar equipment.

D. Remedies nonexclusive. The remedies provided for in these regulations are not exclusive. The operator may take any, all or any combination of these actions and those actions specified by the operator's regulations against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with an enforcement response plan if same is adopted by the operator. However, the operator may take other action against any user when the circumstances warrant. Further, the operator may take more than one enforcement action against any noncompliant user.

§ 192-55. Supplemental enforcement action.

A. Performance bonds. The operator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of these regulations, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond,

payable to the operator, in a sum not to exceed a value determined by the operator to be necessary to achieve consistent compliance.

B. Liability insurance. The operator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of these regulations, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to a POTW caused by its discharge.

C. Water supply severance. Whenever a user has violated or continues to violate any provision of these regulations, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

D. Public nuisances. A violation of any provision of these regulations, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement may separately be declared as a public nuisance to the extent that it constitutes such nuisance as defined by Pennsylvania law or the Township Code.

ARTICLE X
Affirmative Defenses to Discharge Violations

§ 192-56. Upset.

A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment

facilities, inadequate treatment facilities, and lack of preventive maintenance or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of Subsection C below are met.

C. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

(1) An upset occurred and the user can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and

(3) The user has submitted the following information to the operator within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):

(a) A description of the indirect discharge and cause of noncompliance.

(b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue.

(c) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

§ 192-57. Prohibited discharge standards.

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in these regulations or the specific prohibitions in these regulations if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass-through or interference and that either:

A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass-through or interference; or

B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the operator was regularly in compliance with its NPDES permit and, in the case of interference, was in compliance with applicable sludge use or disposal requirements.

§ 192-58. Bypass.

A. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure

efficient operation. These bypasses are not subject to the provision of Subsections C and D of this section.

(1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the operator at least 10 days before the date of the bypass, if possible.

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

B. Notice and report.

(1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the operator at least 10 days before the date of the bypass, if possible.

(2) A user shall submit oral notice to the operator of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times and, if the bypass has not been

corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass. The operator may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

C. Exceptions.

(1) Bypass is prohibited, and the operator may undertake an enforcement action against a user for a bypass, unless:

(a) The bypass was unavoidable to prevent loss of life, personal injury or severe property damage; and

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The user submitted notices as required under Subsection C of this section.

(2) The operator may approve an anticipated bypass, after considering its adverse effects, if the operator determines that it will meet the three conditions listed in Subsection D(1) of this section.

ARTICLE XI
Building Sewers and Connections

§ 192-59. General regulations.

A. No authorized persons (i.e., persons other than an operator, or its agents) 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 operator.

B. The owner or his agent shall make application on a form furnished by the operator. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the operator. A permit and inspection fee for a building sewer permit shall be paid to the Township at the time the application is filed. All building sewer permit applications shall be reviewed and approved by the 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 the Township through resolution.

C. 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 the Township and the operator from any loss or damage that may be directly or indirectly be caused by the installation of the building sewer.

D. A separate and independent building sewer shall be provided for every building or any part of any building as may be determined by the Township and the operator.

E. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the operator, to meet all applicable requirements.

F. 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 the Township and the operator. In the absence of code

provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

G. In order to prevent grease, oil and sand from being discharged into a sanitary sewer 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 the operator and the 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 operator, discharges a quantity of oil or sand in its sewage so as to warrant the installation and maintenance of one or more grease traps, the same shall be installed and maintained in accordance with these regulations at the direction of the operator.

H. In all buildings in which any building drain is too low to permit gravity flow to a sanitary sewer, sanitary sewage carried by such building drain shall be lifted by a method approved by the Township and the operator and discharged to the building sewer.

I. 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 sanitary sewer unless such connection is approved in writing by the Township and the operator.

J. The connection of the building sewer into a sanitary sewer shall conform to the requirements of the building and plumbing codes and other applicable rules and regulations of the Township and the operator. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed

procedures and materials must be approved by the Township and the operator before installation.

K. The applicant for a building sewer permit shall notify the operator when the building sewer is ready for inspection and connection to the sanitary sewer system. The connection to the sewer system and testing shall be made under the supervision of the operator.

L. 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 the Township.

M. No excavation, construction or connection work shall be commenced within a Township 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 by the Township, agreeing to indemnify and save harmless the Township and the operator against any and all loss, damages, costs and expenses which the Township and the operator may thereafter suffer, incur or pay by reason of the failure to complete properly any of the aforesaid excavation, construction or connection work.

N. 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.

O. 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 Township and the operator.

ARTICLE XII
Ambler Wastewater Treatment Plant

§ 192-60. General provisions.

This Article XII applies to users within the Township that discharge wastewater to the Ambler Wastewater Treatment Plant ("AWTP"), for which Ambler is primarily responsible.

§ 192-61. Jurisdiction.

A. With regard to direct and indirect contributions of wastewater from within the boundaries of the Township which contributions are ultimately discharged to the AWTP, the operator is responsible for enforcement of this Chapter 192 and its own regulations in the first instance, but the AWTP and Ambler share the duty to enforce this Chapter 192 to the extent necessary to assure compliance by Ambler and the AWTP with the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR 403), along with all applicable state and federal laws and permits.

B. Neither Ambler nor the AWTP have any jurisdiction or authority to enforce this Chapter 192 or any ordinance with regard to users whose discharge does not enter the AWTP.

C. With regard to users whose discharge enters the AWTP, the provisions of this Chapter 192 as outlined above apply to Ambler and the AWTP as well as to the Township and the operator. In addition, with regard to users whose discharge enters the AWTP, the following provisions also apply to Ambler and the AWTP.

§ 192-62. National Categorical Pretreatment Standards.

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405 - 471 are hereby incorporated by reference as if set forth fully herein.

A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, AWTP may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, AWTP shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).

C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

§ 192-63. Right of revision.

AWTP reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the AWTP.

§ 192-64. Wastewater analysis.

When required by AWTP, a user must submit information on the nature and characteristics of its wastewater within five days of the request. AWTP is authorized to prepare a form for this purpose and may periodically require users to update this information.

§ 192-65. Regulation of waste received from other jurisdictions.

A. Pursuant to the Pennsylvania Pretreatment Works Penalty Law (Act 9 of 1992), the AWTP reserves the right to regulate waste entering the POTW regardless of its point of origin.

B. Whenever possible, the enforcement of this Chapter shall be a joint and cooperative effort between the Township, the operators, and AWTP and/or Ambler, which has primary responsibility for plant operations. In the event that the Township and the operator fail or refuse to enforce its sewer regulations after the AWTP or Ambler has made a determination that such enforcement is necessary, then the AWTP and Ambler reserve all rights which they may have to either undertake enforcement pursuant to the Pennsylvania Pretreatment Works Penalty Law and/or to seek enforcement of any intermunicipal agreement which may require the cooperation of the Township or the operator.

§ 192-66. Enforcement remedies.

The Borough of Ambler and the AWTP, in conjunction with the operator, are fully empowered to undertake all enforcement remedies set forth herein in order to assure user compliance with state and federal laws and regulations.

§ 192-67. Show-cause hearing.

A. In addition to the administrative enforcement remedies outlined above, AWTP may order a user which has violated, or continues to violate, any provision of this Article, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the AWTP and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered mail at least 10 days prior to the hearing. Such notice may be served on any authorized representative of the user. A show-cause hearing shall not be a bar against or prerequisite for taking any other action against the user.

B. At any hearing held pursuant to this Article, 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.

C. After a hearing, an order may be issued as authorized 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 or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives, as are necessary and appropriate, may be issued.

D. Any user aggrieved by the enforcement of this Chapter 192 may take an appeal to the Court of Common Pleas of Montgomery County, Pennsylvania, in accordance with the provisions of the Local Agency Law, 2 Pa.C.S.A. § 105 et seq., 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.

Section 2. The Code of Upper Dublin Township, Chapter 192, entitled Sewers, Article II, Connections, shall be amended by removing therefrom Section 192-6, Definitions, in its entirety and the section number will be retained as follows:

ARTICLE II
Connections

§ 192-6. (Reserved)

Section 3. The Code of the Township of Upper Dublin, Chapter 73, Building Construction – Uniform Construction Code, Article III, Uniform Construction Code, Section 73-8, Permits, shall be amended by adding thereto Paragraph I as follows:

§ 73-8. Permits

* * * * * * *

I. Sewage Facilities Planning. All construction projects that propose new or expanded plumbing/sewage facilities require review by the Pennsylvania Department of Environmental protection under the Pennsylvania Sewage Facilities Act (Act 537). No building permit, certificate of occupancy, final subdivision or land development approval, or other proposed construction approval may be issued until sewage planning has been approved by the Department of Environmental Protection through the issuance of a planning module approval or an exemption from planning, or until the Department has issued a letter stating that sewage planning is not required.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of June, 2011.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

FOR Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 11-1243

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", Section 233-42, "Schedule I: Speed Limits" By Reducing The Speed Limit On Camp Hill Road Between Susquehanna Road And Virginia Drive From 35 Miles Per Hour To 25 Miles Per Hour.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", § 233-42, Schedule I: Speed Limits, shall be amended to provide as follows:

§ 233-42. Schedule I: Speed Limits.

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

Name of Street	Speed Limit (mph)	Location
	* * * * * * *	
Camp Hill Road	25	From Susquehanna Road to Virginia Drive
	* * * * * * *	

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

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

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

ENACTED AND ORDAINED this 9th day of August, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

ROBERT J. PESAVENTO, PRESIDENT

PAUL A. LEONARD, SECRETARY

ud\ord\CH 233 VEHICLES & TRAFFIC\Camp Hill Road Speed Change

AN ORDINANCE

NO. 11-1244

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, Entitled Zoning, To Clarify The Lot, Area And Bulk Requirements For Dwellings In C Residential Districts; And To Create A New NH North Hills Residential District, Establishing Use And Lot, Area And Bulk Requirements For That District.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article II, Districts, §255-8. Designation, shall be amended to add the following:

ARTICLE II, Districts

§ 255-8. Designation.

For the purpose of this chapter, the Township is hereby divided into districts, which shall be designated as follows:

* * * * * * *

NH North Hills Residential District

Section 2. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article VII Residential Districts, §255-39. Permitted uses, shall be amended to add a new Subsection C, to provide as follows:

ARTICLE VII, Residential Districts

* * * * * * *

§ 255-39. Permitted Uses

* * * * * * *

C. Permitted uses on each lot in NH Residential districts shall be as follows:

(1) Any use permitted in A and B Residential districts, except townhouse structures

(2) Twin dwellings, and

(3) Duplex dwellings, when approved by the Zoning Hearing Board as a special exception.

Section 3. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article VII, Residential districts, § 255-45, C. Residential Districts, Subsection B, Lot, yard and bulk requirements, shall be amended to provide as follows:

§ 255-45. C Residential District.

In a C Residential District, the following regulations shall apply:

* * * * * * *

B. Lot, yard and bulk requirements.

Regulation	**Requirement**
Lot area (minimum)	9,000 square feet
Width at building line (minimum)	60 feet
Front yard (minimum)	30 feet
Side yard, each (minimum)	10 feet
Rear yard (minimum)	25 feet
Principal building height (maximum)	35 feet
Accessory building height (maximum)	20 feet
Building coverage (maximum)	20% of total lot area
Impervious surface (maximum)	30% of total lot area

Section 4. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article VII, Residential Districts, shall be amended by adding a new § 255-45.1 NH Residential District, to provide as follows:

ARTICLE VII, Residential Districts

* * * * * * *

§ 255-45.1. NH Residential District

In a NH Residential District, the following regulations shall apply:

A. A building may be erected, altered or used and a lot or premises may be used for any one use permitted in § 255-39C.

B. Lot, yard and bulk requirements – single family dwelling

Regulation	Requirement	Lot area (minimum)
5,500 square feet		
Width at building line (minimum)	50 feet	
Front yard (minimum)	30 feet	
Side yard, each (minimum)	10 feet	
Rear yard (minimum))	25 feet	
Principal building height (maximum)	35 feet	
Accessory building height (maximum)	20 feet	
Building coverage (maximum)	20% of total lot area	
Impervious surface (maximum)	35% of total lot area	

C. Lot, yard and bulk requirements – for each unit of a twin and/or duplex dwelling.

Regulation	Requirement
Lot area (minimum)	3,300 square feet
Width at building line (minimum)	30 feet
Front yard (minimum)	30 feet
Side yard, each (minimum)	10 feet
Rear yard (minimum))	25 feet
Principal building height (maximum)	35 feet
Accessory building height (maximum)	20 feet
Building coverage (maximum)	20% of total lot area
Impervious surface (maximum)	35% of total lot area

* * * * * * *

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 13th day of SEPTEMBER, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 11-1245

AN ORDINANCE Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, By Revising The Zoning Map To Rezone Variously From B Residential District And C Residential District To NH North Hills Residential District Certain Properties Bordered By Pennsylvania Avenue, Chelsea Avenue, Limekiln Pike, Beechwood Avenue And Jackson Avenue In The North Hills Section Of The Township Of Upper Dublin.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to rezone variously from B Residential District and C Residential District to NH North Hills Residential District certain properties lying between Pennsylvania Avenue, Chelsea Avenue, Limekiln Pike, Beechwood Avenue and Jackson Avenue, the area being described as follows:

District Boundary

ALL THAT CERTAIN revised zoning district situate in Upper Dublin Township, Montgomery County, Pennsylvania, being shown on a plan of Proposed North Hills Zoning, "NH" Residential, prepared for Upper Dublin Township, by Metz Engineers, Civil Engineers and Surveyors, Lansdale, Pennsylvania, dated April 18, 2011, and being more fully described as follows:

BEGINNING at the point intersection of the centerlines of Beechwood Avenue and Linden Avenue; thence, extending along said Linden Avenue in southwesterly direction ±144 feet to a point on the southwesterly line of lands of taxmap block 69, unit 1 extended; thence, extending along the said block 69 unit 1 lands in a southeasterly direction to an angle point, being also the easternmost rear corner on block 69 unit 7; thence, continuing along the rear of lot 1 and also extending along the rear lines of units 2, 54, and 55 in a southerly direction to a point on the centerline of Summit Avenue, also being the Abington Township Line; thence, extending along the Summit Avenue centerline and the Abington Township Line, in an westerly direction to the centerline of Chelsea

Avenue, as shown on said plan; thence, extending along the centerline of Chelsea Avenue and the Abington Township Line, in a southwesterly direction and crossing Walnut Avenue and Chestnut Avenue to an angle point fronting on taxmap parcel block 64, unit 22; thence, continuing along the centerline of Chelsea Avenue and Abington Township Line, in a southerly direction to a point on the northeasterly line of lands of block 64, unit 16 extended; thence, extending along said block 64, unit 16 the following two (2) courses and distances; 1) in a northwesterly to the northernmost corner; 2) in a southwesterly direction to a point in the rear line of block 64, unit 17; thence, extending along the rear of units 17 and 18 in a northwesterly direction to a point on the centerline of Linden Avenue; thence, extending along the centerline of Linden Avenue in a southwesterly direction to the northeasterly line of block 64, unit 15 extended; thence, extending along said block 64 unit 15 in a northwesterly direction to a common corner of block 64, units 1 and 2; thence, extending along the rear line of said block 64 unit 2 in a northeasterly direction to the easternmost rear corner of said unit 2; thence, extending along the northeasterly line of said unit 2 in a northwesterly direction to the centerline of Logan Avenue; thence, extending along the centerline of Logan Avenue in a southwesterly direction to the northeasterly line of block 63, unit 48 extended; thence, extending along the northeasterly line of block 63, unit 48 in a northwesterly direction to northernmost rear corner of said unit 48; thence, extending along the northwesterly line of unit 48 in a southwesterly direction to the easternmost rear corner of block 63 unit 23; thence, extending along the northeasterly line of said unit 23 in a northwesterly direction to a point on the centerline of Girard Avenue; thence, extending along the centerline of Girard Avenue in a northeasterly direction to a point in the northeasterly line of lands of block 63, unit 22 extended; thence, extending along said unit 22 the following two (2) courses and distances; 1) in a northwesterly direction to the northernmost rear corner; 2) in a southwesterly direction to the easternmost rear corner of block 63 unit 3; thence, extending along the northeasterly line of said unit 3 in a northwesterly direction to the centerline of Jackson Avenue; thence, extending along the said centerline of Jackson Avenue, crossing the terminus of Chestnut, Walnut and Summit Avenues, in a northeasterly direction to the centerline of the aforementioned Beechwood Avenue; thence, extending along the said centerline in a southeasterly direction, crossing the terminus of Girard and Logan Avenues, to the centerline of Linden Avenue, said point being the point and place of beginning.

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

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

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

Approved this 13th day of SEPTEMBER, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

Attest:

Paul A. Leonard, Secretary

g:\ordinance\chapter 255\WH zoning map
7.27.11

TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

ORDINANCE NO. 11-1246

AUTHORIZING THE INCURRENCE OF ELECTORAL AND NONELECTORAL DEBT OF THE TOWNSHIP OF UPPER DUBLIN BY THE ISSUANCE OF $5,860,000 GENERAL OBLIGATION BONDS, SERIES OF 2011, FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARDS FINANCING A CAPITAL PROGRAM AND A REFINANCING PROGRAM; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF BOND; SETTING FORTH THE STATED PRINCIPAL MATURITY AMOUNTS AND DATES, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; FINDING THAT A COMPETITIVE PRIVATE INVITED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP AND ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township of Upper Dublin (the **"Township"**) is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 Pa. Cons. Stat § 8001 *et seq.*, as amended (the **"Act"**), to incur indebtedness and to issue bonds for the purposes of funding capital projects and refunding outstanding indebtedness; and

WHEREAS, the Township has determined to finance (i) the purchase of a parcel of property to expand existing passive recreation lands and the Township's trail system and (ii) the construction of a segment of a trail system along Camphill Road (the **"Capital Program"**); and

WHEREAS, the Township has heretofore issued its $8,140,000 General Obligation Bonds, Series of 2002 (the **"2002 Bonds"**); and

WHEREAS, the Township has heretofore issued its $5,390,000 General Obligation Bonds, Series of 2005 (the **"2005 Bonds"**); and

WHEREAS, the Township has further determined to refund, on a current basis, all of the outstanding 2002 Bonds and 2005 Bonds (the **"Refinancing Program"**), specifically, the remaining 2002 Bonds maturing on July 15, 2012 and the remaining 2005 Bonds maturing on and after July 15, 2012 (collectively, the **"Refunded Bonds"**), in order to reduce the debt service that would otherwise be payable on the Refunded Bonds; and

WHEREAS, the Township now proposes to incur electoral debt in the aggregate amount of $265,000 and nonelectoral debt in the aggregate amount of $5,595,000 and to evidence the same by the issuance of its $5,860,000 aggregate principal amount General Obligation Bonds, Series of 2011 dated November 15, 2011 (the **"Bonds"**); and

WHEREAS, the proceeds from the portion of the Bonds which represent electoral debt ($265,000) will be used to finance the cost of the Capital Program and the costs of issuing the Bonds; and

WHEREAS, the proceeds from the portion of the Bonds which represent nonelectoral debt ($5,595,000) will be used to finance the Refinancing Program and the costs of issuing the Bonds; and

WHEREAS, the Township has retained Public Financial Management, Inc. as financial advisor in connection with the issuance of the Bonds (the **"Financial Advisor"**), which will solicit competitive proposals via an Invitation to Bid (the **"Invitation"**) and electronic auction process for the purchase of the Bonds and will present a report on such proposals to the Township; and

WHEREAS, the Township now desires to authorize the issuance of the Bonds for the purposes set forth above and to accept the proposal for the purchase of the Bonds offering the lowest interest cost to the Township.

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

Section 1. Authorization of the Refinancing Program and Capital Program and Incurrence of Indebtedness; Statement of Estimated Useful Life of the Capital Program and Statement of Purposes of Refinancing Program. The Township hereby authorizes and shall undertake the Refinancing Program and the Capital Program both as described in the preambles to this Ordinance. The Township shall incur indebtedness pursuant to the Act in the aggregate principal amount of $5,860,000 to finance the costs of the Refinancing Program, provide funds for the Capital Program and pay the costs and expenses of issuing the Bonds.

The estimated useful life of the Capital Program is in excess of thirty (30) years. It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142 of the Act taking into account the estimated useful life of the Capital Program.

The Township has obtained realistic estimates of the costs of the Capital Program through bid or contract prices or professional cost estimates from persons qualified by experience to provide such estimates.

The Township hereby reserves the right to undertake the individual components of the Capital Program in such order and at such time or times as it shall determine and to allocate a portion of the proceeds of the Bonds and other available moneys to the final costs of the projects in such amounts and order of priority as it shall determine; provided that the proceeds of the Bonds issued as electoral debt and the earnings thereon shall be used solely for the Capital Program unless this Ordinance is amended to change the amounts of the Bonds allocated as electoral debt; and provided further that the proceeds of the Bonds shall be used solely to pay "costs", as defined in the Act, of the Capital Program or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

The 2002 Bonds were issued to finance (i) a portion of the costs of the Township's capital improvement program, which included capital projects consisting of the acquisition of open space land; a storm water management program; and the completion of construction of renovations, additions and improvements to the Township's Administration Building; (ii) the current refunding of the Township's General Obligation Bonds, Series of 1995 (the **"1995 Bonds"**) and the advance refunding of the Township's General Obligation Bonds, Series of 1997; (the **"1997 Bonds"**) and (iii) the payment of the costs of issuance of the 2002 Bonds. The estimated useful lives of the projects financed by the 2002 Bonds were not less than forty (40) years for the open space land and the storm water management program and not less than twenty (20) years for the renovations and improvements to the Township Building.

The 2005 Bonds were issued to finance the advance refunding of a portion of the 2002 Bonds and the costs and expenses of issuing the 2005 Bonds.

The latest maturity of the Bonds (July 15, 2021) does not extend beyond the useful lives of the projects originally funded with proceeds of the 2002 Bonds. Furthermore, the useful lives of the original projects financed by the 1995 Bonds and the 1997 Bonds and refinanced by the issuance of the 2002 Bonds are in excess of the terms of the Bonds. The latest maturity of the Bonds (July 15, 2021) does not extend beyond the latest maturities of either the 2002 Bonds or the 2005 Bonds.

It is hereby determined and set forth that the purpose of the Refinancing Program is as set forth in the preamble to this Ordinance. The Refinancing Program is being undertaken by the Township for the purpose of reducing the debt service that would otherwise be payable on the Refunded Bonds in compliance with Section 8241(b)(1) of the Act. Attached hereto as **Exhibit "A"** and made a part hereof is the schedule of debt service savings in connection with the refinancing of the Refunded Bonds.

Section 2. Authorization of Issuance of Bonds. The Township shall issue, pursuant to the Act and this Ordinance, $5,860,000 aggregate principal amount of its General Obligation Bonds, Series of 2011 to provide funds for and toward the costs of the Refinancing

Program and the Capital Program and to pay the costs of issuing the Bonds as provided in Section 1 hereof.

Section 3. Type of Indebtedness. The indebtedness authorized by this Ordinance is electoral debt to the extent of $265,000 principal amount and nonelectoral debt to the extent of the remaining principal amount. For purposes for determining the outstanding electoral and nonelectoral debt of the Township during the life of the Bonds, the Bonds of each maturity shall be divided between electoral and nonelectoral debt as shown in **Exhibit "B"** attached hereto and made a part hereof.

Section 4. Execution of Debt Statement, Bonds and Other Documents. The President or Vice President of the Board of Commissioners and the Secretary or any Assistant Secretary of the Township and their successors are hereby authorized and directed to file the debt statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in connection with the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance.

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

Section 6. Covenant to Pay Debt Service - Pledge of Taxing Power. The Township hereby covenants with the registered owners of the Bonds outstanding pursuant to this Ordinance as follows: that the Township will include in its budget for each fiscal year during the life of the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding; that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; that the Township shall duly and punctually pay or cause to be paid the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 6 shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant are those set forth in **Exhibit "C"** 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 Bond. The Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

(FORM OF BOND)

No. R- **$_____**

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania

GENERAL OBLIGATION BOND,
SERIES OF 2011

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
%	July 15, ____	November 15, 2011	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: $ DOLLARS

Township of Upper Dublin, Montgomery County, Pennsylvania (the **"Township"**), for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, and to pay interest thereon from November 15, 2011 or the most recent Interest Payment Date to which interest has been paid or duly provided for, initially on January 15, 2012 and semiannually thereafter on January 15 and July 15 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. The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of Manufacturers and Traders Trust Company (the **"Paying Agent"**) in Harrisburg, Pennsylvania or Buffalo, New York. Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as registrar, at the address appearing thereon at the close of business on the last day of the calendar month (whether or not a 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"**) for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for payment of the defaulted interest, and notice of the Special Record Date and of the payment date for such interest shall be given to registered owners of the Bonds not less than fifteen (15) days prior to the Special Record Date. Such notice shall be mailed to the persons in whose names such Bonds are registered at the close of business on the fifth (5^{th}) day preceding the date of

mailing. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2011, of the Township in the aggregate principal amount of $5,860,000 (the **"Bonds"**). The Bonds are issued in fully registered book-entry only form in the denomination of $5,000 or any integral multiple thereof, all of like date and tenor, except as to dates of maturity, rates of interest and provisions for redemption, and all issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the **"Commonwealth"**), 53 Pa. Cons. Stat. § *et seq.*, as amended (the **"Act"**), and pursuant to an ordinance of the Township Board of Commissioners duly enacted on October 11, 2011 (the **"Ordinance"**). The Bonds are issued for the purpose of financing a capital program and a refinancing program, both as described in the Ordinance, and paying the costs of issuing the Bonds.

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

The Bonds maturing on or after July 15, 2017 are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, on January 15, 2017 or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 30 days nor more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to The Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("**EMMA**") site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

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

The Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender thereof at the designated corporate trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds of the applicable series during a period beginning at the close of business on the fifth (5^{th}) day next preceding the day of selection of such series of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given; or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

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

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

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday or a day on which banking institutions in the jurisdiction in which the corporate trust payment office of the Paying Agent is located are authorized or directed by law or executive order to close (a **"Holiday"**), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

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

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

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 signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto affixed, duly attested by the signature of the Township Secretary.

TOWNSHIP OF UPPER DUBLIN

By: _____
President, Board of Commissioners

Attest: _____
Township Secretary

(SEAL)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series of 2011, described in the within mentioned Ordinance.

MANUFACTURERS AND TRADERS TRUST COMPANY, as Paying Agent

Date of Authentication:

By: _____
Authorized Signer

ASSIGNMENT AND TRANSFER

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

PLEASE INSERT SOCIAL SECURITY OR EMPLOYER IDENTIFICATION NUMBER OF ASSIGNEE

/_____/

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

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

Dated:

Signature Guaranteed by:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guaranteed program.

_____

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

_____

(Authorized Signature)

[END OF BOND FORM]

Section 8. Terms of Bonds. The Bonds shall be issued in fully registered book-entry only form, in the denomination of $5,000 or any integral multiple thereof, shall be dated November 15, 2011, shall be issued in the aggregate principal amount of $5,860,000, shall bear interest from November 15, 2011, payable initially on January 15, 2012 and semiannually thereafter on January 15 and July 15 of each year at the rates and shall mature on July 15 of the years as set forth in the Bond Amortization Schedule attached hereto as **Exhibit "C"** and made a part hereof.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of Manufacturers and Traders Trust Company, in Harrisburg, Pennsylvania or Buffalo, New York, which is hereby appointed paying agent and registrar for the Bonds and the sinking fund depository. Interest on the Bonds shall be payable in the manner provided in the Form of Bond set forth herein.

The Bonds are being amortized so that the debt service on all outstanding debt of the Township following the issuance of the Bonds will be brought more nearly into an overall level annual debt service plan as shown on the total debt service schedule attached hereto as **Exhibit "D"** and made a part hereof.

Section 9. Redemption of Bonds. The Bonds maturing on or after July 15, 2017 shall be subject to redemption prior to maturity, at the option of the Township, as a whole or in part from time to time, in any order of maturity or portion of a maturity as selected by the Township, on January 15, 2017 or any date thereafter upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 30 days nor more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to The Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access (**"EMMA"**) site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

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

Section 11. Creation of and Deposits in Sinking Fund. The Township covenants that there shall be and there is hereby established and that it shall hereafter maintain a sinking fund (the **"Sinking Fund"**) designated as the "Sinking Fund – General Obligation Bonds, Series of 2011" for the Bonds to be held by the Paying Agent (or such substitute or successor Paying Agent which shall hereafter be appointed in accordance with the provisions of the Act) in the name of the Township, but subject to withdrawal only by the Paying Agent.

The Township covenants and agrees to deposit in the Sinking Fund not later than January 15 and July 15 of each year beginning January 15, 2012 the debt service payable on the Bonds on such dates, all as set forth in **Exhibit "C"** attached hereto, or such greater or lesser amount as at the time shall be sufficient to pay principal of and interest on the Bonds becoming due on each such date.

Pending application to the purposes for which the Sinking Fund is established, the President of the Township Board of Commissioners or the Secretary or Assistant Secretary of the Township is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in the Sinking Fund during each applicable period shall be added to the Sinking Fund and shall be credited against the deposit next required to be made in the Sinking Fund.

The Paying Agent is hereby authorized and directed, without further action by the Township, to pay from the Sinking Fund the principal of and interest on the Bonds as the same shall

become due and payable in accordance with the terms hereof, and the Township hereby covenants that such monies, to the extent required, will be applied to such purposes.

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

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

Section 13. Award and Sale of Bonds. The Township hereby awards and sells the Bonds to BNY Mellon Capital Markets, LLC (the **"Underwriter"**), at a price of $5,874,527.45 (representing the face amount of the Bonds less Underwriter's discount of $44,536 and plus net original issue premium of $59,063.45) plus accrued interest, if any, from November 15, 2011 to the date of delivery and in accordance with the other terms and conditions set forth in the proposal of the Underwriter dated October 11, 2011, which is hereby approved and accepted. A copy of said proposal, along with the Invitation to Bid prepared by the Financial Advisor and the Financial Advisor's report on the sale of the Bonds shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said proposal and to deliver or cause the Financial Advisor to deliver executed copies thereof to the Underwriter. Delivery of the accepted proposal to the Underwriter shall constitute conclusive evidence that the award and sale of the Bonds under this Ordinance have become final.

Section 14. Contract with Paying Agent. The proper officers of the Township are authorized to contract with Manufacturers and Traders Trust Company, Harrisburg, Pennsylvania or Buffalo, New York in connection with the performance of its duties as the Paying Agent and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act.

Section 15. Appointment of Securities Depository. The Depository Trust Company, New York, New York (**"DTC"**), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system (**"DTC Participants"**). The ownership of one fully registered Bond for each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC. Each Bond will be in the aggregate principal amount of such maturity as shown on **Exhibit "C"** attached hereto. The Township shall cause the Bonds to be delivered to DTC or the Paying Agent, as custodian for DTC, on or before the date of issuance of the Bonds.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the **"Beneficial Owner"**) will not receive certificated Bonds and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of

DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Township and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Township officials then holding the offices set forth in Section 20 of this Ordinance are hereby authorized to designate a successor securities depository or to deliver certificates to the Beneficial Owners of the Bonds. The Township shall give notice or cause the Paying Agent to give notice, to DTC in accordance with the Blanket Letter of Representations for the redemption or other retirement of all of the Bonds. The Township will provide for the form of notice. Upon receipt of such notice, DTC will forward the notice to the DTC Participants for subsequent forwarding of such notice to the Beneficial Owners of the Bonds. The Township will pay the customary charges for such mailing.

Section 16. Redemption of 2002 Bonds and 2005 Bonds - Deposit of Funds. The Township hereby calls for redemption on or about January 17, 2012 the remaining 2002 Bonds maturing on July 15, 2012. The Township shall deposit with TD Bank, N.A., as successor Paying Agent for the 2002 Bonds, the amount required to pay the principal and interest to the date of redemption on the 2002 Bonds.

The Township further hereby calls for redemption on or about January 17, 2012 the remaining 2005 Bonds maturing on and after July 15, 2012. The Township shall deposit with Manufacturers and Traders Trust Company, as Paying Agent for the 2005 Bonds, the amount required to pay the principal and interest to the date of redemption on the 2005 Bonds.

The officers of the Township are hereby authorized and directed to execute all documents and to take such other action as may be necessary or advisable to effect the redemption and payment of the Refunded Bonds, including redemption instructions to the respective Paying Agents for the Refunded Bonds.

Section 17. Federal Tax Covenants. The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for the purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the **"Code"**), and all applicable regulations promulgated with respect thereto throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the proceeds of the Bonds which would cause the Bonds to be "arbitrage bonds" as defined in Section 148 of the Code. The Township further covenants to

comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The Township hereby represents and warrants, after due investigation and to the best of its knowledge, that (i) the Bonds are not "private activity bonds" within the meaning of Section 141 of the Code and (ii) the aggregate face amount of "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code (which includes qualified 501(c)(3) bonds but not any other private activity bonds) issued or to be issued by the Township (and all "subordinate entities" thereof) during the 2011 calendar year (other than certain obligations not required to be taken into account for purposes of that Section of the Code), is not reasonably expected to exceed $10,000,000. The Township hereby designates the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby authorizes the proper officers of the Township to execute a certificate to that effect at the time of the closing.

The Township reasonably expects that (a) the Township will enter into binding obligations to spend at least five percent (5%) of the proceeds of the Bonds allocable to the Capital Program on the Capital Program within six months of the date of issuance of the Bonds, (b) the Township will proceed with due diligence to complete the Capital Program, and (c) at least 85% of the proceeds of the Bonds allocable to the Capital Program will be expended on the Capital Program within three years of the date of issuance of the Bonds.

Section 18. Execution and Authentication of Bonds. As provided in Section 4, the Bonds shall be executed by the President or Vice President of the Board of Commissioners of the Township and the Secretary or any Assistant Secretary of the Township and each such execution may be by manual signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of the Paying Agent.

Section 19. Application of Bond Proceeds. The net purchase price for the Bonds and any accrued interest payable by the Underwriter shall be paid to the Paying Agent on behalf of the Township. Upon receipt of the net purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing in the amounts substantially as set forth in the purchase proposal of the Underwriter, which are hereby approved, and the proper officers of the Township are authorized to direct the Paying Agent to pay the issuance costs on behalf of the Township as set forth in written directions to the Paying Agent. The portion of the net proceeds of the Bonds issued to finance the Refinancing Program shall be applied to the payment of the Refunded Bonds as provided in Section 16 hereof. The balance of the proceeds, together with the good faith security deposit previously paid by the purchaser on October 11, 2011, shall be deposited in an appropriate Township account(s).

The Township hereby approves the establishment of a segregated account(s) for the net proceeds of the Bonds and the balance of the proceeds shall be deposited in such account pending disbursement to pay the costs of the Capital Program as set forth in instructions from the Township to the Paying Agent. The monies in such account will be invested in accordance with Section 8224 of the Act.

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 or the Secretary of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice President or any 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 Preliminary Official Statement dated October 5, 2011 for the Bonds, in the form presented to this meeting, is hereby approved and "deemed final" by the Township as of its date for purposes of United States Securities and Exchange Commission Rule 15c2-12. A final Official Statement to be dated October 11, 2011, substantially in the form of the Preliminary Official Statement presented to this meeting and also containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date hereof, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

Section 22. Covenant to Pledge Sufficient Funds. The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Bonds, the Township will have irrevocably pledged for the benefit of the owners of the Refunded Bonds, amounts sufficient to pay all interest on the Refunded Bonds to the date of redemption thereof, and the principal of the Refunded Bonds to the date of redemption thereof so that the Refunded Bonds will no longer be outstanding under the Act.

Section 23. Continuing Disclosure. The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement dated as of November 15, 2011 (the **"Continuing Disclosure Agreement"**). The Township further covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. The Continuing Disclosure Agreement shall be in form and substance as approved by the appropriate officers. The appropriate officers are hereby authorized and directed to execute said Continuing Disclosure Agreement on behalf of the Township. Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

Section 24. Bond Insurance. If deemed financially advantageous to the Township in connection with the issuance of the Bonds, the officers of the Township are hereby authorized to purchase a policy of insurance guaranteeing the payment of all or a portion of the principal of and interest on the Bonds, to pay the premium for such policy from the proceeds of the Bonds and to execute such documents as may be necessary to effect the issuance of such policy. If applicable, the Bonds issued under this Ordinance may include a statement of the terms of such insurance policy and the Authentication Certificate of the Paying Agent appearing on each Bond may include a statement confirming that the original or a copy of the insurance policy is on file with the Paying Agent.

Section 25. Reimbursement—Declaration of Intent. The Township reasonably expects to reimburse itself from proceeds of the obligations authorized by this Ordinance for capital expenditures with respect to the Capital Program initially paid for from current or other temporarily available funds of the Township. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this Ordinance) are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township's control. The Township acknowledges that in order to reimburse itself for capital expenditures incurred with respect to the Capital Program, the obligations authorized by this Ordinance must be initially issued not later than one year after the later of the date the relevant capital expenditure is initially paid or the date the relevant capital improvement is placed into service.

Section 26. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township.

Section 27. Act Applicable to Bonds. This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

Section 28. Contract with Bondholders. This Ordinance constitutes a contract with the registered owners of the Bonds from time to time outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

Section 29. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond issued pursuant hereto shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds and this Ordinance or said Bonds

shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

Section 30. Repealer. All ordinances and parts of ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

Section 31. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

ENACTED AND ORDAINED this 11th day of October, 2011.

(TOWNSHIP SEAL)

ATTEST:

Secretary of
Township Board of Commissioners

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

President of Township
Board of Commissioners

EXHIBIT "A"
TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania
$5,860,000 GENERAL OBLIGATION BONDS, SERIES OF 2011

SCHEDULE OF DEBT SERVICE SAVINGS

TOWNSHIP OF UPPER DUBLIN
SERIES OF 2011
Refunding Portion

Settle Dated 11/15/2011
11/15/2011

	1	2	3	4	5	6	7	8	9
	Date	Principal	Coupon	Yield	Interest	Semi-Annual Debt Service	Annual Debt Service	Existing Debt Service	Savings
	1/15/2012				21,835.00	21,835.00			
	7/15/2012	185,000	0.600	0.600	65,505.00	250,505.00	272,340.00	556,362.50	284,022.50
	1/15/2013				64,950.00	64,950.00			
	7/15/2013	420,000	1.000	0.700	64,950.00	484,950.00	549,900.00	552,243.75	2,343.75
	1/15/2014				62,850.00	62,850.00			
	7/15/2014	425,000	2.000	0.900	62,850.00	487,850.00	550,700.00	550,381.25	(318.75)
	1/15/2015				58,600.00	58,600.00			
	7/15/2015	435,000	2.500	1.200	58,600.00	493,600.00	552,200.00	552,725.00	525.00
	1/15/2016				53,162.50	53,162.50			
	7/15/2016	445,000	3.000	1.500	53,162.50	498,162.50	551,325.00	549,465.00	(1,860.00)
*	1/15/2017				46,487.50	46,487.50			
	7/15/2017	455,000	1.900	1.950	46,487.50	501,487.50	547,975.00	550,465.00	2,490.00
	1/15/2018				42,165.00	42,165.00			
	7/15/2018	460,000	2.150	2.200	42,165.00	502,165.00	544,330.00	550,525.00	6,195.00
	1/15/2019				37,220.00	37,220.00			
	7/15/2019	895,000	2.450	2.500	37,220.00	932,220.00	969,440.00	974,615.00	5,175.00
	1/15/2020				26,256.25	26,256.25			
	7/15/2020	925,000	2.750	2.770	26,256.25	951,256.25	977,512.50	976,990.00	(522.50)
	1/15/2021				13,537.50	13,537.50			
	7/15/2021	950,000	2.850	2.870	13,537.50	963,537.50	977,075.00	977,600.00	525.00
	TOTALS	**5,595,000**			**897,797.50**	**6,492,797.50**	**6,492,797.50**	**6,791,372.50**	**298,575.00**

* *Optional Redemption Date of January 15, 2017*

Savings as a % of Refunded Par **5.48%**

EXHIBIT "B"

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

$5,860,000 General Obligation Bonds, Series of 2011

ELECTORAL/NONELECTORAL DEBT BREAKDOWN

TOWNSHIP OF UPPER DUBLIN
~~SERIES OF 2011~~ *Settle* ~~11/15/2011~~
New Money Portion (Electoral) *Dated* 11/15/2011

	1	2	3	4	5	6	7
	Date	Principal	Coupon	Yield	Interest	Semi-Annual Debt Service	Annual Debt Service
	1/15/2012				950.42	950.42	
	7/15/2012	25,000	0.600	0.600	2,851.25	27,851.25	28,801.67
	1/15/2013				2,776.25	2,776.25	
	7/15/2013	25,000	1.000	0.700	2,776.25	27,776.25	30,552.50
	1/15/2014				2,651.25	2,651.25	
	7/15/2014	25,000	2.000	0.900	2,651.25	27,651.25	30,302.50
	1/15/2015				2,401.25	2,401.25	
	7/15/2015	25,000	2.500	1.200	2,401.25	27,401.25	29,802.50
	1/15/2016				2,088.75	2,088.75	
	7/15/2016	25,000	3.000	1.500	2,088.75	27,088.75	29,177.50
*	1/15/2017				1,713.75	1,713.75	
	7/15/2017	25,000	1.900	1.950	1,713.75	26,713.75	28,427.50
	1/15/2018				1,476.25	1,476.25	
	7/15/2018	25,000	2.150	2.200	1,476.25	26,476.25	27,952.50
	1/15/2019				1,207.50	1,207.50	
	~~7/15/2019~~	~~30,000~~	~~2.450~~	~~2.500~~	~~1,207.50~~	~~31,207.50~~	~~32,415.00~~
	1/15/2020				840.00	840.00	
	7/15/2020	30,000	2.750	2.770	840.00	30,840.00	31,680.00
	1/15/2021				427.50	427.50	
	7/15/2021	30,000	2.850	2.870	427.50	30,427.50	30,855.00
	TOTALS	**265,000**			**34,966.67**	**299,966.67**	**299,966.67**

** Optional Redemption Date of January 15, 2017*

TOWNSHIP OF UPPER DUBLIN
SERIES OF 2011
Refunding Portion (Nonelectoral)

Settle 11/15/2011
Dated 11/15/2011

	1	2	3	4	5	6	7	8	9
	Date	Principal	Coupon	Yield	Interest	Semi-Annual Debt Service	Annual Debt Service	Existing Debt Service	Savings
	1/15/2012				21,835.00	21,835.00			
	7/15/2012	185,000	0.600	0.600	65,505.00	250,505.00	272,340.00	556,362.50	284,022.50
	1/15/2013				64,950.00	64,950.00			
	7/15/2013	420,000	1.000	0.700	64,950.00	484,950.00	549,900.00	552,243.75	2,343.75
	1/15/2014				62,850.00	62,850.00			
	7/15/2014	425,000	2.000	0.900	62,850.00	487,850.00	550,700.00	550,381.25	(318.75)
	1/15/2015				58,600.00	58,600.00			
	7/15/2015	435,000	2.500	1.200	58,600.00	493,600.00	552,200.00	552,725.00	525.00
	1/15/2016				53,162.50	53,162.50			
	7/15/2016	445,000	3.000	1.500	53,162.50	498,162.50	551,325.00	549,465.00	(1,860.00)
*	1/15/2017				46,487.50	46,487.50			
	7/15/2017	455,000	1.900	1.950	46,487.50	501,487.50	547,975.00	550,465.00	2,490.00
	1/15/2018				42,165.00	42,165.00			
	7/15/2018	460,000	2.150	2.200	42,165.00	502,165.00	544,330.00	550,525.00	6,195.00
	1/15/2019				37,220.00	37,220.00			
	7/15/2019	895,000	2.450	2.500	37,220.00	932,220.00	969,440.00	974,615.00	5,175.00
	1/15/2020				26,256.25	26,256.25			
	7/15/2020	925,000	2.750	2.770	26,256.25	951,256.25	977,512.50	976,990.00	(522.50)
	1/15/2021				13,537.50	13,537.50			
	7/15/2021	950,000	2.850	2.870	13,537.50	963,537.50	977,075.00	977,600.00	525.00
	TOTALS	5,595,000			897,797.50	6,492,797.50	6,492,797.50	6,791,372.50	298,575.00

* *Optional Redemption Date of January 15, 2017*

Savings as a % of Refunded Par 5.48%

EXHIBIT "C"
TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania
$5,860,000 GENERAL OBLIGATION BONDS, SERIES OF 2011

BOND AMORTIZATION SCHEDULE

TOWNSHIP OF UPPER DUBLIN					Settle	11/15/2011
SERIES OF 2011					Dated	11/15/2011
Combined						
1	2	3	4	5	6	7
Date	Principal	Coupon	Yield	Interest	Semi-Annual Debt Service	Annual Debt Service
1/15/2012				22,785.42	22,785.42	
7/15/2012	210,000	0.600	0.600	68,356.25	278,356.25	301,141.67
1/15/2013				67,726.25	67,726.25	
7/15/2013	445,000	1.000	0.700	67,726.25	512,726.25	580,452.50
1/15/2014				65,501.25	65,501.25	
7/15/2014	450,000	2.000	0.900	65,501.25	515,501.25	581,002.50
1/15/2015				61,001.25	61,001.25	
7/15/2015	460,000	2.500	1.200	61,001.25	521,001.25	582,002.50
1/15/2016				55,251.25	55,251.25	
7/15/2016	470,000	3.000	1.500	55,251.25	525,251.25	580,502.50
* 1/15/2017				48,201.25	48,201.25	
7/15/2017	480,000	1.900	1.950	48,201.25	528,201.25	576,402.50
1/15/2018				43,641.25	43,641.25	
7/15/2018	485,000	2.150	2.200	43,641.25	528,641.25	572,282.50
1/15/2019				38,427.50	38,427.50	
7/15/2019	925,000	2.450	2.500	38,427.50	963,427.50	1,001,855.00
1/15/2020				27,096.25	27,096.25	
7/15/2020	955,000	2.750	2.770	27,096.25	982,096.25	1,009,192.50
1/15/2021				13,965.00	13,965.00	
7/15/2021	980,000	2.850	2.870	13,965.00	993,965.00	1,007,930.00
TOTALS	**5,860,000**			**932,764.17**	**6,792,764.17**	**6,792,764.17**

* *Optional Redemption Date of January 15, 2017*

EXHIBIT "D"
TOWNSHIP OF UPPER DUBLIN
Montgomery County, Pennsylvania
$5,860,000 GENERAL OBLIGATION BONDS, SERIES OF 2011

WRAP DEBT SERVICE SCHEDULE

UPPER DUBLIN TOWNSHIP
SUMMARY OF OUTSTANDING INDEBTEDNESS

Debt Service Requirements

	1	2	3	4	5	6	7	8	9	10
		NONELECTORAL						ELECTORAL		
Fiscal Year Ended		G.O. Notes Series of 1998	G.O. Bonds Series of 2002	G.O. Bonds Series of 2005	G.O. Notes Series of 2008	G.O. Bonds Series of 2010	G.O. Bonds, Series of 2011	G.O. Bonds Series of 2010	G.O. Bonds Series of 2011	Total Debt Service
12/31/2011		421,625	312,660	237,813	554,787	591,225		178,995		2,422,101
12/31/2012		421,631			583,744	588,790	272,340	168,700	28,602	2,163,437
12/31/2013		421,053			584,130	585,690	549,900	171,600	30,553	2,442,926
12/31/2014		421,734			582,922	583,040	556,700	169,350	30,303	2,438,078
12/31/2015		421,739			583,102	580,240	552,200	172,100	29,803	2,439,183
12/31/2016		421,950			582,627	582,290	551,325	169,700	29,173	2,437,079
12/31/2017		421,899			581,498	580,553	547,975	172,740	28,423	2,432,593
12/31/2018		422,019			581,675	582,853	544,330	170,403	27,953	2,429,231
12/31/2019					584,115	580,153	936,140	172,853	32,415	2,444,975
12/31/2020					579,820	580,545	977,513	170,316	31,680	2,448,575
12/31/2021					576,748	580,150	977,075	172,048	30,855	2,448,875
12/31/2022					578,658	580,100		173,318		1,545,776
12/31/2023					576,130	591,200		170,318		1,439,648
12/31/2024					577,624	588,600		171,718		1,437,941
12/31/2025					576,997	590,280		172,833		1,440,110
12/31/2026					576,610	591,030		173,653		1,441,193
12/31/2027					576,022	590,820		174,166		1,441,009
12/31/2028					574,511	589,620		169,366		1,433,498
12/31/2029						587,160		169,386		756,578
12/31/2030						589,138		174,200		763,338
12/31/2031						590,255		173,598		763,853
12/31/2032						589,116		172,366		761,485
12/31/2033						587,060		170,916		758,005
12/31/2034						589,173		169,240		758,413
12/31/2035						590,143		172,343		762,485
Totals*		3,373,218	312,660	237,813	12,243,720	14,698,662	6,492,798	4,291,426	299,967	41,950,283
Principal		2,515,000	0	0	9,000,000	8,940,000	5,595,000	2,610,000	265,000	28,926,000
Call Date:		Anytime	1/15/2012	1/15/2012		7/15/2015	1/15/2017	7/15/2015	1/15/2017	
Purpose:		New Money	Cur Ref 1995 & Adv Ref 1997 & New Money	Partial Adv Ref 2002	New Money	New Money	Cur Ref 2002 & 2005	New Money	New Money	

* Outstanding as of October 11, 2011

CERTIFICATE OF SECRETARY

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

The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 2011 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on October 11, 2011; that public notice of said meeting was given as required by law; and that the roll of the Township Board of Commissioners was called and such members voted or were absent as follows:

Name	Vote
Robert J. Pesavento, President	Yes
Ira S. Tackel, Vice President	Yes
Sharon L. Damsker	Absent
Chester H. Derr, III	Yes
Ronald P. Feldman	Yes
Rebecca A. Gushue	Yes
Stanley J. Ropski	Yes

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

WITNESS my hand and seal of the Township this 11th day of October, 2011.

(TOWNSHIP SEAL)

Secretary

AN ORDINANCE

NO. 11-1247

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", Section 233-54, "Parking Prohibited At All Times" By Restricting Parking On Easterly Side Of Farm Lane From 860 Feet South Of Loch Alsh Avenue South For 270 Feet; And By Removing The Prior Regulation Establishing Limited Time Parking On Both Sides Of Farm Lane From Loch Alsh Avenue To Melissa Drive.

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

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

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

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

Name of Street	Side	Location
* * * * * * *		
Farm Lane	East	From 860 feet south of Loch Alsh Avenue South For 270 feet.
* * * * * * *		

Section 2. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-56, Schedule XV: Time Limit Parking, is hereby amended by deleting therefrom the following regulations:

§ 233-56. Schedule XV: Time Limit Parking

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

Farm Lane	Both	2 hours/ 7:00 a.m. to 300 p.m. Monday through Friday	From Loch Alsh Avenue to Schiavone Drive
Farm Lane	Both	2 hours/ 7:00 a.m. to 300 p.m. Monday through Friday	From Schiavone Road to Melissa Drive

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

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

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

ENACTED AND ORDAINED this 11th day of October, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ROBERT J. PESAVENTO, PRESIDENT

ATTEST:

PAUL A. LEONARD, SECRETARY

ordCH 233 VEHICLES & TRAFFICNo Parking-Farm Lane
9.1.11

ORDINANCE

NO. 11-1248

AN ORDINANCE Amending The Code Of The Township Of Upper Dublin To Repeal Chapter 170, Entitled Peace And Good Order, Article I Thereof, Sexual Predator Residency Restrictions.

Section 1. The Code of the Township of Upper Dublin shall be amended by the repeal of Chapter 170, Peace and Good Order, Article I, Sexual Predator Residency Restrictions, in its entirety.

Chapter 170, PEACE AND GOOD ORDER

RESERVED

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of November, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

ORDINANCE NO. 11-1249

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2012

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 2012.

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 2012 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	19,068,851
Receipts from Taxes of Prior Years	92,000
Other Revenues and Receipts	8,480,196
TOTAL ESTMATED RECEIPTS AND CASH	27,641,047

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,241,544
Treasurer and Tax Collector		21,352
Library		1,025,699
Municipal Buildings		509,660
Economic Development		222,813
	TOTAL	4,021,068
PROTECTION TO PERSON AND PROPERTY		
Police		6,604,632
Fire		650,469
Emergency Services		308,873
	TOTAL	7,563,974

SANITATION		2,314,200
CODE ENFORCEMENT		558,104
HIGHWAY AND ENGINEERING		3,616,470
PARKS AND RECREATION		1,959,977
DEBT SERVICE		2,319,411
NON EXPENDABLE TRUSTS		1,900
CAPITAL PROJECTS		
General Capital		1,128,193
Stormwater Management Projects		4,000,000
Fire Capital		100,500
Open Space		44,000
	TOTAL	5,272,693
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		27,641,047

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2012.

ENACTED AND ORDAINED THIS 13th day of December 2011.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Robert J. Pesavento, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 11-1250

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2012 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2012 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2012 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2012 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2012 FOR VOTER APPROVED OPEN SPACE DEBT, THE TAX RATE FOR THE YEAR 2012 FOR LIBRARY SERVICES AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2012, as follows:

Tax rate for General Purposes, the sum of 2.560 mils
on each dollar of assessed valuation, or the sum of 25.60 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.560	25.600

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 2012, as follows:

Tax rate for Debt Service, the sum of 0.929 mils
on each dollar of assessed valuation, or the sum of 9.290 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.929	9.290

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 2012, as follows:

Tax rate for Fire Protection, the sum of	0.571 mils
on each dollar of assessed valuation, or the sum of	5.710 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.571	5.710

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 2012, as follows:

Tax rate for Parks and Recreation the sum of	0.637 mils
on each dollar of assessed valuation, or the sum of	6.370 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.637	6.370

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2012, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of	0.096 mils
on each dollar of assessed valuation, or the sum of	0.960 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Voter Approved Open Space Debt	.096	0.960

SECTION 6: Tax Rate for Library Services

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 2012, as follows:

Tax rate for Library Services, the sum of	0.438 mils
on each dollar of assessed valuation, or the sum of	4.380 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Library Services	.438	4.380

SECTION 7: Discounts and Penalties

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

SECTION 8: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

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

SECTION 10: This Ordinance shall take effect and be in force from and after January 1, 2012.

ENACTED AND ORDAINED THIS 13th day of December 2011.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Robert J. Pesavento, President

ATTEST: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. ~~11-27~~ 11-1251

AN ORDINANCE Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, By Revising The Zoning Map To Rezone Two Parcels From A Residential District And One Parcel From CR-L Commercial Retail District To SC Shopping Center District, The Parcels Being Adjacent To The Maple Glen Shopping Center At The Intersection of Limekiln Pike, Norristown Road and Welsh Road, Maple Glen.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to rezone from A Residential District to SC Shopping Center District a parcel of land designated as Parcel 'A' on the Zoning Change Plan of Maple Glen Shopping Center, prepared for Safeway, Inc., dated October 4, 2011 by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania (Exhibit "A" attached) bounded and described as follows:

BEGINNING at an interior point on line of lands now or formerly of Duck H. and So J. Lee, said point being at a distance of one hundred forty-six and fifty-six one-hundredths feet (146.56') measured North forty-four degrees eleven minutes zero seconds East (N 44° 11' 00" E) from a point on the Southeasterly township legal right-of-way line of Limekiln Pike (61' wide at this point, said township legal right-of-way line being measured 36' at right angles to the centerline of said Limekiln Pike) (SR0152); said point being at a distance of six hundred thirty-three and seventy-three one-hundredths feet (633.73') measured South three degrees thirty-seven minutes zero seconds West (S 03° 37' 00" W) from a point of tangency on said township legal right-of-way line of Limekiln Pike; said point being at a distance of thirty-eight and thirty-nine one-hundredths feet (38.39') measured on the arc of a circle curving to the left with a radius of twenty-five and no one-hundredths feet (25.00') from a point of curvature on the Southwesterly township legal right-of-way line of Norristown Road (46.5' wide as widened by the addition of 13.5' on the Southwesterly side from its former width of 33') (SR2007); THENCE from said point of beginning and through Maple Glen Shopping Center the two following courses and distances: 1) North three degrees forty-two minutes fifty-three seconds East (N 03° 42' 53" E) two hundred fifty-three and eighty-four one-hundredths feet (253.84'); 2) South eighty-eight degrees fifty-five minutes zero seconds East (S 88° 55' 00" E) two hundred twenty-five and sixty-three one-hundredths feet (225.63') to a point, a corner of lands Now or

formerly of Jonathan and Alison Herzog; THENCE along said lands and along lands now or formerly of James E. and Beth Ann Giammaruti, and along lands now or formerly of Duck H. and So J. Lee, South forty-four degrees eleven minutes zero seconds West (S 44° 11' 00" W) three hundred forty-seven and twenty-eight one hundredths feet (347.28') to the first mentioned point and place of beginning.

CONTAINING 28,606 square feet or 0.6567 acres.

Section 2. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to rezone from A Residential District to SC Shopping Center District a parcel of land designated as Parcel 'B' on the Zoning Change Plan of Maple Glen Shopping Center, prepared for Safeway, Inc., dated October 4, 2011 by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania (Exhibit "A" attached) bounded and described as follows:

BEGINNING at a point on the Southeasterly township legal right-of-way line of Limekiln Pike (61' wide at this point, said township legal right-of-way line being measured 36' at right angles to the centerline of said Limekiln Pike) (SR0152); said point being at a distance of one hundred thirty-six and fifty-five one-hundredths feet (136.55') measured South three degrees thirty-seven minutes zero seconds West (S 03° 37' 00" W) from a point of tangency on said township legal right-of-way line of Limekiln Pike; said point being at a distance of thirty-eight and thirty-nine one-hundredths feet (38.39') measured on the arc of a circle curving to the left with a radius of twenty-five and no one-hundredths feet (25.00') from a point of curvature on the Southwesterly township legal right-of-way line of Norristown Road (46.5' wide as widened by the addition of 13.5' on the Southwesterly side from its former width of 33') (SR2007); THENCE from said point of beginning and through Maple Glen Shopping Center the three following courses and distances: 1) South eighty-six degrees thirty-three minutes zero seconds East (S 86° 33' 00" E) ninety-five and ninety-seven one-hundredths feet (95.97'); 2) South three degrees forty-two minutes fifty-three seconds West (S 03° 42' 53" W) one hundred and no one-hundredths feet (100.00'); 3) North eighty-six degrees thirty-three minutes zero seconds West (N 86° 33' 00" W) ninety-five and eighty one-hundredths feet (95.80') to a point on the aforesaid Southeasterly township legal right-of-way line of Limekiln Pike; THENCE along said Southeasterly township legal right-of-way line of Limekiln Pike, North three degrees thirty-seven minutes zero seconds East (N 03° 37' 00" E) one hundred and no one hundredths feet (100.00') to the first mentioned point and place of beginning.

CONTAINING 9,589 square feet or 0.2201 acres.

Section 3. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to rezone from CR-L

Commercial Retail District to SC Shopping Center District a parcel of land designated as Parcel 'C' on the Zoning Change Plan of Maple Glen Shopping Center, prepared for Safeway, Inc., dated October 4, 2011 by Charles E. Shoemaker, Inc., Engineers and Surveyors of Abington, Pennsylvania (Exhibit "A" attached) bounded and described as follows:

> BEGINNING at a point on the Southeasterly township legal right-of-way line of Limekiln Pike (61' wide at this point, said township legal right-of-way line being measured 36' at right angles to the centerline of said Limekiln Pike) (SR0152); said point being at a distance of two hundred thirty-six and fifty-five one-hundredths feet (236.55') measured South three degrees thirty-seven minutes zero seconds West (S 03° 37' 00" W) from a point of tangency on said township legal right-of-way line of Limekiln Pike; said point being at a distance of thirty-eight and thirty-nine one-hundredths feet (38.39') measured on the arc of a circle curving to the left with a radius of twenty-five and no one-hundredths feet (25.00') from a point of curvature on the Southwesterly township legal right-of-way line of Norristown Road (46.5' wide as widened by the addition of 13.5' on the Southwesterly side from its former width of 33') (SR2007); THENCE from said point of beginning and through Maple Glen Shopping Center the three following courses and distances: 1) South eighty-six degrees thirty-three minutes zero seconds East (S 86° 33' 00" E) ninety-five and eighty one-hundredths feet (95.80'); 2) South three degrees forty-two minutes fifty-three seconds West (S 03° 42' 53" W) fifty-seven and sixty one-hundredths feet (57.60'); 3) North sixty-three degrees thirty-two minutes fifteen seconds West (N 63° 32' 15" W) one hundred three and eighty-five one-hundredths feet (103.85') to a point on the aforesaid Southeasterly township legal right-of-way line of Limekiln Pike; THENCE along said Southeasterly township legal right-of-way line of Limekiln Pike, North three degrees thirty-seven minutes zero seconds East (N 03° 37' 00" E) seventeen and no one hundredths feet (17.00') to the first mentioned point and place of beginning.
>
> CONTAINING 3,573 square feet or 0.0820 acres.

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

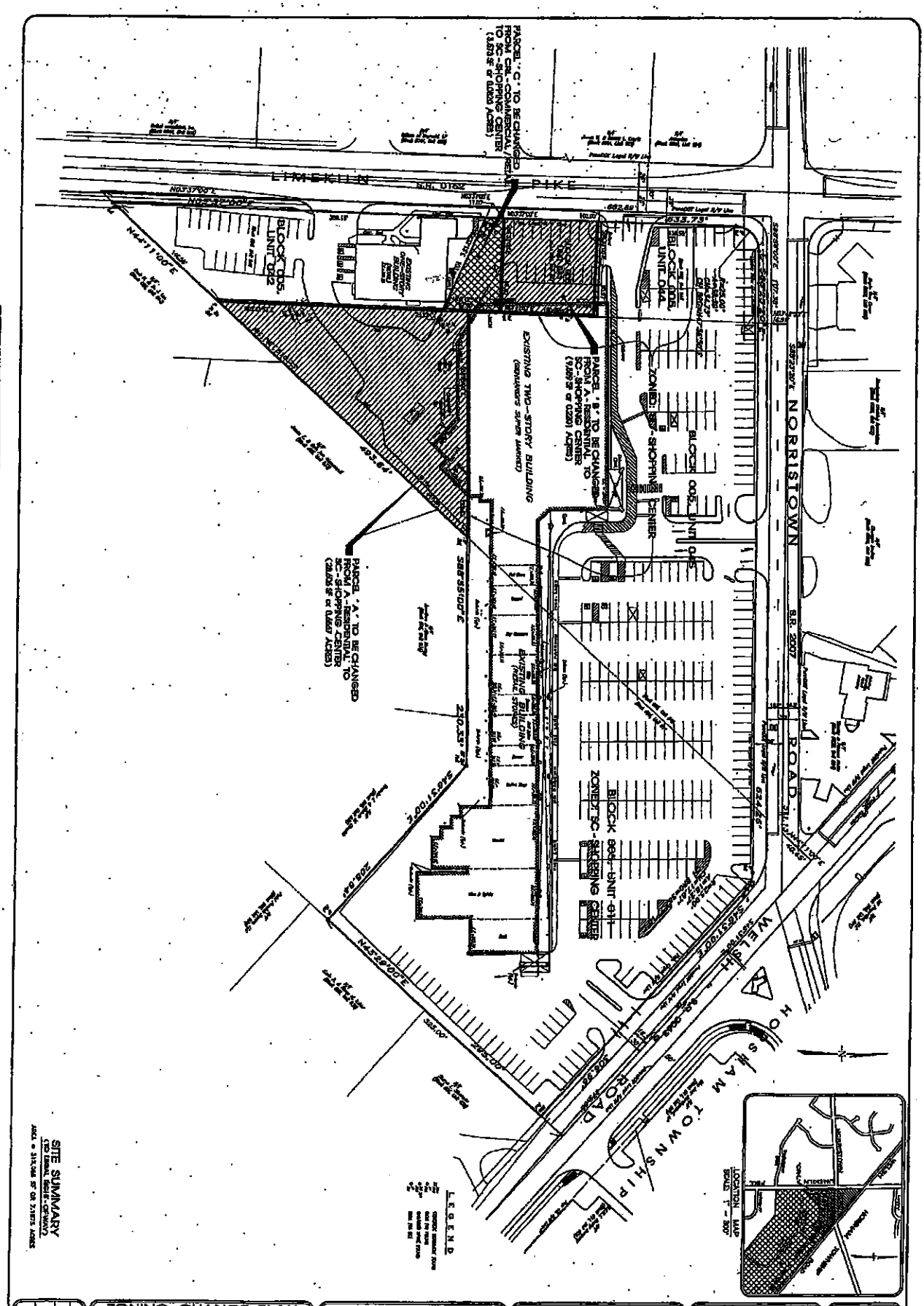
Approved this 13th day of DECEMBER, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

~~Attest:~~

Paul A. Leonard, Secretary


LIMEKILN PIKE
S.R. 0152
NORRISTOWN ROAD
S.R. 2007
WELSH ROAD
TOWNSHIP
PARCEL 'C' TO BE CHANGED FROM C-SHOPPING/COMMERCIAL TO SC-SHOPPING CENTER (1.853 SF or 0.0363 ACRES)
PARCEL 'B' TO BE CHANGED FROM A-RESIDENTIAL TO SC-SHOPPING CENTER (1.089 SF or 0.0301 ACRES)
PARCEL 'A' TO BE CHANGED FROM A-RESIDENTIAL TO SC-SHOPPING CENTER (28,826 SF or 0.667 ACRES)
EXISTING TWO-STORY BUILDING (TO BE DEMOLISHED)
EXISTING BUILDING (ONE STORY)
ZONED SC-SHOPPING CENTER
BLOCK 005 UNIT 012
BLOCK 005 UNIT 004
BLOCK 005 UNIT 011
BLOCK 005 UNIT 010
BLOCK 005 UNIT 013
BLOCK 005 UNIT 014
BLOCK 005 UNIT 015
BLOCK 005 UNIT 016
BLOCK 005 UNIT 017
BLOCK 005 UNIT 018
BLOCK 005 UNIT 019
BLOCK 005 UNIT 020
BLOCK 005 UNIT 021
BLOCK 005 UNIT 022
BLOCK 005 UNIT

AN ORDINANCE

NO. 11-1252

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", Section 233-54, "Parking Prohibited At All Times" By Restricting Parking On Southerly Side Of Ardross Avenue From A Point 80 Feet West Of The Centerline Of Douglass Street West For 60 Feet.

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

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

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

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

Name of Street	Side	Location
* * * * * * *		
Ardross Avenue	South	From 80 feet west of the centerline of Douglass Street west for the distance of 60 feet.
* * * * * * *		

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

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

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

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

ENACTED AND ORDAINED this 13th day of DECEMBER, 2011.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ROBERT J. PESAVENTO, PRESIDENT

ATTEST:

PAUL A. LEONARD, SECRETARY

udent\CH 233 VEHICLES & TRAFFIC\No Parking-Ardrum Avenue
10.18.11

AN ORDINANCE

NO. 11-1253

AN ORDINANCE To Amend The Code Of Upper Dublin Township, Chapter 233, "Vehicles And Traffic", Article VIII, "Schedules", Section 233-58, "Parking Regulations On Public Property", To Add A Restriction On Parking At Upper Dublin Township Athletic Fields To Designated Spaces Only.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 233, "Vehicles and Traffic", Article VIII, "Schedules", Section 233-58, "Schedule XVII; Traffic and Parking Regulations on Public Property", shall be amended by adding a new restriction on parking as follows:

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

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

Area	Regulation
* * * * * * *	
Upper Dublin Sports Park	Parking in designated spaces only, violators will be towed.

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

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

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

ENACTED AND ORDAINED this 13th day of DECEMBER, 2011.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Robert J. Pesavento, President

ATTEST:

Paul A. Leonard, Secretary

ORDINANCE NO. 12-1254

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2012.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2012 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2012 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings of the Township of Upper Dublin for the year 2012 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings of the Township of Upper Dublin for the year 2012 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2012 shall be held on the fourth Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings

may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be effective February 14, 2012 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 14th day of February, 2012.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

Attest: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 12-1255

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", Section 233-54, "Parking Prohibited At All Times" By Restricting Parking On The Westerly Side Of Joel Drive From The Curbline Of Susquehanna Road North The Distance Of 110 Feet, And On The Easterly Side Of Joel Drive From Susquehanna Road To Tannerie Run Road.

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

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

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

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

Name of Street	Side	Location
	* * * * * * *	
Joel Drive	East	From the curbline of Susquehanna Road to Tannery Run Road.
Joel Drive	West	From the curbline of Susquehanna Road north for the distance of 110 feet.

* * * * * * *

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

Section 3 The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent

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

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

ENACTED AND ORDAINED this 13th day of March, 2012.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

IRA S. TACKEL, PRESIDENT

PAUL A. LEONARD, SECRETARY

u:\word\CH 233 VEHICLES & TRAFFIC\No Parking-Ardrox Avenue
10.18.11

AN ORDINANCE

NO. 12-1256

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin To Permit, Under Certain Circumstances, A Solid Fence Up To Six Feet In Height Within The Front Yard Setback Of A Corner Lot In Any Residential Zoning District Where That Frontage Abuts An Arterial Or Primary Street Not Identified As A Scenic Road Corridor.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article III, General Regulations, §255-24. Fencing, subsection A thereof, shall be amended to provide as follows:

ARTICLE III. General Regulations

§ 255-24. Fencing.

A. No fence or wall (except a retaining wall or a wall of a building permitted under this chapter) over six feet in height shall be erected within any of the required side or rear yard setbacks nor over four feet in height (measured from the sidewalk grade) within the required front yard setback, including any area of overlap with a side or rear yard setback, except as noted below. The front yard setback shall be measured from all street frontages abutting the property, for purposes of this section.

1. A solid fence up to six feet in height may be erected on corner lots in residential zoning districts (as described in Article VII of this chapter) within the required front yard setback abutting an Arterial or Primary street, as specified on Upper Dublin Township's Engineering and Construction Standards, Improvements Procedures, provided:

a. That the yard area which would be visually screened by such fence when viewed from the Arterial or Primary street actually serves as the existing dwelling's back yard; and

b. The fence is constructed of materials having the appearance of wood, brick or stone; and

c. The fence is setback from the right of way by at least one foot and,

d. Sufficient backdrop landscaping is provided, such as evergreens and deciduous trees with lower canopies visible above the fence, to visually soften views of the fence from the public right of way.

e. The Arterial or Primary street is not identified as a Scenic Road Corridor on the 2005 Open Space and Environmental Resource Protection Plan, as amended.

* * * * * * * * *

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 10th day of April, 2012.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 12-1257

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin, Chapter 255, Article XXI, Signs, To Permit One Freestanding Sign or One Parallel Wall Sign On Up To Two Street Frontages And To Permit One Monument Sign To Be Substituted For One Freestanding Sign In SC Shopping Center and CR Commercial Retail Zoning Districts.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article XXI, Signs, §255-154. CR Commercial Retail Districts; SC Shopping Center Districts., shall be amended as follows:

ARTICLE XXI, Signs

§ 255-154. CR Commercial Retail Districts; SC Shopping Center Districts.

* * * * * * * * *

D. In an SC Shopping Center District, and in a CR Commercial Retail District on a lot that is 5 acres or larger containing multiple commercial uses, in addition to signs permitted for individual establishments, there shall be permitted one Freestanding Sign or one Parallel Wall Sign indicating the name of the shopping center on up to two street frontages providing access to the development, provided:

1. As to any such sign, the Sign Area shall not exceed 75 square feet and the Sign Height shall not exceed 25 feet.

2. One Monument Sign may be substituted for a Freestanding Sign, provided the Sign Area does not exceed 75 square feet and the Sign Height does not exceed 6 feet.

3. Street Address Numbers. Just below or at the bottom of the primary body of every sign on a street frontage, the property's street address numbers shall be displayed. Lettering shall have a minimum height of 6 inches and be legible from the centerline of the adjacent street.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 10th day of April, 2012.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 12-1258

AN ORDINANCE To Amend The Zoning Code Of Upper Dublin Township By Amending The Definition Of Accessory Use; By Permitting Crematories As An Accessory Use, Except In Residential Zoning Districts Or Within 500 Feet Thereof; And By Removing The Prohibition In The EC Employment District Against A Use Involving The Incineration Of Animal Remains.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article I, General Provisions, § 255-7, Definitions, the definition of Accessory Use, shall be amended to provide as follows:

ACCESSORY USE — A use subordinate to the principal use of land or of a principal building or of a principal structure on a lot and customarily incidental thereto. An accessory use may not be subordinate to another accessory use. Where a use is accessory to a use permitted by special exception or conditional use, then the accessory use shall be permitted only if a like authorization is obtained.

Section 2. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article IV, Accessory Buildings, Uses and Structures, shall be amended by the addition of a new § 255-30.3, Crematory, to provide as follows:

Article IV – Accessory Buildings, Uses and Structures

* * * * * * *

- § 255-30.3. Crematories
- A crematory is permitted in any zoning district, except a residential zoning district or within 500 feet thereof, as an accessory use to a permitted, principal use.

* * * * * * *

Section 3. The Code of Upper Dublin Township, Chapter 255, Zoning, Article XVI, EC Employment District, §255-104, paragraph Z, shall be amended to provide as follows:

§ 255-104. Prohibited uses.

Prohibited uses include, but are not limited to, the following:

* * * * * * *

Z. Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, or offal.

* * * * * * *

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 10th day of April , 2012.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 12-1859

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Zoning, Chapter 255-32, Regulations Pertaining To Impervious Surfaces To Delete The Limited Right Of Expansion Of Impervious Surfaces Provided By §255-32 A(1); To Provide For A Five Percent Expansion Of Impervious Surface Limitations On All Lots For The Purpose Of Constructing A Pool And/Or A Wooden Deck Over A Porous Surface Provided That 125% Of The Volume Of Storm Water Generated Is Recharged; And To Remove The Requirement That The Impervious Surface Expansion Permitted For Public School Properties Shall Be Limited To Lots In Existence On September 9, 2003.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article V, Steep Slopes and Impervious Surfaces, § 255-32, Regulations pertaining to impervious surfaces, paragraphs A.(1) shall be deleted:

~~(1) A lot legally in existence on September 9, 2003, which was then legally covered with an impervious surface within 1% of the maximum impervious cover permitted by this chapter, or which then became nonconforming to such impervious cover provisions, may expand the impervious cover on such lot by a maximum of 1% of the lot area, unless the expansion qualifies under Subsection A below. The benefits of this expansion shall not be available with respect to any lot created or modified after September 9, 2003.~~ RESERVED

Section 2. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article V, Steep Slopes and Impervious Surfaces, § 255-32, Regulations pertaining to impervious surfaces, subsection A.(2) shall be deleted and replaced with the following:

"(2) A lot covered with an impervious surface within 5% of the maximum impervious cover permitted by this chapter but not in excess thereof, or which is lawfully nonconforming to such impervious cover provisions, may expand the impervious cover on such lot by a maximum of 5% of the lot area for the purpose of constructing a pool and/or wooden deck over a porous surface, provided that 125% of the volume of storm water generated by the new construction is recharged for a 100-year storm event. The benefits of this expansion will further be subject to the following requirements:

(a) The area of impervious surface expansion for a pool shall not include the area of water surface and shall apply to coping and/or patio areas.

(b) The area of impervious surface expansion for a wooden deck shall apply only if the deck is constructed with a space between each plank and if the deck is constructed over a porous surface.

(c) The design and location of the recharge system must be approved by the Township Public Works Department. The Township may require that a percolation test be submitted with the permit application showing rates sufficient to empty the system within 24 hours. Construction may not disturb steep slopes, woodlands or trees eight (8) inches in caliper or larger.

(d) If site conditions prohibit on-site recharge meeting the requirements of this section, the expansion shall not be permitted.

(e) A covenant running with the land shall be recorded requiring the property owner to maintain the recharge basin at all times so that it will operate as designed.

Section 3. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article V, Steep Slopes and Impervious Surfaces, § 255-32, Regulations pertaining to impervious surfaces, subsection A.(3) shall be deleted and replaced with the following:

(3) A lot which has a minimum net lot area of 25 acres or more, is in a residential zoning district, is used for a public school purpose and contains an elementary, middle and/or high school building(s), may exceed the impervious surface limitations set forth in this chapter, by no more than 20% of the lot area provided the following standards are met:

(a) For applications proposing improvements that result in up to 10% more impervious surfaces on the development site than what is currently permitted in the underlying zoning district, (i.e. the 25% limit is increased to up to 35%) stormwater management facilities shall be designed to release no more than 90% of the pre-development rate of run off for all regulated storm events, (i.e. the 1, 2, 10, 25, 50, 100 flood event.)

(b) For applications proposing improvements that result in between 10% and 20% more impervious surfaces on the development site than what is

currently permitted in the underlying zoning district, (i.e. the 25% limit is increased to between 35% and 45%) stormwater management facilities shall be designed to release no more than 75% of the predevelopment rate of run off for all regulated storm events, (i.e. the 1, 2, 10, 25, 50, 100 flood event.)

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 17th day of SEPTEMBER, 2012.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

ORDINANCE NO. 12-1260

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2013

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 2013.

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 2013 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	19,490,710
Receipts from Taxes of Prior Years	77,000
Other Revenues and Receipts	10,731,213
TOTAL ESTMATED RECEIPTS AND CASH	**30,298,923**

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,218,254
Treasurer and Tax Collector		21,202
Library		1,050,431
Municipal Buildings		474,961
Economic Development		3,500,000
	TOTAL	**7,264,848**
PROTECTION TO PERSON AND PROPERTY		
Police		6,696,799
Fire		742,944
Emergency Services		273,288
	TOTAL	**7,713,031**

SANITATION		2,287,870
CODE ENFORCEMENT		563,231
HIGHWAY AND ENGINEERING		3,635,325
PARKS AND RECREATION		2,005,203
DEBT SERVICE		2,833,168
NON EXPENDABLE TRUSTS		1,300
CAPITAL PROJECTS		
General Capital		1,332,697
Stormwater Management Projects		2,500,000
Fire Capital		97,500
Open Space		51,500
	TOTAL	**3,981,697**
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		**30,298,923**

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2013.

ENACTED AND ORDAINED THIS 11th day of December 2012.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 12-1261

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2013 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2013 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2013 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2013 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2013 FOR VOTER APPROVED OPEN SPACE DEBT, THE TAX RATE FOR THE YEAR 2013 FOR LIBRARY SERVICES AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2013, as follows:

Tax rate for General Purposes, the sum of	2.638 mils
on each dollar of assessed valuation, or the sum of	26.38 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.638	26.380

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 2013, as follows:

Tax rate for Debt Service, the sum of	0.929 mils
on each dollar of assessed valuation, or the sum of	9.290 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.929	9.290

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 2013, as follows:

Tax rate for Fire Protection, the sum of 0.571 mils
on each dollar of assessed valuation, or the sum of 5.710 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.571	5.710

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 2013, as follows:

Tax rate for Parks and Recreation the sum of 0.628 mils
on each dollar of assessed valuation, or the sum of 6.280 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.628	6.280

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2013, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of 0.096 mils
on each dollar of assessed valuation, or the sum of 0.960 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Voter Approved Open Space Debt	.096	0.960

SECTION 6: Tax Rate for Library Services

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 2013, as follows:

Tax rate for Library Services, the sum of 0.448 mils
on each dollar of assessed valuation, or the sum of 4.480 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Library Services	.448	4.480

SECTION 7: Discounts and Penalties

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

SECTION 8: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

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

SECTION 10: This Ordinance shall take effect and be in force from and after January 1, 2013.

ENACTED AND ORDAINED THIS 11th day of December 2012.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE

NO. 12-1262

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Appointing The Montgomery County Tax Claim Bureau Its Alternate Collector of Delinquent Real Estate Taxes Pursuant To The Municipal Claims And Tax Liens Act, And Approving A Penalty, Interest And Fee Schedule For Collection of Delinquent Real Estate Taxes.

WHEREAS, it is necessary and prudent for Upper Dublin Township to recover promptly its levied and unpaid delinquent real estate taxes, and if necessary, to accomplish such recovery through legal proceedings; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. §7101, et seq. (the "MCTLA"), authorizes the addition of interest, costs, charges, expenses and fees, including reasonable attorney fees, to the total payable with respect to unpaid taxes; and

WHEREAS, Upper Dublin Township has determined that it is in the best interest of all taxpayers and residents to enforce the payment of delinquent real estate taxes; and

WHEREAS, Upper Dublin Township has determined that the addition of interest, costs, charges, expenses and fees to the total payable with respect to unpaid taxes is reasonable and just;

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

Section 1. In addition to the authorization for the collection of taxes and institution of tax sales authorized by the Real Estate Tax Sales Law ("RETSL"), 72 P.S. § 5860.201 et seq., the Montgomery County Tax Claim Bureau is appointed as alternative collector and is authorized and directed to file liens for existing delinquent real estate taxes with the Prothonotary of Montgomery County in accordance with the provisions of the Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq.;

Section 2. In accordance with MCTLA and RETSL, interest at the rate of nine percent (9%) per annum shall be assessed from and after but not before the first day of the month following the return by the Tax Collector of unpaid tax duplicates to the Montgomery County Tax Claims Bureau.

Section 3. Pursuant to Section 7106 of the MCA, it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent account under the MCTLA are hereby fixed at five percent (5%) of the total amount of the delinquent taxes (including interest and penalties), and that additional reasonable attorney's fees incurred in the collection of any delinquent taxes shall be fixed at one percent (1%) of the total amount of the

delinquent taxes (including interest and penalties), and that said charges for attorney's fees and for all charges, expenses and fees set forth herein, shall be paid to the County of Montgomery through the Montgomery County Tax Claim Bureau in lieu of payment of commissions pursuant to Section 207 of RETSL.

Section 4. The proper officials of the Township are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Ordinance.

Section 5. Nothing in this Ordinance shall be construed to affect any suit or process in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this Ordinance.

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

Section 7. The Township reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof. All Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Section 8. This Ordinance shall take effect and be in force from and after January 1, 2013.

ENACTED AND ORDAINED THIS 11th day of December, 2012.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary/Township Manager

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 12-1263

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP POLICE PENSION PLAN

WHEREAS, Upper Dublin Township created the Upper Dublin Police Pension Plan ("Pension Plan") effective May 1, 1968; and

WHEREAS, from time to time, the Township has amended the Pension Plan in order to effectuate enhancements agreed to through collective bargaining and in order to ensure that the Pension Plan remains compliant with the Police Pension Fund Act, commonly referred to as "Act 600"; and

WHEREAS, following the most recent round of negotiations with the Township's Police Union, the Parties agreed through collective bargaining to make certain changes to the Police Pension Plan; and

WHEREAS, the Township's Board of Commissioners has determined that an amendment of the Police Pension Plan is necessary in order to incorporate agreed-upon changes and to maintain compliance with Act 600.

NOW THEREFORE, the Pension Plan shall be amended as follows:

1. Section 6.7(b) of the existing Plan shall be amended to provide as follows:

    a. Survivor Benefit. In addition, the surviving spouse of a retired Member shall be entitled to monthly payments equal to sixty (60%) percent of the Member's Normal Retirement Benefit. If there is no surviving spouse or if the surviving spouse subsequently dies, then the child or children of the Member shall be entitled to receive a survivor's benefit equal to sixty percent (60%) of the pension which the Member was receiving or would

have been receiving had the Member retired at the time of death. Such survivor's benefit to the child or children shall continue until the child or children reach the age of 18, or until age 23, if the child is "attending college." For purposes of this Section, the phrase "attending college" shall mean being enrolled in an institution of higher learning and carrying a minimum course load of seven (7) credits per semester.

b. A new Article XII shall be included provisions for a Deferred Retirement Option Program, a copy of which is attached hereto.

2. This Ordinance shall take effect immediately.

Duly enacted by the members of the Upper Dublin Board of Commissioners, this 11th day of December, 2012.

UPPER DUBLIN BOARD OF COMMISSIONERS

Attest: _____
Secretary

_____
President, Township Board of Commissioners

ARTICLE XII

DEFERRED RETIREMENT OPTION PROGRAM

12.1 Definitions:

(a) DROP – Deferred Retirement Option Program

(b) DROP Account – Separate account created to accept DROP participants' monthly pension check while a DROP participant

(c) Police Officer or Officer – Police Officer of Upper Dublin Township

12.2 Eligibility. Effective January 1, 2013, any Officer who has reached his/her Normal Retirement Date based on age and service may elect to become a DROP participant on the first day of the month following the attainment of the requirements which is a minimum 25 years of credited service and attaining at least the age of 50.

12.3 Written DROP Election and Letter of Resignation. An Officer of the Upper Dublin Police Department electing to participate in the DROP must complete and file with the Township Manager a "DROP option form" prepared by Upper Dublin Township which shall evidence the Officer's participation in the DROP. The form must be signed by the Officer and submitted to the Township Manager at least 30 days prior to the date on which the member wishes the DROP option to be effective. The DROP option notice shall include a binding, irrevocable and notarized letter of resignation to the Township Manager, by the Officer, that the Officer shall resign from employment with the Upper Dublin Police Department effective on a specific date (the "resignation date"). In no event shall the resignation date be no more than 48

months from the commencement of the Officer's DROP participation period. A DROP participant may change the DROP termination date to an earlier date and no penalty shall be imposed for early termination of DROP participation. An Officer shall cease to work as a Township Police Officer on the Officer's resignation date, unless the Township terminates or honorably discharges the officer prior to the resignation date.

In addition, all retirement documents required by Upper Dublin Township must be signed and presented to the Township Manager for approval of retirement and payment of pension. Once a retirement application has been approved, it is irrevocable. The documentation that must be completed before an Officer may participate in the DROP shall contain an acknowledgement that any fees, commissions and administrative costs attributable to the DROP participation shall be paid out of the Police Pension Fund in accordance with the Pension Plan. The Officer must agree to hold the Township harmless for any consequences of the Officer's decision to participate in DROP, including but not limited to any tax consequences or implications of DROP participation and/or any monetary loss incurred as the result of DROP participation.

12.4 **Limitations During DROP Period.** After the effective date of the DROP option and during the DROP period, the Officer shall:

(a) No longer earn or accrue additional years of continuous service for pension purposes;

(b) No longer be required to make any pension contributions to the Upper Dublin Police Pension Fund;

(c) No longer be eligible for tuition reimbursement pay;

(d) No longer be eligible for longevity increases; and

(e) No longer be eligible to access funds from the Upper Dublin Police Codicil until after his/her resignation date.

12.5 **Benefit Calculation.** For all retirement Fund purposes, the length of service of a Police Officer participating in DROP shall remain as it existed on the effective date of commencement of participation in the DROP. Service thereafter shall not be recognized or used for the calculation or determination of any benefits payable by the Upper Dublin Township Police Pension Fund. The monthly average salary of the Police Officer for pension calculation purposes shall remain, as it existed on the effective date of commencement of participation in the DROP. Earnings, increases in earnings and length of service increments after the DROP election date or increases in earnings thereafter shall not be recognized or used for the calculation or determination of any benefits payable by the Pension Fund.

12.6 **Payments to the DROP Account.** The monthly retirement benefits that would have been payable to the Police Officer had the member elected to cease employment and receive a normal retirement benefit, shall, upon the member commencing participation in DROP, be paid into an account established to receive the participant's monthly pension payments. This account shall be designated the DROP account.

12.7 **DROP Account.** The Township shall establish a DROP Account as an interest-bearing ledger account in its Police Pension Trust Fund. The DROP Account balance shall be accounted for separately but shall not be physically segregated from other pension trust fund assets. Interest shall be credited into the DROP Account monthly and shall be equal to the Police Pension Fund's actual interest earned each month, but not less the 0% or more than 4.5% annually.

12.8 Accrual of Non-Pension Benefits. After a Police Officer elects to participate in the DROP, all other contractual benefits shall continue to accrue with the exception of those provisions relating to the Police Pension Plan and those provisions listed in paragraph 12.4 above.

12.9 Payout. Upon the resignation date set forth in the Police Officer's DROP option notice or such date as the Township separates the Officer from employment, the retirement benefits payable to the Officer or Officer's designated beneficiary, if applicable, shall be paid to the Officer or beneficiary and shall no longer be paid to the Officer's DROP Account. Within thirty (30) days following termination of an Officer's employment pursuant to their participating in the DROP, the total accumulated benefits in the Officer's DROP Account shall be calculated and paid out of the Upper Dublin Police Pension Fund to the Officer in a single lump sum payment or at the member's option, in any fashion permitted by law. By participating in the DROP, each Officer must agree to hold the Township harmless for any tax or other consequences flowing from the Officer's disposition of the payout under this Article.

12.10 Disability During DROP. If a Police Officer becomes temporarily disabled during his/her participation in DROP, that Officer shall continue to participate in the DROP as if fully employed. The Officer shall receive disability pay in the same amount as disabled Officers that are not participating in DROP. In no event shall an Officer on temporary disability have the ability to draw from his DROP Account. However, notwithstanding any other provision in this paragraph, if an Officer is disabled and has not returned to work as of his/her required resignation date, then such resignation shall take precedence over all other provisions herein and said officer shall be required to resign.

If an Officer becomes permanently disabled during the DROP period, the Officer shall be honorably discharged from employment after the injury that prevents the DROP participant from performing full police duties is deemed to be permanent. On the date that the Officer is deemed to be permanently disabled, the Officer shall, within 30 calendar days, obtain the contents of his/her DROP Account and, thereafter, commence receiving his/her normal pension benefit. An Officer who is participating in DROP must waive any claim to a disability pension benefit should the Officer become permanently disabled during the DROP period.

12.11. Death During DROP: If a DROP participant dies before the DROP Account balances are paid, the participant's designated beneficiary shall have the same rights as the Police Officer to withdraw or direct the DROP Account balance. If a DROP participant is killed in the line of duty, the Participant's survivors shall receive the killed-in-service benefit pursuant to Act 51 of 2009. All amounts in the Participant's DROP Account at the time of his/her death shall be paid to the Participant's survivors.

12.12 Forfeiture of Benefits. Notwithstanding an Officer's participation in the DROP, an Officer who is convicted or pleads guilty to engaging in criminal misconduct which constitutes a "crime related to public office or public employment," as that phrase is defined in Pennsylvania's Pension Forfeiture Act, 43 P.S. §§ 1311-1314, shall forfeit his right to receive a pension, including any amounts currently deposited in the DROP Account. In such a case, the member shall only be entitled to receive the contributions, if any, made by the member to the Fund, without interest.

12.13 Effect of Qualified Domestic Relations Order. Rights under this plan shall be subject to attachment in favor of an alternate payee as set forth in a qualified domestic relations order.

12.14 Construal of Provisions. An Officer's election to participate in the DROP shall in no way be construed as a limitation on the Township's right to suspend or terminate an Officer for just cause or to grant the officer an honorable discharge based upon a physical or mental inability to perform his or her duties.

AN ORDINANCE

NO. 13-1264

AN ORDINANCE To Amend The Zoning Code Of The Township Of Upper Dublin To Permit The Keeping of Chickens As An Accessory Use To A Dwelling In the A, B, C or NH Zoning Districts, With Restrictions.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, entitled Zoning, Article IV – Accessory Buildings, Structures and Uses, Section 255-27 Dwellings, shall be amended by the addition of a new subsection A.1 to provide as follows:

ARTICLE IV. Accessory Buildings, Structures and Uses

§ 255-27. Dwellings.

The following uses shall be accessory to dwellings:

* * * * * * *

A.1 The keeping of chickens on a lot in the A, B, C or NH zoning district only, and only for the personal use of the resident(s) of the lot on which the chickens are kept, and provided:

(1) The lot has a minimum area of one acre (43,560 sq.ft.).

(2) On lots between one-half (1/2) acre (21,780 sq.ft.) and one (1) acre, chickens may be kept upon the grant of a special exception by the Zoning Hearing Board provided the following conditions are met:

(a) The required shelter and pen must be located a minimum distance of one hundred (100) feet from any residential structure on an adjoining property.

(b) Subsections (3) through (9) below are complied with.

(c) The applicant shall meet the general standards for special exception approval contained in Section 255-174.

(3) The lot is developed with a single detached building occupied as a single family residence.

(4) On lots less than three (3) acres in size, not more than six (6) chickens are permitted. On lots greater than three (3) acres not more than twelve (12) chickens are permitted.

(5) The keeping of roosters is prohibited.

(6) Chickens shall not be slaughtered on the property.

(7) A shelter and pen (fenced in area) shall be provided in compliance with the standards set forth below. The chickens shall be confined to the shelter and pen area at all times.

(a) The shelter must have a solid roof and at least three enclosed sides. There shall be a minimum area of three (3) square feet of shelter area and ten (10) square feet of pen area for each fowl. The shelter shall not exceed one hundred (100) square feet in size.

(b) The shelter and pen may not be located in a front yard area.

(c) The shelter and pen shall be setback a minimum of twenty-five (25) feet from the principal residence and a minimum of forty (40) feet from the side and rear property lines.

(d) The shelter and pen shall be screened from view from adjacent properties with a fence or shrubbery having a minimum height of four (4) feet.

(8) The property owner shall obtain a Zoning Permit prior to keeping chickens on the lot.

(9) The shelter and pen must be maintained in a clean and sanitary condition meeting the following minimum standards:

(a) All feed provided for the chickens must be stored in a rodent and insect proof container or receptacle.

(b) An insect proof container shall be provided for the storage of manure. The container shall be maintained and emptied sufficiently often and in such manner as to prevent a nuisance. No manure shall be allowed to accumulate except in such container.

(c) The shelter and pen shall be devoid of all rodents and insects and free from objectionable odors at and beyond the property line.

* * * * * * * * *

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 8th day of January, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

ORDINANCE NO. 13-1265

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2013.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2013 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2013 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings of the Township of Upper Dublin for the year 2013 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings of the Township of Upper Dublin for the year 2013 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2013 shall be held on the fourth Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings

may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be effective January 8, 2013 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 8th day of January, 2013.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

Attest: _____
Paul A. Leonard, Secretary

AN ORDINANCE

No. 13-1266

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter A264-1, Entitled Historic Resource Inventory, To Add Additional Properties.

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

Section 1. The Code of the Township of Upper Dublin, Chapter A264, §A264-1, the Historic Resource Inventory, shall be amended by adding thereto in alphabetical and numerical order the following properties:

House #	Street	Post Office	Class
440	Dreshertown Road	Fort Washington	C2
209	Elliger Avenue	Fort Washington	C2
310	Elliger Avenue	Fort Washington	C2
319	Fort Washington Avenue	Fort Washington	C2
229	Lafayette Avenue	Oreland	C2
517	Madison Avenue	Fort Washington	C2
508	Orlando Avenue	Oreland	C2
510	Orlando Avenue	Oreland	C2
207	Washington Lane	Fort Washington	C2
412	Wischman Avenue	Oreland	C2
510	Wischman Avenue	Oreland	C2
511	Wischman Avenue	Oreland	C2

Section 2. Nothing in this Ordinance or in Chapter A264 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter A264 prior to the adoption of this amendment.

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

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

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

Approved by the Board this 8th day of January, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

BY: _____
Ira S. Tackel, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 13-1267

AN ORDINANCE To Set The Compensation Of The Upper Dublin Township Tax Collector, Effective January 6, 2014.

The Board of Commissioners of Upper Dublin Township hereby ordains:

Section 1. The annual compensation for the Upper Dublin Township Tax Collector commencing January 6, 2014 shall be Ten Thousand ($10,000.00) Dollars.

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

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

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

Approved by the Board this 12th day of February, 2013.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Township Manager/Secretary

AN ORDINANCE

NO. 13-1268

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin To Revise Chapter 117, Fire Prevention, Section 117-7, Fire Protection Equipment: Sprinkler And Standpipe Systems, To Restate, In Context With Other Exemptions, The Existing Exemption With Respect To Buildings Ancillary Or Accessory To A Residence Having A Building Area Under 400 Square Feet, And To Exempt Detached Buildings Ancillary Or Accessory To A Residence Having A Building Area Under 1000 Square Feet.

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

Section 1. The Code of the Township of Upper Dublin Chapter 117, Fire Prevention, Section 117-7, Fire protection equipment: sprinkler and standpipe systems, Paragraph A with respect to requirements for full fire sprinkler systems shall be amended to Delete the second sentence of Section 117-7.A which states as follows: "Detached buildings ancillary to a residence, such as private garages and sheds, having a building area under 400 square feet are exempt from this requirement."

Section 2. The Code of the Township of Upper Dublin Chapter 117, Fire Prevention; Section 117-7, Fire protection equipment: sprinkler and standpipe systems; Paragraph J, with respect to exemptions shall be amended to read as follows:

J. Exemptions. Nothing herein contained shall be construed to require the installation of automatic sprinkler and/or standpipe systems in:

(1) Safe deposit or other vaults.

(2) Detached buildings ancillary or accessory to a residence having a building area under 1000 square feet, provided the ancillary or accessory building is constructed pursuant to the current version of the International Residential Code as adopted by the Township under Chapter 73 of the Township Code, and the ancillary or accessory building under 1000 square feet remains non-habitable.

(3) Rooms or buildings used for the sale, manufacture or storage of aluminum powder, calcium carbide, calcium phosphate, metallic sodium, potassium quicklime, magnesium powder, sodium peroxide or like substances to which the application of water will cause or increase the fire hazard.

(4) Any other location where the installation of such equipment may, as determined by the Township, increase the hazard to life or property or for any other reason be impractical due to existing conditions.

Section 3. Nothing in this Ordinance or in Chapter 117 of the Township of Upper Dublin Code, as hereby amended, shall be construed to affect any suit or proceedings in any court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 117 prior to the adoption of this Ordinance.

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

Section 5. This Ordinance shall take affect and be in force upon its enactment.

Enacted by the Board of Commissioners of Upper Dublin Township this 12th day of, February, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

By: _____
Ira S. Tackel, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 13-1269

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 168, Parks And Recreation, Section 168-2, Rules And Regulations, To Prohibit Operation Of A Motor Vehicle In A Township Park At A Speed Greater Than 15 MPH.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 168, Parks and Recreation, Section 168-2, Rules and regulations, shall be amended by the addition of a new sub-section Y, to provide as follows:

§ 168-2. Rules and regulations.

The following rules and regulations are set forth for the use of the parklands in the Township of Upper Dublin:

* * * * * * * *

Y. It is prohibited to operate a motor vehicle in any Township park at a rate of speed greater than 15 mph.

Section 2. Nothing in this Ordinance or in Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to effect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 168 prior to the adoption of this amendment.

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

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

Approved by the Board this 12th day of March, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 13-1270

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 158, Nuisances, To Add Definitions For Animal Products and Green Kitchen Waste; And To Provide Regulations For The Products Which Can Be Employed In The Maintenance Of A Compost Pile On Property In The Township.

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

Section 1. The Code of Upper Dublin Township, Chapter 158, Nuisances, § 158-1, Definitions, shall be amended to add thereto in alphabetical order the following:

§158-1 – Definitions.

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

- ANIMAL PRODUCTS – Food materials derived from animals and originating from the preparation of food products.

- * * * * * * *

- GREEN KITCHEN WASTE – Organic plant materials, uncontaminated with animal products of any kind, originating from the preparation of residential household food products.

- * * * * * * *

Section 2. The Code of Upper Dublin Township, Chapter 158, Nuisances, § 158-10, Composting, subsection (A) thereof, shall be amended to provide as follow:

§ 158-10. Composting.

Only chopped or whole leaves, grass clippings and Green Kitchen Waste are permitted in a compost pile. Animal Products of any type or classification are not permitted in a compost pile.

* * * * * * *

Section 3. Nothing in this Ordinance or in Chapter 158 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 158 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 12th day of March, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

ORDINANCE NO. 13-1271

AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE TOWNSHIP OF UPPER DUBLIN (THE **"TOWNSHIP"**) BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES A OF 2013 AND GENERAL OBLIGATION BONDS, SERIES B OF 2013, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $17,500,000 FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS, A REFUNDING PROGRAM AND PAYING THE COSTS OF ISSUING THE BONDS; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF SERIES A BOND AND FORM OF SERIES B BOND; SETTING FORTH PARAMETERS FOR THE MAXIMUM PRINCIPAL MATURITY AMOUNTS AND DATES AND MAXIMUM INTEREST RATES AND OTHER DETAILS OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; SETTING FORTH THE PARAMETERS FOR ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, the Township is granted the power by the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 Pa. Cons. Stat. §8001 *et seq.*, as amended (the **"Act"**), to incur indebtedness and to issue Bonds for the purposes of funding capital improvement projects and refunding outstanding indebtedness; and

WHEREAS, the Township has determined to finance various capital projects, including, but not limited to, upgrades to the Township's stormwater system and a new traffic signal (collectively, the **"Projects"**); and

WHEREAS, the Township has heretofore issued its General Obligation Bonds, Series of 2010, presently outstanding in the principal amount of $11,230,000 (the **"2010 Bonds"**); and

WHEREAS, the Township has determined to advance refund a portion of the 2010 Bonds, all such refunded bonds shall have previously been issued as nonelectoral debt (the **"Refunded Bonds"**) in order to achieve debt service savings (the **"Refunding Program"**); and

WHEREAS, the Township proposes to issue its General Obligation Bonds, Series A of 2013 in an aggregate principal amount not to exceed $7,500,000 (the **"Series A Bonds"**) and its General Obligation Bonds, Series B of 2013 in an aggregate principal amount not to exceed $10,000,000 (the **"Series B Bonds"**; and together with the Series A Bonds, hereinafter collectively referred to as the **"Bonds"**) for the purposes of financing the costs of the Projects, the Refunding Program and paying the costs and expenses of issuing the Bonds, and insuring the Bonds if deemed financially advantageous at the time of issuance of the Bonds; and

WHEREAS, the Township has retained Public Financial Management, Inc., as financial advisor in connection with the issuance of the Bonds (the **"Financial Advisor"**); and

WHEREAS, the Township has determined, with the assistance of its Financial Advisor, to establish certain parameters under which it will accept a proposal for the purchase of the Bonds; and

WHEREAS, upon the advice of its Financial Advisor, the Township has determined that it is in the best financial interest of the Township to sell the Bonds at a private negotiated sale, and has received a proposal for the purchase of the Bonds from RBC Capital Markets, LLC (the **"Underwriter"** or **"Purchaser"**) which is within and subject to the parameters for the terms of the Bonds (the **"Bond Purchase Proposal"** or **"Proposal"**); and

WHEREAS, the Township desires to authorize necessary action in connection with the authorization and issuance of the Bonds including the purchase of bond insurance to provide credit enhancement for the Bonds, if deemed financially advantageous at the time of issuance of the Bonds (the **"Insurance Policy"**).

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 and Refunding Program and Incurrence of Indebtedness; Statement of Estimated Average Useful Life and Estimated Cost of the Projects; and Statement of Purpose of Refunding Program.** The Township hereby authorizes and shall undertake the Projects and the Refunding Program, both as described in the preambles to this Ordinance. The Township shall incur indebtedness pursuant to the Act in an aggregate principal amount not exceeding $17,500,000 for the purpose of: (i) financing costs of the Projects; (ii) financing the costs of the Refunding Program; and (iii) paying the costs and expenses of issuing and insuring (if deemed financially advantageous) the Bonds. The Series A Bonds will be issued to (i) finance the costs of the Projects, and (ii) pay the costs of issuing and insuring (if deemed financially advantageous) the Series A Bonds. The Series B Bonds will be issued to (i) advance refund the Refunded Bonds and (ii) pay the costs of issuing and insuring (if deemed financially advantageous) the Series B Bonds.

It is also hereby determined and declared that the estimated average useful life of the Projects is in excess of thirty (30) years, (ii) that the estimated cost of the Projects to be financed in part with the proceeds of the Series A Bonds is not less than $6,750,000, and (iii) that the Township has obtained realistic estimates of the costs of the components of the Projects through bid prices or professional cost estimates from persons qualified by experience to provide such estimates.

The Refunding Program is being undertaken by the Township for the purpose of reducing the debt service that would otherwise be payable on the Refunded Bonds in compliance with Section 8241(b)(1) of the Act, as shown in **Schedule A** attached hereto and made a part hereof, such savings amounts being estimates to produce the "Savings Condition" as hereinafter defined.

Proceeds of the Refunded Bonds were issued for the purpose of financing: (a) the development and construction of a firehouse, including the acquisition of land, the purchase of related equipment and the construction of related site improvements (the "Firehouse Project" with a stated useful life in excess of 50 years); (b) the costs of improvements to and replacements of the Township's storm water drainage systems (the "Storm Water Projects" with a stated useful life in excess of 30 years); and (c) the costs of issuance of the Refunded Bonds. The final maturity date of the Series B Bonds (July 15, 2035) does not extend beyond the final maturity date of the Refunded Bonds (July 15, 2035).

It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142(a)(2) of the Act taking into account the estimated average useful life of the Projects. A principal amount of Series A Bonds equal to the separate cost of the project having a shorter useful life (i.e., the traffic signal approximating $250,000) than the period during which the Series A Bonds will be outstanding shall be scheduled to mature prior to the end of such useful life and the balance prior to the end of the longest useful life.

The Township hereby reserves the right to abandon any or more of the projects and undertake the individual components of the Projects in such order and at such time or times as it shall determine and to allocate the proceeds of the Series A Bonds and other monies available to the final costs of the Projects in such amounts and order of priority as it shall determine; but the proceeds of the Series A Bonds allocable to the Projects shall be used solely to pay the "costs," as defined in the Act, of the Projects or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness. The Township hereby further reserves the right to modify the scope of the Projects by deleting, adding or modifying components.

Section 2. Authorization of Issuance of Bonds. The Township shall issue, pursuant to the Act and this Ordinance, its General Obligation Bonds, Series A of 2013 in an aggregate principal amount not exceeding $7,500,000 to provide funds to (i) finance the costs of the Projects, and (ii) pay the costs of issuing and insuring (if deemed financially advantageous) the Series A Bonds. The Township shall issue, pursuant to the Act and this Ordinance, its General Obligation Bonds, Series B of 2013 in an aggregate principal amount not exceeding $10,000,000 to provide funds to (i) advance refund the Refunded Bonds, and (ii) pay the costs of issuing and insuring (if deemed financially advantageous) the Series B Bonds.

Section 3. **Establishment of Parameters for Bonds.** The Township hereby establishes that the Bonds authorized hereunder shall be subject to the following parameters: (a) the Series A Bonds shall not exceed SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS ($7,500,000) in aggregate principal amount and the Series B Bonds shall not exceed TEN MILLION DOLLARS ($10,000,000) in aggregate principal amount; (b) the Series A Bonds shall not mature later than July 15, 2033 and the Series B Bonds shall not mature later than July 15, 2035; (c) the purchase price for the Bonds (the principal amount of the Bonds, less underwriter's discount, less original issue discount, plus original issue premium) shall not be less than 95% nor more than 110% of the principal amount of the Bonds; (d) the Underwriter's discount on the Bonds shall not exceed Seven Dollars Fifty Cents ($7.50) per $1,000; (e) the maximum principal amounts of each maturity or mandatory sinking fund redemption on the Series A Bonds shall not exceed those stated on **Schedule B** attached hereto and made a part hereof; (f) the maximum principal amounts of each maturity or mandatory sinking fund redemption on the Series B Bonds shall not exceed those stated on **Schedule C** attached hereto and made a part hereof; (g) the interest rates on the Bonds shall not exceed six percent (6%) per annum (the **"Maximum Rate"**) and the Bonds of a series may have any number of interest rates and yields, provided, however, that no such interest rate shall exceed the Maximum Rate and further provided that, in accordance with Section 8144 of the Act, no yield for any stated maturity date in the last two-thirds of the period of any such series of Bonds shall be less than that stated for the immediately preceding year which falls within the last two-thirds period; and (h) the net present value savings resulting from the Refunding Program (**"Savings Condition"**) shall not be less than three percent (3 %) of the principal amount of the Refunded Bonds, net of closing costs.

The Township hereby acknowledges receipt of a Bond Purchase Proposal from the Underwriter pursuant to which the Township agrees to sell its Bonds to the Purchaser subject to the Purchaser satisfying the conditions and parameters set forth therein. A copy of the Bond Purchase Proposal shall be delivered to the Secretary of the Township and shall be affixed to and shall become part of this Ordinance.

If and when market conditions permit the Underwriter to sell the Bonds and meet the Savings Condition and other parameters, the Underwriter shall submit an Addendum to Bond Purchase Agreement (**"Addendum"**) to the Township setting forth the actual terms of the Bonds. The Township Manager, in consultation with its Financial Advisor and Bond Counsel, shall determine the actual terms of the Bonds, within the parameters set forth in the Bond Purchase Proposal and this Ordinance, including, without limitation, the Savings Condition, the aggregate principal amount, the interest rates, the annual maturity or sinking fund redemption amounts, the purchase price, the underwriter's discount and any other appropriate terms and conditions applicable to the Bonds. Upon presentation by the Underwriter of the actual terms of the Bonds in satisfaction of the conditions and parameters set forth in the Bond Purchase Proposal and this Ordinance, the President or Vice President is hereby authorized and directed to execute an Addendum to the Bond Purchase Proposal in accordance therewith, and deliver a copy of the same to the Secretary of the Township.

Section 4. **Type of Indebtedness; Limitation on Indebtedness.** The indebtedness authorized by this Ordinance is nonelectoral debt. It is declared that the debt incurred hereby, together with any other indebtedness of the Township, is not in excess of any limitation imposed by the Act upon the incurrence of debt by the Township.

Section 5. **Execution of Debt Statement, Bonds and Other Documents.** The President or Vice President of the Board of Commissioners of the Township, the Secretary or Treasurer of the Township (or any Assistant Secretary or acting Secretary or Treasurer appointed for such purpose), and their successors, or any one of them, are hereby authorized and directed to file the debt statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in connection with the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance. The proper officers of the Township are hereby specifically authorized to make all necessary submissions to the Pennsylvania Department of Education in order to obtain the maximum state reimbursement in connection with the Series A Bonds and the Projects being financed.

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 registered owners of the Bonds outstanding pursuant to this Ordinance as follows: that the Township will include in its budget for each fiscal year during the life of the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding; that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; that the Township shall duly and punctually pay or cause to be paid the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 7 shall be specifically enforceable.

Section 8. **Forms of Bonds.** (a) The Series A Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

[FORM OF SERIES A BOND]

UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)

GENERAL OBLIGATION BOND,
SERIES A OF 2013

No. R- $_____

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
%	July 15, 20__	_____	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

The Township of Upper Dublin, Pennsylvania (the **"Township"**), for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, and to pay interest thereon from _____, 20___ or the most recent Interest Payment Date to which interest has been paid or duly provided for, initially on January 15, 2014, and semiannually thereafter on January 15 and July 15 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. The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of Manufacturers and Traders Trust Company (the **"Paying Agent"**) in Harrisburg, Pennsylvania or Buffalo, New York. Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as registrar, at the address appearing thereon at the close of business on the fifteenth (15^{th}) day (whether or not a day on which the Paying Agent is open for business) next preceding such Interest Payment Date (the **"Regular Record Date"**). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date (the **"Special Record Date"**) for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for the payment of the defaulted interest, and notice of the Special Record Date and of the payment date for such defaulted interest shall be given to registered owners of the Bonds not less than fifteen (15) days prior to the Special Record Date. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series A of 2013, of the Township in the aggregate principal amount of $_____ (the **"Bonds"**). The

Bonds are issued in fully registered form in the denomination of $5,000 or any integral multiple thereof, all of like date and tenor, except as to dates of maturity, rates of interest and provisions for redemption, and all issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the **"Commonwealth"**), 53 Pa. Cons. Stat. § 8001 et seq., as amended (the **"Act"**), and pursuant to an Ordinance of the Board of Commissioners of the Township duly to enacted on May 14, 2013 (the **"Ordinance"**). The Bonds are issued for the purpose of financing a capital program and the costs of issuing the Bonds.

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

The Bonds maturing on or after July 15, ____ are subject to redemption prior to maturity, at the option of the Township, as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, on _____, ____ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on July 15, ____ (the **"Term Bonds"**) are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on July 15 of the years, in the annual principal amounts and from the maturities set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds of that maturity which shall then be outstanding):

Mandatory Redemption Schedule

Redemption Date (July 15)	**Principal Amount to be Redeemed or Purchased**	**Maturity from Which Selected**

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than $5,000 shall be treated as representing such number of separate Bonds, each of the denomination of $5,000, as is obtained by dividing the actual principal amount of such Bond by

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than twenty (20) days nor more than sixty (60) days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to the Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

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

The Bonds are transferable by the registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender thereof at the corporate trust office of the Paying Agent, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifth (5^{th}) day next preceding the day of selection of Bonds to be redeemed and ending at the

close of business on the day on which the applicable notice of redemption is given; or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

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

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

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the jurisdiction in which the corporate trust payment office of the Paying Agent is located are authorized or directed by law or executive order to close (a **"Holiday"**), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

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

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

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 signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto impressed and duly attested by the signature of the Secretary.

TOWNSHIP OF UPPER DUBLIN

(SEAL)

By: _____
President

Attest: _____
Secretary

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series A of 2013, described in the within mentioned Ordinance.

MANUFACTURERS AND TRADERS TRUST COMPANY, as Paying Agent

Date of Authentication:

By: _____
Authorized Signer

STATEMENT OF INSURANCE

[APPROPRIATE LANGUAGE TO BE INSERTED HERE, IF BONDS ARE INSURED]

ASSIGNMENT AND TRANSFER

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

PLEASE INSERT SOCIAL SECURITY OR EMPLOYER IDENTIFICATION NUMBER OF ASSIGNEE

_____

/_____/

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

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

Dated:

Signature Guaranteed by:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guaranteed program.

_____

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

_____

(Authorized Signature)

[End of Form of Series A Bond]

(b) The Series B Bonds shall be substantially in the following form with appropriate omissions, insertions and variations:

[FORM OF SERIES B BOND]

UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF UPPER DUBLIN
(Montgomery County, Pennsylvania)
GENERAL OBLIGATION BOND,
SERIES B OF 2013

No. R- $_____

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
%	July 15, 20__	_____	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

The Township of Upper Dublin, Pennsylvania (the **"Township"**), for value received, hereby promises to pay to the registered owner hereof on the maturity date set forth above the principal sum set forth above, and to pay interest thereon from _____, 20____ or the most recent Interest Payment Date to which interest has been paid or duly provided for, initially on January 15, 2014, and semiannually thereafter on January 15 and July 15 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. The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of Manufacturers and Traders Trust Company (the **"Paying Agent"**) in Harrisburg, Pennsylvania or Buffalo, New York. Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as registrar, at the address appearing thereon at the close of business on the fifteenth (15th) day (whether or not a day on which the Paying Agent is open for business) next preceding such Interest Payment Date (the **"Regular Record Date"**). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date (the **"Special Record Date"**) for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for the payment of the defaulted interest, and notice of the Special Record Date and of the payment date for such defaulted interest shall be given to registered owners of the Bonds not less than fifteen (15) days prior to the Special Record Date. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series B of 2013, of the Township in the aggregate principal amount of $_____ (the **"Bonds"**). The Bonds are issued in fully registered form in the denomination of $5,000 or any integral multiple thereof, all of like date and tenor, except as to dates of maturity, rates of interest and provisions for redemption, and all issued in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the **"Commonwealth"**), 53 Pa. Cons. Stat. § 8001 et seq., as amended (the **"Act"**), and pursuant to an Ordinance of the Board of Commissioners of the Township duly to enacted on May 14, 2013 (the **"Ordinance"**). The Bonds are issued for the purpose of financing a refunding program and the costs of issuing the Bonds.

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

The Bonds maturing on or after July 15, ____ are subject to redemption prior to maturity, at the option of the Township, as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, on _____, ____ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on July 15, ____ (the **"Term Bonds"**) are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on July 15 of the years, in the annual principal amounts and from the maturities set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds of that maturity which shall then be outstanding):

Mandatory Redemption Schedule

Redemption Date (July 15)	**Principal Amount to be Redeemed or Purchased**	**Maturity from Which Selected**

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than twenty (20) days nor more than sixty (60) days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to the Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

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

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

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

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

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

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the jurisdiction in which the corporate trust payment office of the Paying Agent is located are authorized or directed by law or executive order to close (a **"Holiday"**), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

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

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

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 signature of the President of its Board of Commissioners and an impression of its corporate seal to be hereunto impressed and duly attested by the signature of the Secretary.

TOWNSHIP OF UPPER DUBLIN

(SEAL)

By: _____
President

Attest: _____
Secretary

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Upper Dublin General Obligation Bonds, Series B of 2013, described in the within mentioned Ordinance.

MANUFACTURERS AND TRADERS TRUST COMPANY, as Paying Agent

Date of Authentication: By: _____
Authorized Signer

STATEMENT OF INSURANCE

[APPROPRIATE LANGUAGE TO BE INSERTED HERE, IF BONDS ARE INSURED]

ASSIGNMENT AND TRANSFER

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

PLEASE INSERT SOCIAL SECURITY OR EMPLOYER IDENTIFICATION NUMBER OF ASSIGNEE

_____

/_____/

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

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

Dated:

Signature Guaranteed by:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guaranteed program.

_____

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

_____

(Authorized Signature)

[End of Form of Series B Bond]

Section 9. **Terms of Bonds.** The Bonds when issued shall be general obligation bonds issued in fully registered form and shall be in the denomination of Five Thousand Dollars ($5,000), or in any integral multiple thereof within the limitations provided herein. The Bonds shall be issued in the aggregate principal amount of not more than $17,500,000 (representing an aggregate principal amount not to exceed $7,500,000 in connection with the Series A Bonds and an aggregate principal amount not to exceed $10,000,000 in connection with the Series B Bonds), shall be dated as determined in accordance with the final terms of the Bonds (the **"Bond Issuance Date"**), shall bear interest from the Bond Issuance Date at the rates per annum in accordance with and within the parameters established pursuant hereto, all as set forth herein and in the Bond Purchase Proposal and Addendum, and shall mature on those dates contained therein, but in no event later than July 15, 2033 with respect to the Series A Bonds and July 15, 2035 with respect to the Series B Bonds.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of Manufacturers and Traders Trust Company, in Harrisburg, Pennsylvania or Buffalo, New York, which is hereby appointed paying agent and registrar for the Bonds and the sinking fund depository. Interest on the Bonds shall be payable in the manner provided in the Forms of Bonds set forth above.

The Bonds are being amortized so that the debt service on all outstanding debt of the Township following the issuance of the Bonds (at the maximum rate of 6%) will be brought more nearly into an overall level annual debt service plan as shown on the total debt service schedule attached hereto as **Schedule E** and made a part hereof.

Section 10. **Redemption of Bonds.**

(a) **Series A Bonds.** The Series A Bonds shall be subject to redemption prior to maturity, at the option of the Township, as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date, beginning on such date as shall be specified in the Addendum to the Bond Purchase Agreement, but not later than ten (10) years after the Bond Issuance Date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds may be subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption (the **"Term Bonds"**). If Term Bonds are issued, the Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on such date or dates as shall be specified in the Addendum to the Bond Purchase Agreement. Any Term Bond that may be issued will be issued in an annual principal amount that does not exceed the annual maximum maturity amount for the stated mandatory sinking fund redemption date of such Term Bond, such maximum annual maturity amounts shown in **Schedule B**.

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than twenty (20) days nor more than sixty (60) days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to the Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

(b) **Series B Bonds.** The Series B Bonds shall be subject to redemption prior to maturity, at the option of the Township, as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township, thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date, beginning on such date as shall be specified in the Addendum to the Bond Purchase Agreement, but not later than ten (10) years after the Bond Issuance Date. If less than an entire year's maturity of Bonds are to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds may be subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of principal amount together with accrued interest to the date fixed for redemption (the **"Term Bonds"**). If Term Bonds are issued, the Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on such date or dates as shall be specified in the Addendum to the Bond Purchase Proposal. Any Term Bond that may be issued will be issued in an annual principal amount that does not exceed the annual maximum maturity amount for the stated mandatory sinking fund redemption date of such Term Bond, such maximum annual maturity amounts shown in **Schedule C**.

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

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

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than twenty (20) days nor more than sixty (60) days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Such notice shall also be sent to the Depository Trust Company and the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System site. 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 corporate trust office of the Paying Agent and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R " printed on the Bonds. Failure to mail any

notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

Section 11. **Appointment of Securities Depository.** The Depository Trust Company, New York, New York (**"DTC"**), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system (**"DTC Participants"**). The ownership of one fully registered Bond for each maturity for each series of the Bonds, will be registered in the name of Cede & Co., as nominee for DTC. The Township shall cause the Bonds to be delivered to DTC or the Paying Agent, as custodian for DTC, on or before the Bond Issuance Date.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the **"Beneficial Owner"**) will not receive certificated Bonds and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds or Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds or Bonds at any time by giving notice to the Township and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Township officials then holding the offices set forth in Section 22 of this Ordinance are hereby authorized to designate a successor securities depository or to deliver certificates to the Beneficial Owners of the Bonds and Beneficial Owners of the Bonds.

The Township shall give notice or cause the Paying Agent to give notice, to DTC in accordance with the Blanket Letter of Representations for the redemption or other retirement of the Bonds. The Township will provide for the form of notice. Upon receipt of such notice, DTC will forward the notice to the DTC Participants for subsequent forwarding of such notice to the Beneficial Owners of the Bonds. The Township will pay the customary charges for such mailing.

Section 12. **Sale of Bonds.** The Bonds shall be sold at private sale by negotiation as hereinafter set forth in Section 15. After due consideration, the Board of Commissioners hereby finds and determines, on the basis of the advice and recommendation of its Financial Advisor and all available information, that a private negotiated sale of the Bonds is in the best financial interest of the Township.

Section 13. **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 designated as the "Sinking Fund - General Obligation Bonds, Series of 2013" (the **"2013 Bonds 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 each principal or interest payment date, the debt service payable on the Bonds on such dates, or such greater or lesser amount as at the time shall be sufficient to pay principal of and interest on the Bonds becoming due on each such date.

Pending application to the purposes for which the Sinking Fund is established, the President or Vice President of the Board of Commissioners or the Secretary or the Treasurer or Assistant Secretary is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in the Sinking Fund during each applicable period shall be added to the Sinking Fund and shall be credited against the deposit next required to be made in the Sinking Fund.

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

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

Section 14. **No Taxes Assumed.** The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

Section 15. **Bond Purchase Proposal - Sale of Bonds.** The Township hereby accepts the Bond Purchase Proposal of RBC Capital Markets, LLC (the **"Underwriter"**) dated May 14, 2013, and the Bonds are hereby awarded to the Underwriter subject to compliance with the provisions of Section 3 of this Ordinance and submission of the Addendum to the Bond Purchase Agreement satisfying the parameters set forth herein. A copy of said Bond Purchase Proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of this Township are hereby authorized and directed to endorse the acceptance of this Township on said bond purchase proposal and to deliver executed copies thereof to the Underwriter.

Section 16. **Contract with Paying Agent.** The proper officers of the Township are authorized to contract with Manufacturers and Traders Trust Company in connection with the performance of its duties as the Paying Agent and Sinking Fund Depository on usual and

customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act.

Section 17. **Redemption of Refunded Bonds - Deposit of Funds.** Subject to acceptance and execution of the Addendum to the Bond Purchase Agreement, the Township hereby calls for redemption on or about July 15, 2015, at a redemption price of par, the Refunded Bonds. The Township shall enter into a Pledge and Escrow Agreement (the **"Escrow Agreement"**) with Manufacturers and Traders Trust Company, as the escrow agent (the **"Escrow Agent"**), providing, among other things, for: (a) the certification to such Escrow Agent of the amounts required to pay the interest on the Refunded Bonds to the date of maturity or redemption and the principal of the outstanding Refunded Bonds on the date of maturity or redemption; (b) the deposit with said Escrow Agent of amounts which, together with the interest thereon, will meet such requirements; (c) if not funded solely with cash, the investment of the amounts deposited under the Escrow Agreement in accordance with the applicable regulations under Section 103 and 141 through 150 of the Internal Revenue Code; and (d) the irrevocable pledge of all amounts and investments held under the Escrow Agreement for the payment of the Refunded Bonds to be refunded to the date of maturity or redemption and the application of the cash or principal of and interest on the investments to such purposes. The Escrow Agreement shall be in form and substance as approved by the signing officers of the Township. The President or Vice President of the Board of Commissioners and the Secretary or Treasurer or Assistant Secretary are hereby authorized and directed to execute said Escrow Agreement, to deliver the same to the Escrow Agent on behalf of the Township, and to give irrevocable instructions for the dissemination of an appropriate notice of redemption for the Refunded Bonds. The officers of the Township are hereby authorized and directed to execute all documents and to take such other action as may be necessary or advisable to effect the redemption and payment of the Refunded Bonds.

Section 18. **Federal Tax Covenants.** The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for the purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the **"Code"**), and all applicable regulations promulgated with respect thereto throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the proceeds of the Bonds which would cause the Bonds to be "arbitrage bonds" as defined in Section 148 of the Code. The Township further covenants to comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The overall issue amount and other factors relating to the Bonds have not been finally determined at this time. Subject to market conditions at the time of the sale of the Bonds which will determine the overall principal amount of the Bonds and other factors, the Township may represent and warrant, after due investigation and to the best of its knowledge, that (i) the Bonds are not "private activity bonds" within the meaning of Section 141 of the Code and (ii) the aggregate face amount of "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code (which includes qualified 501(c)(3) bonds but not any other

private activity bonds) issued or to be issued by the Township (and all "subordinate" entities thereof) which are not "deemed designated", during the 2013 calendar year, including the Bonds, is not reasonably expected to exceed $10,000,000. If the Township is able to make the preceding representation and warranty in accordance with the requirements of the Code, then the Township is hereby authorized to designate each of the Bonds as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby authorizes the proper officers of the Township to execute a certificate to that effect at the time of the closing, if applicable.

Based on its knowledge of the Projects, the Township reasonably expects that (a) the Township will enter into binding obligations to spend at least 5% of the Series A Bonds allocated to the Projects on the Projects within six (6) months of the date of issuance of the Series A Bonds, (b) the Township will proceed with due diligence to complete the Projects, and (c) at least 85% of the proceeds of the Series A Bonds allocated to the Projects will be expended on the Projects within three (3) years of the date of issuance of the Series A Bonds.

Section 19. **Execution and Authentication of Bonds.** As provided in Section 5, the Bonds, when issued, shall be executed by the President or Vice President of the Board of Commissioners of the Township, and the seal of the Township affixed thereto and duly attested to by the Secretary (or any Assistant Secretary or acting Secretary or Treasurer appointed for such purpose) of the Township, and each such execution shall be by manual signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of the Paying Agent.

Section 20. **Application of Bond Proceeds.** The purchase price for the Bonds and any accrued interest payable by the Underwriter, if any, shall be paid to the Paying Agent on behalf of the Township. Upon receipt of the purchase price for the Bonds by the Paying Agent, including interest thereon accrued to the Bond Issuance Date, if any, the Paying Agent shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall: (i) pay, or establish reserves for payment of, the costs and expenses of the financing and the proper officers of the Township are authorized to direct the Paying Agent to pay the issuance costs on behalf of the Township as set forth in written directions to the Paying Agent; (ii) deposit the accrued interest, if any, on the Bonds in the Sinking Fund; and (iii) transfer to the Escrow Agent the amount required to fund the escrow for the Refunded Bonds, as provided in Section 17 hereof. The balance of the proceeds shall be deposited in an appropriate Township account(s) pending disbursement to pay the costs of the Projects as set forth in instructions from the Township to the Paying Agent.

The Township hereby approves the establishment of a "Series of 2013 Bonds Construction Fund." The balance of the proceeds shall be deposited in the Series of 2013 Bonds Construction Fund pending disbursement to pay the costs of the Projects. The monies in the Series of 2013 Bonds Construction Fund will be invested in accordance with Section 8224 of the Act.

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

Section 21. Covenant to Pledge Sufficient Funds. The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Series B Bonds:

(a) The Township will have irrevocably pledged with the Escrow Agent or with the Paying Agent for the Refunded Bonds, amounts sufficient, to pay: (i) all interest on the Refunded Bonds to the date of maturity or redemption thereof; and (ii) the principal of the Refunded Bonds on the date of maturity or redemption thereof so that the Refunded Bonds will no longer be outstanding under the Act; and

(b) The Escrow Agent will have invested the monies required by the Escrow Agreement in accordance with the terms thereof.

Section 22. 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 or acting Secretary or Treasurer appointed for such purpose 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 23. Approval of Official Statement. For purpose of satisfying United States Securities and Exchange Commission Rule 15c2-12, the Township shall, in a certificate executed by the President or Vice President of the Board of Commissioners, approve and deem final the Preliminary Official Statement prepared for the Bonds at the time of issuance. A final Official Statement, substantially in the form of the Preliminary Official Statement and containing the terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date of the Addendum to the Bond Purchase Agreement, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

Section 24. Continuing Disclosure. The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement in order to satisfy the requirements of Rule 15c2-12 (the **"Continuing Disclosure Agreement"**). Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder; however, the Paying Agent, any Participating Underwriter (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section. The Township has not failed to comply with any previous undertakings to provide secondary market disclosure pursuant to Rule 15c2-12(b)(5) under any Continuing Disclosure Agreement.

Section 25. **Bond Insurance.** If deemed financially advantageous to the Township in connection with the issuance of the Bonds, the officers of the Township are hereby authorized to purchase a policy of insurance guaranteeing the payment of the principal of and interest on the Bonds to pay the premium for such policy from the proceeds of the Bonds and to execute such documents as may be necessary to effect the issuance of such policy. If applicable, the Bonds issued under this Ordinance may include a statement of the terms of such insurance policy and the Authentication Certificate of the Paying Agent appearing on each Bond may include a statement confirming that the original or a copy of the insurance policy is on file with the Paying Agent.

Section 26. **Authorization of Post-Issuance Compliance Policy.** The President or Vice President of the Board of Commissioners, with the advice of counsel, is authorized to to enact, on behalf of the Township, a post-issuance compliance policy in order to ensure continuing compliance with various federal income tax rules relating to tax-exempt bonds and the use and investment of the proceeds of such bonds.

Section 27. **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, appoint such professionals and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township. The proper officers of the Township are hereby authorized and directed to to enact written post-issuance compliance procedures in order to meet the requirements of the Code.

Section 28. **Act Applicable to Bonds.** This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

Section 29. **Contract with Bondholders.** This Ordinance constitutes a contract with the registered owners of the Bonds from time to time outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

Section 30. **Severability.** In case any one or more of the provisions contained in this Ordinance or in any Bond issued pursuant hereto shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

Section 31. **Repealer.** All resolutions and parts of resolutions heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

Section 32. **Effective Date.** This Ordinance shall take effect on the earliest date permitted by the Act.

ORDAINED AND ENACTED this 14th day of May, 2013.

(TOWNSHIP SEAL)

ATTEST:

Secretary of
Township Board of Commissioners

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

President of Township
Board of Commissioners

SCHEDULE A

GENERAL OBLIGATION BONDS, SERIES B OF 2013

SCHEDULE OF DEBT SERVICE SAVINGS

UPPER DUBLIN TOWNSHIP
SERIES B OF 2013
PARTIALLY REFUNDS THE SERIES OF 2010

Settle 6/15/2013
Dated 6/15/2013

1	2	3	4	5	6	7	8
Date	Principal	Est Coupon	Interest	Semi-Annual Debt Service	Fiscal Year Debt Service	Existing Debt Service	Savings
2013 Calendar Year			0.00	0.00	0.00	153,645.00	153,645.00
1/15/2014			140,546.88	140,546.88			
7/15/2014	5,000	1.100	120,468.75	125,468.75	266,015.63	307,290.00	41,274.38
1/15/2015			120,441.25	120,441.25			
7/15/2015	35,000	1.190	120,441.25	155,441.25	275,882.50	307,290.00	31,407.50
1/15/2016			120,233.00	120,233.00			
7/15/2016	340,000	1.320	120,233.00	460,233.00	580,466.00	582,290.00	1,824.00
1/15/2017			117,989.00	117,989.00			
7/15/2017	345,000	1.460	117,989.00	462,989.00	580,978.00	580,552.50	(425.50)
1/15/2018			115,470.50	115,470.50			
7/15/2018	350,000	1.630	115,470.50	465,470.50	580,941.00	582,852.50	1,911.50
1/15/2019			112,618.00	112,618.00			
7/15/2019	365,000	1.810	112,618.00	477,618.00	590,236.00	589,152.50	(1,083.50)
1/15/2020			109,314.75	109,314.75			
7/15/2020	370,000	2.020	109,314.75	479,314.75	588,629.50	589,545.00	915.50
1/15/2021			105,577.75	105,577.75			
7/15/2021	380,000	2.230	105,577.75	485,577.75	591,155.50	589,150.00	(2,005.50)
1/15/2022			101,340.75	101,340.75			
7/15/2022	390,000	2.400	101,340.75	491,340.75	592,681.50	593,100.00	418.50
1/15/2023			96,660.75	96,660.75			
7/15/2023	395,000	2.560	96,660.75	491,660.75	588,321.50	591,200.00	2,878.50
1/15/2024			91,604.75	91,604.75			
7/15/2024	405,000	2.660	91,604.75	496,604.75	588,209.50	588,600.00	390.50
1/15/2025			86,218.25	86,218.25			
7/15/2025	415,000	2.760	86,218.25	501,218.25	587,436.50	590,280.00	2,843.50
1/15/2026			80,449.75	80,449.75			
7/15/2026	430,000	2.900	80,449.75	510,449.75	590,899.50	591,030.00	130.50
1/15/2027			74,214.75	74,214.75			
7/15/2027	440,000	3.020	74,214.75	514,214.75	588,429.50	590,820.00	2,390.50
1/15/2028			67,570.75	67,570.75			
7/15/2028	455,000	3.100	67,570.75	522,570.75	590,141.50	589,620.00	(521.50)
1/15/2029			60,518.25	60,518.25			
7/15/2029	465,000	3.180	60,518.25	525,518.25	586,036.50	587,190.00	1,153.50
1/15/2030			53,124.75	53,124.75			
7/15/2030	480,000	3.240	53,124.75	533,124.75	586,249.50	589,137.50	2,888.00
1/15/2031			45,348.75	45,348.75			
7/15/2031	500,000	3.300	45,348.75	545,348.75	590,697.50	590,255.00	(442.50)
1/15/2032			37,098.75	37,098.75			
7/15/2032	515,000	3.350	37,098.75	552,098.75	589,197.50	589,117.50	(80.00)
1/15/2033			28,472.50	28,472.50			
7/15/2033	530,000	3.400	28,472.50	558,472.50	586,945.00	587,090.00	145.00
1/15/2034			19,462.50	19,462.50			
7/15/2034	550,000	3.450	19,462.50	569,462.50	588,925.00	589,172.50	247.50
1/15/2035			9,975.00	9,975.00			
7/15/2035	570,000	3.500	9,975.00	579,975.00	589,950.00	590,142.50	192.50
TOTALS	**8,730,000**		**3,568,424.63**	**12,298,424.63**	**12,298,424.63**	**12,538,522.50**	**240,097.88**

Savings as a % of Refunded Par	3.04%

SCHEDULE B

GENERAL OBLIGATION BONDS, SERIES A OF 2013

PARAMETERS BOND MATURITY SCHEDULE

TOWNSHIP OF UPPER DUBLIN
SERIES A OF 2013
MAXIMUM PARAMETERS

1	2	3	4	5	6
Date	Max Principal	Max Rate	Interest	Semi-Annual Debt Service	Proposed Fiscal Year Debt Service
1/15/2014			262,500.00	262,500.00	
7/15/2014	90,000	6.000	225,000.00	315,000.00	577,500.00
1/15/2015			222,300.00	222,300.00	
7/15/2015	340,000	6.000	222,300.00	562,300.00	784,600.00
1/15/2016			212,100.00	212,100.00	
7/15/2016	345,000	6.000	212,100.00	557,100.00	769,200.00
1/15/2017			201,750.00	201,750.00	
7/15/2017	345,000	6.000	201,750.00	546,750.00	748,500.00
1/15/2018			191,400.00	191,400.00	
7/15/2018	345,000	6.000	191,400.00	536,400.00	727,800.00
1/15/2019			181,050.00	181,050.00	
7/15/2019	350,000	6.000	181,050.00	531,050.00	712,100.00
1/15/2020			170,550.00	170,550.00	
7/15/2020	355,000	6.000	170,550.00	525,550.00	696,100.00
1/15/2021			159,900.00	159,900.00	
7/15/2021	355,000	6.000	159,900.00	514,900.00	674,800.00
1/15/2022			149,250.00	149,250.00	
7/15/2022	365,000	6.000	149,250.00	514,250.00	663,500.00
1/15/2023			138,300.00	138,300.00	
7/15/2023	370,000	6.000	138,300.00	508,300.00	646,600.00
1/15/2024			127,200.00	127,200.00	
7/15/2024	380,000	6.000	127,200.00	507,200.00	634,400.00
1/15/2025			115,800.00	115,800.00	
7/15/2025	390,000	6.000	115,800.00	505,800.00	621,600.00
1/15/2026			104,100.00	104,100.00	
7/15/2026	400,000	6.000	104,100.00	504,100.00	608,200.00
1/15/2027			92,100.00	92,100.00	
7/15/2027	405,000	6.000	92,100.00	497,100.00	589,200.00
1/15/2028			79,950.00	79,950.00	
7/15/2028	415,000	6.000	79,950.00	494,950.00	574,900.00
1/15/2029			67,500.00	67,500.00	
7/15/2029	425,000	6.000	67,500.00	492,500.00	560,000.00
1/15/2030			54,750.00	54,750.00	
7/15/2030	440,000	6.000	54,750.00	494,750.00	549,500.00
1/15/2031			41,550.00	41,550.00	
7/15/2031	450,000	6.000	41,550.00	491,550.00	533,100.00
1/15/2032			28,050.00	28,050.00	
7/15/2032	460,000	6.000	28,050.00	488,050.00	516,100.00
1/15/2033			14,250.00	14,250.00	
7/15/2033	475,000	6.000	14,250.00	489,250.00	503,500.00
TOTALS	**7,500,000**		**5,191,200.00**	**12,691,200.00**	**12,691,200.00**

SCHEDULE C

GENERAL OBLIGATION BONDS, SERIES B OF 2013

PARAMETERS BOND MATURITY SCHEDULE

UPPER DUBLIN TOWNSHIP
SERIES B OF 2013
MAXIMUM PARAMETERS

1	2	3	4	5	6
Date	Max Principal	Max Rate	Interest	Semi-Annual Debt Service	Fiscal Year Debt Service
1/15/2014			350,000.00	350,000.00	
7/15/2014	80,000	6.000	300,000.00	380,000.00	730,000.00
1/15/2015			297,600.00	297,600.00	
7/15/2015	130,000	6.000	297,600.00	427,600.00	725,200.00
1/15/2016			293,700.00	293,700.00	
7/15/2016	405,000	6.000	293,700.00	698,700.00	992,400.00
1/15/2017			281,550.00	281,550.00	
7/15/2017	410,000	6.000	281,550.00	691,550.00	973,100.00
1/15/2018			269,250.00	269,250.00	
7/15/2018	415,000	6.000	269,250.00	684,250.00	953,500.00
1/15/2019			256,800.00	256,800.00	
7/15/2019	425,000	6.000	256,800.00	681,800.00	938,600.00
1/15/2020			244,050.00	244,050.00	
7/15/2020	435,000	6.000	244,050.00	679,050.00	923,100.00
1/15/2021			231,000.00	231,000.00	
7/15/2021	440,000	6.000	231,000.00	671,000.00	902,000.00
1/15/2022			217,800.00	217,800.00	
7/15/2022	445,000	6.000	217,800.00	662,800.00	880,600.00
1/15/2023			204,450.00	204,450.00	
7/15/2023	455,000	6.000	204,450.00	659,450.00	863,900.00
1/15/2024			190,800.00	190,800.00	
7/15/2024	460,000	6.000	190,800.00	650,800.00	841,600.00
1/15/2025			177,000.00	177,000.00	
7/15/2025	470,000	6.000	177,000.00	647,000.00	824,000.00
1/15/2026			162,900.00	162,900.00	
7/15/2026	480,000	6.000	162,900.00	642,900.00	805,800.00
1/15/2027			148,500.00	148,500.00	
7/15/2027	495,000	6.000	148,500.00	643,500.00	792,000.00
1/15/2028			133,650.00	133,650.00	
7/15/2028	505,000	6.000	133,650.00	638,650.00	772,300.00
1/15/2029			118,500.00	118,500.00	
7/15/2029	515,000	6.000	118,500.00	633,500.00	752,000.00
1/15/2030			103,050.00	103,050.00	
7/15/2030	530,000	6.000	103,050.00	633,050.00	736,100.00
1/15/2031			87,150.00	87,150.00	
7/15/2031	555,000	6.000	87,150.00	642,150.00	729,300.00
1/15/2032			70,500.00	70,500.00	
7/15/2032	565,000	6.000	70,500.00	635,500.00	706,000.00
1/15/2033			53,550.00	53,550.00	
7/15/2033	580,000	6.000	53,550.00	633,550.00	687,100.00
1/15/2034			36,150.00	36,150.00	
7/15/2034	595,000	6.000	36,150.00	631,150.00	667,300.00
1/15/2035			18,300.00	18,300.00	
7/15/2035	610,000	6.000	18,300.00	628,300.00	646,600.00
TOTALS	**10,000,000**		**7,842,500.00**	**17,842,500.00**	**17,842,500.00**

Public Financial Management, Inc. 5/6/2013

SCHEDULE D

GENERAL OBLIGATION BONDS, SERIES OF 2013

WRAP AROUND DEBT SERVICE SCHEDULE

UPPER DUBLIN TOWNSHIP
SUMMARY OF OUTSTANDING INDEBTEDNESS

Debt Service Requirements

1	2	3	4	5	6	7	8	9	10
	NONELECTORAL						ELECTORAL		
					MAX PARAMETERS				
Fiscal Year Ended	G.O. Notes Series of 1998	G.O. Notes Series of 2006	G.O. Bonds Series of 2010	G.O. Bonds Series of 2011	G.O. Bonds Series A of 2013	G.O. Bonds Series B of 2013	G.O. Bonds Series of 2010	G.O. Bonds Series of 2011	Total Debt Service
12/31/2013	421,053	684,130	432,045	549,900			171,600	30,553	2,289,280
12/31/2014	421,764	682,922	275,750	550,700	577,500	730,000	169,350	30,303	3,438,288
12/31/2015	421,739	683,102	272,950	552,200	784,600	725,200	172,100	29,803	3,641,693
12/31/2016	421,960	682,627		551,325	769,200	992,400	169,700	29,178	3,616,389
12/31/2017	421,399	681,498		547,975	748,500	973,100	172,740	28,428	3,573,640
12/31/2018	422,019	681,676		544,330	727,800	953,500	170,403	27,953	3,527,679
12/31/2019		681,115		969,440	712,100	938,600	172,853	32,415	3,506,523
12/31/2020		679,820		977,513	696,100	923,100	170,018	31,680	3,478,230
12/31/2021		679,748		977,075	674,800	902,000	172,048	30,855	3,436,525
12/31/2022		678,858			663,500	880,600	173,818		2,396,776
12/31/2023		678,130			646,600	863,900	170,318		2,358,948
12/31/2024		677,524			634,400	841,600	171,718		2,325,241
12/31/2025		676,997			621,600	824,000	172,833		2,295,430
12/31/2026		676,510			608,200	805,800	173,653		2,264,163
12/31/2027		676,022			589,200	792,000	174,166		2,231,389
12/31/2028		674,511			574,900	772,300	169,368		2,191,078
12/31/2029					560,000	752,000	169,388		1,481,388
12/31/2030					549,500	736,100	174,200		1,459,800
12/31/2031					533,100	729,300	173,598		1,435,998
12/31/2032					516,100	706,000	172,368		1,394,468
12/31/2033					503,500	687,100	170,915		1,361,515
12/31/2034						667,300	169,240		836,540
12/31/2035						646,600	172,343		818,943
Totals	2,529,933	10,875,189	980,745	6,220,458	12,691,200	17,842,500	3,948,733	271,165	55,359,922
Principal*:	2,204,000	7,989,000	780,000	5,410,000	7,500,000	10,000,000	2,540,000	240,000	36,663,000
Call Date:	Anytime		7/15/2015	1/15/2017	TBD	TBD	7/15/2015	1/15/2017	
Purpose:	New Money	New Money	New Money	Cur Ref 2002 & 2005	New Money	Adv Ref Partial 2010	New Money	New Money	

* Outstanding as of May 6, 2013

CERTIFICATE OF SECRETARY

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

The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series A of 2013 and General Obligation Bonds, Series B of 2013 of the Township was duly moved and seconded and to enacted by a majority vote of all the Board of Commissioners of said Township at a duly called and convened public meeting of said Board held on May 14, 2013; that public notice of said meeting was given as required by law; that the roll of the Board of Commissioners was called and such members voted or were absent as follows:

Name	Vote
Ira S. Tackel, President	Yes
Ronald P. Feldman, Vice President	Yes
Chester H. Derr, III	Yes
Sharon L. Damsker	Yes
John R. Minehart	Yes
Stanley J. Ropski	Yes
Rebecca A. Gushue	Yes

and that said Ordinance is a true, complete and correct copy of said Ordinance, which 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, and said Ordinance and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Township this 14 day of May, 2013.

(TOWNSHIP SEAL)

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 13-1272

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 212, Subdivision And Land Development, To Correct Typographical And Spelling Errors In The Section Imposing Landscaping Requirements; To Clarify The Requirements For Plan Certifications; And To Revise The Requirements For Plan Submissions.

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

Section 1. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article IV, Design Standards, §212-32. Landscaping, subsection F, Specific planting requirements, subsection (3), Screen buffer, paragraph (b), Location, subparagraph [1] shall be amended to provide as follows:

Article IV. Design Standards

* * * * * * *

§212-32. Landscaping

* * * * * * *

F. Specific planting requirements.

* * * * * * *

(3) Screen buffer.

* * * * * * *

(b) Location.

[1] The screen buffer is to provide a visual barrier between adjacent land uses. The screen buffer shall be 30 feet in width and aligned adjacent to property lines or ultimate rights-of-way boundaries or may be positioned elsewhere on the property upon the recommendation of Township staff or consultants and approval by the Board of Commissioners.

Section 2. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article IV, Design Standards, §212-32. Landscaping, subsection F, Specific planting requirements, subsection (7), Landscaping on slopes, paragraph (b), Location, subparagraph [1] shall be amended to provide as follows:

Article IV. Design Standards

* * * * * * *

§212-32. Landscaping

* * * * * * *

F. Specific planting requirements.

* * * * * * *

(7) Landscaping on slopes.

* * * * * * *

(b) Location.

[1] Sodded lawn and/or ground cover plantings are required on all slopes of between 25% and 33%.

Section 3. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article IV, Design Standards, §212-32. Landscaping, subsection F, Specific planting requirements, subsection (8), Watercourse buffers, paragraph (a), Location, subparagraph [1] shall be amended to provide as follows:

Article IV. Design Standards

* * * * * * *

§212-32. Landscaping

* * * * * * *

F. Specific planting requirements.

* * * * * * *

(8) Watercourse buffers.

(a) When required

[1] Watercourse buffer planting requirements applicable to each zoning district or land use are listed in Table 1.

* * * * * * *

Section 4. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article IV, Design Standards, §212-32. Landscaping, subsection I, Recommended Plant List, shall be amended to provide as follows:

Article IV. Design Standards

* * * * * * *

§212-32. Landscaping

* * * * * * *

I. Recommended plant list. The following is the recommended list of trees, shrubs and ground cover for use in Upper Dublin Township. However, the Board of Commissioners may permit other planting types if they are hardy to the area, are not subject to blight or disease and are of the same general character and growth habit as those listed below. Substitutions for suitable plants not listed will be considered on a case by case basis. Any plant material proposed for use and not listed must be reviewed and recommended for approval by Township staff or consultants and approved by the Board of Commissioners.

(1) Shade/Canopy Trees- minimum two and one half (2 ½) inches caliper*, 12 to 14 feet high, eight feet minimum spread, clear trunk to seven feet above the ground and full branching structure.

Acer rubrum - Red Maple
Acer saccharum - Sugar Maple*
Aesculus glabra – Buckeye
Betula nigra – River Birch
Carpinus betulus – European Hornbeam*
Carya glabra – Pignut Hickory
Carya ovata – Shagbark Hickory

Cercidiphyllum japonicum - Katsura Tree*
Corylus colurna – Turkish Filbert*
Fagus (species) – Beech
Ginko biloba – Ginko (male only)*
Gleditsia triacanthos – Common Honeylocust
Gleditsia triacanthos inermis – Thornless Common Honeylocust
Gymnocladus dioicus – Kentucky Coffeetree
Juglans cinera – Butternut
Juglans nigra – Black Walnut
Larix decidua - Larch
Liquidambar styraciflua - Sweetgum
Liriodendron tulipifera - Tulip Poplar
Metasequoia glyptostroboides – Dawn Redwood
Nyssa sylvatica - Black Gum
Phellodendron amurense – Amur Corktree
Platanus x acerifolia - London Planetree
Platanus occidentallis – Sycamore
Quercus acutissima – Sawtooth Oak*
Quercus alba – White Oak
Quercus bicolor – Swamp White Oak
Quercus imbricaria – Shingle Oak*
Quercus macrocarpa – Bur Oak
Quercus palustris - Pin Oak
Salix alba – White Willow
Salix babylonica - Weeping Willow
Sophora japonica – Scholar-tree*
Tilia cordata - Littleleaf Linden
Ulmus (hybrid species) – Elm*
Zelkova (species) - Zelkova*

* Suitable for street trees

* Nursery grown trees four inches caliper or less are measured at six inches above ground level as defined by the American Association of Nurserymen. Nursery grown trees of greater than four-inch caliper are measured at 12 inches above the ground level.

(2) Evergreen Trees: minimum eight feet in height, four-foot minimum spread*, single leader, symmetrically branching to the ground.

Abies concolor – Concolor Fir
Abies fraseri – Fraser Fir
Cedrus (species) – Cedar
Chamaecyparis (species) – False Cypress
Ilex opaca - American Holly
Juniperus virginiana – Eastern Red Cedar
Picea abies – Norway Spruce
Picea glauca – White Spruce
Picea omorika Serbian Spruce
Picea pungens – Colorado Spruce
Pinus bungeana – Lacebark Pine**
Pinus flexilis – Limber Pine**
Pinus strobus – White Pine**
Pseudotsuga menziesii - Douglas Fir

* = Spread may be less than four feet for upright or columnar varieties.
** = Not to be used for buffer plantings

(3) Flowering Understory Trees- minimum eight feet in high, five-foot minimum spread, symmetrically branched to within four feet from the ground.

Acer ginnala – Amur Maple
Acer griseum – Paperbark Maple
Amelanchier (species) – Serviceberry
Amelanchier Canadensis – Shadblow Serviceberry
Carpinus caroliniana – Ironwood
Cercis canadensis – Redbud
Cladrastus Cladrastis lutea – Yellowwood
Cornus (species) - Dogwood
Crataegus (species) - Hawthorne
Halesia carolina – Carolina Silverbell
Koelreuteria paniculata – Golden Rain Tree
Magnolia (species) - Magnolia
Malus (species) – Crabapples (disease resistant varieties)
Ostrya virginiana – American Hornbeam
Oxydendrum arboreum - Sourwood
Prunus (species) - Cherries and Plums (disease resistant varieties)
Pyrus calleryana – Pear (disease resistant varieties)
Sassafras albidum – Sassafras

(4) Deciduous Shrubs: thirty-inch minimum height, twenty-four-inch minimum spread and symmetrically branched to the ground.

Abelia x grandiflora – Glossy Abelia
Aesculus parviflora – Bottlebrush Buckeye
Aronia arbutifolia – Red Chokeberry
Callicarpa bodinieri – Beautyberry
Calycanthus floridus – Sweetbrush
Cephalanthus occidentalis – Buttonbush
Chaenomeles speciosa – Common Flowering Quince
Cornus sericea – Redosier Dogwood
Corylopsis glabrescens – Fragrant Winterhazel
Cotoneaster (species) – Cotoneaster
Cytisus scoparius – Scotch Broom
Daphne odora – Fragrant Daphne
Deutzia gracilis – Slender Deutzia
Enkianthus campanulatus – Redvein Enkianthus
Euonymus alatus" - Winged Euonymus
Forsythia (species) – Forsythia
Fothergilla gardenii – Dwarf Fothergilla
Hamamelis (species) - Witchhazel
Hydrangea (species) – Hydrangea
Hypericum prolificum – St. Johnswort
Ilex verticillata - Winterberry Holly
Itea virginica – Virginia Sweetspire
Jasminum nudiflorum – Winter Jasmine
Kalmia latifolia – Mountain Laurel
Ligustrum amurense – Amur Privet
Lindera benzoin – Spicebush
Lonicera fragrantissima – Winter Honeysuckle
Myrica pensylvanica – Northern Bayberry
Philadelphus coronarius – Mockorange
Physocarpus opulifolius – Common Ninebark
Rhus (species) – Sumac
Skimmia japonica – Japanese Skimmia
Spiraea (species) – Spiraea
Syringa (species) Lilac
Vaccinium corymbosum – Highbush Blueberry
Viburnum (species) – Viburnum
Weigelia florida - Weigelia

(5) Evergreen Shrubs: twenty-four-inch minimum height, eighteen-inch minimum spread and symmetrically branched to the ground.

Berberis (species) – Barberry
Buxus (species) – Boxwood
Cupressocyparis leylandii – Leyland Cypress
Ilex (species) - Holly
Juniperus (species) - Juniper
Leucothoe fontanesiana - Leucothoe
Mahonia aquifolium – Oregon Hollygrape
Osmanthus heterophyllus - Osmanthus
Pieris (species) – Pieris
Prunus laurocerasus – Cherrylaurel
Rhododendron (species) - Rhododendron
Taxus (species) - Yews

* Height and spread requirements may be reversed for spreading varieties of evergreen shrubs.

(6) Groundcover Plants.

(a) Shrubs – heavily rooted plants in two gallon containers planted a maximum of 36 inches on center

Calluna vulgaris – Scotch Heather
Cotoneaster (species) – Cotoneaster (low-growing and spreading cultivars)
Erica (species) – heath
Forsythia viridissima "Bronxensis" – Bronx Forsythia
Juniperus horizontalis and Sabina species – Juniper
Microbiota decussate – Siberian Cypress
Stephanandra incisa – Cutleaf Stephanandra
Symphoricarpos x chenaultii – Prostrate Chenault Coralberry
Vaccinium macrocarpon "Lohzam" – Lohzam American Cranberry

(b) Herbaceous Plants – heavily rooted plants in number 2 containers planted a minimum of 18 inches on center:

Ajuga reptans – Bugleweed
Gaultheria procumbens – Eastern Teaberry
Hedera helix – English Ivy
Liriope (species) Lilly Turf
Pachysandra terminalis – Japanese Pachysandra
Vinca minor – Myrtle, Periwinkle
Hardy Ferns
Ornamental grasses

Section 5. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-41, Plans Required For Approval, Subsection (F), Lot Consolidation, shall be amended by the addition of a new paragraph (7), Certificates, to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-41. Plan required for approval.

* * * * * * *

(F). Lot consolidation

* * * * * * *

(7). Certificates. When approved, the record plan must show:

(a) 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.

(b) The signature and seal of the registered engineer verifying that the plan of improvements is true and correct and made by him.

(c) The signature duly notarized and date of the owner or equitable owner certifying his adoption of the plan.

(d) 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.

(e) The processed and reviewed certification of the Montgomery County Planning Commission.

(f) The certificates as required by 53 P.S. §10503.1.

* * * * * * *

Section 6. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-41, Plans Required For Approval, Subsection (G), Lot line change, shall be amended by the addition of a new paragraph (9), Certificates, to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-41. Plan required for approval.

* * * * * * *

(G). Lot line change.

* * * * * * *

(9) Certificates – When approved, the same certifications required in §212-41.F(7) shall apply for lot line changes.

Section 7. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-43, Preliminary plan requirements, Subsection F, Certificates, shall be deleted.

Section 8. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-44, Minor subdivision plan (final), Subsection A, Criteria for minor subdivisions, Paragraph (4), and Subsection C, Location and identification, and Subsection F, Certifications, shall be amended to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

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

A. Criteria for minor subdivisions. A minor subdivision is a subdivision of a tract that:

* * * * * * *

(4) Does not require a variance from Chapter 255, Zoning, for any one of the proposed lots on which new construction will occur or may occur in the future.

* * * * * * *

C. Location and identification. The location and identification requirements in §212-43.B shall apply for minor subdivisions.

* * * * * * *

F. Certifications. When approved, the same certifications required in §212-45.C(4) shall apply for Minor Subdivisions.

Section 9. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-44.1, Minor land development plan, Subsection F, Procedures, Paragraph (6) shall be deleted and a new Subsection G, Certifications, shall be added, to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-44.1 Minor land development plan.

* * * * * * *

G. Certifications – When approved, the same certifications required in §212-45.C(4) shall apply to Minor Land Developments.

Section 10. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-45, Final plan, Subsection C, Record plan, Paragraph (4), Certificates shall be revised to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-45. Final plan.

* * * * * * *

C. Record plan.

(4) Certificates. When approved, the record plan must show:

(a) 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.

(b) The signature and seal of the registered engineer verifying that the plan of improvements is true and correct and made by him.

(c) The signature duly notarized and date of the owner or equitable owner certifying his adoption of the plan.

(d) 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 .

(e) The date and signature of the Chairman of the Planning Commission certifying the Planning Commission reviewed the plan.

(f) The date and signature of the Township Engineer indicating he reviewed the plan.

(g) The processed and reviewed certification of the Montgomery County Planning Commission.

(h) The certificates as required by 53 P.S. § 10503.1.

Section 11. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-46, Land development plans, Subsection C, Final plan, shall be amended by the addition of a new Paragraph (4), Certifications, to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-46. Land development plans.

* * * * * * *

C. Final plan.

* * * * * * *

(4) Certifications – When approved, the same certifications required in §212.C(4) shall apply for Land Development Plans.

Section 12. The Code of Upper Dublin Township, Chapter 212, Subdivision and Land Development, Article VI, Plan Submission Requirements and Processing Procedures, §212-48. Plan Recording, shall be amended to provide as follows:

Article VI. Plan Submission Requirements and Processing Procedures

* * * * * * *

§212-48. Plan recording.

Upon approval of a final plan of subdivision or land development, nine signed and notarized copiesof the record plan and Post Construction Stormwater Management Plan, (one mylar copy and eight paper copies) shall be submitted to the Township Engineer. The Engineer will review and sign the plans and forward to the Township Manager for Township signatures and seal. Within 90 days of such final approval, the plan shall be recorded by the Township Solicitor in the office of the Recorder of Deeds, Norristown, Pennsylvania. One signed paper copy will be returned to the owner/developer bearing the review stamp of the Montgomery County Planning Commission and the deed book and page number

in which it is recorded. The Township Engineer will distribute the remaining mylar and paper copies.

Section 13. Nothing in this Ordinance or in Chapter 212 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 212 prior to the adoption of this amendment.

Section 14. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 15. This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of May, 2013.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

212 Attachment 1

TOWNSHIP OF UPPER DUBLIN
TABLE 1
MINIMUM PLANTING REQUIREMENTS
(See § 212-32.)

Land Use or Zoning District	Street Trees	Softening Buffer	Screen Buffer[3]	Individual Lot Landscaping	Parking Area Landscaping	Detention Basin Landscaping	Stream Buffer
A Residential	50 feet to 75 feet on center each side of street, up to 100 feet on center along major streets	2 trees and 6 shrubs per 100 feet of property perimeter	If screening required[2]	3 shade trees per unit[1]	Not required - except when a special exception or a conditional use	1 shade tree per 40 feet of perimeter of the basin[1]	2 shade trees 4 understory trees 15 shrubs per 100 feet of stream edge, plus groundcover (70% coverage)
B Residential				2 shade trees per unit[1]			
C Residential				1 shade tree per unit[1]	1 shade tree per every 10 parking spaces		
MD Multi-Dwelling							
AHS Apartment House Special							
MHD Mobile Home Development							
M Motel-Motor Inn-Motor Lodge							
CR Commercial Retail				1 shade tree per 2,000 square feet of gross floor area[1]			
OC Office Center							
SC Shopping Center				1 shade tree per 5,000 square feet of gross floor area[1]			
INST Institutional							
EC Employment Center[4]							

NOTES: Nonconforming land uses proposed in areas zoned for other uses shall comply with the strictest interpretation of landscape requirements for either the use or the zone in which the development is located.

[1] Up to fifty percent (50%) of shade trees may be substituted with flowering trees or shrubs at the rate of two (2) flowering trees or two (2) evergreen trees for every shade tree or ten (10) shrubs for every shade tree.

[2] Evergreen screening shall consist of trees in double rows, staggered five (5) feet to fifteen (15) feet on center. The spacing will depend upon the type of trees used:

Type of Tree	Spacing (feet)
White pines	15
Japanese black pines	15
Arborvitae	5
American holly	8
Spruce	12
Fir	12
Hemlocks	12

[3] Refer to Table 2 for screen buffer requirements.

[4] **[Amended 7-14-1998 by Ord. No. 972]**

AN ORDINANCE

NO. 13-1273

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

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

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

§ 212-18. Sidewalks.

* * * * * *

B. Width. Sidewalks shall not be less than five feet in width in residential areas. A greater width may be required in areas in which apartments or business buildings are located, or deemed necessary at the discretion of the Board. Sidewalks in the DO Dresher Overlay District shall not be less that six feet in width.

C. On public streets, sidewalks shall be located between the curb and right-of-way line. In all districts sidewalks crossing driveways must be compliant with ADA regulations. Sidewalks in the DO Dresher Overlay District shall be located six feet from the curb or cartway if no curb is present, and a planting strip shall be placed between the edge of the curb or cartway and edge of sidewalk.

Section 2. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article I, General Provisions, §255-7. "Definitions", shall be amended by the addition of a definition for "Green Roof", to provide as follows:

§ 255-7. Definitions.

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

* * * * * *

GREEN ROOF –An engineered, multilayered roofing system sustaining the growth of plants on a rooftop while protecting the integrity of the underlying structure designed to provide stormwater management and other environmental benefits. The components of a green roof consist of a waterproofing membrane, root barrier, drainage layer, retention layer, filter fabric, growing medium and plants.

GROCERY STORE – As applied to the DO Dresher Overlay District, a retail store that has more than forty percent of its gross sales floor area devoted to the sale of a variety of fresh and packaged food items.

[

Section 3. The Code of the Township of Upper Dublin, Chapter 255 thereof, entitled Zoning, Article XXIX, DO Dresher Overlay District, shall be revised in its entirety to provide as follows:

Article XXIX
DO Dresher Overlay District

§ 255-216. Declaration of legislative intent.

The DO Dresher Overlay District is intended and designed to:

A. Provide the Dresher Triangle area of the Township with the ability to incorporate a mix of new suitable land uses, for which the area is not currently zoned.

B. Permit new development on vacant land and encourage the redevelopment of existing structures in such a way as to create a transition in intensity between existing residential and commercial uses.

C. Encourage development and redevelopment that can be accommodated by existing structures, lot sizes, and other physical attributes of properties in the district while preserving existing historic houses.

D. Incorporate architectural and site features such as central spaces in the design that are pedestrian friendly and allow visitors to utilize and enjoy the developed amenities and context of a village-like development. Features that create a sense of place, focus, and organization to the development are required.

E. Require that proposed structures relate harmoniously to one another, the terrain, existing buildings, roads, and culturally significant features on the site and in neighboring developments.

F. Encourage shared use of access driveways to reduce the number of existing or future driveways and produce more efficient access.

G. Encourage parking in side or rear yard areas and encourage adjoining properties to share parking.

H. Provide for sufficient and safe pedestrian access from street and parking areas to various permitted uses, while striving to complete a district-wide sidewalk network, it being the intent of this district to create a pedestrian friendly area wherein all properties are accessible to one another without the use of a motor vehicle.

I. Encourage attractive and appropriate landscaping throughout individual parcels undergoing development and redevelopment, especially those bordering a residential district.

§ 255-217. Overlay.

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

§ 255-218. Uses.

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

A. Permitted uses. All uses permitted in the underlying districts shall be permitted in accordance with the regulations of the underlying districts.

B. Conditional uses. A building may be erected, altered or used and a lot or premises may be used for any of the following uses, in lieu of a use

permitted in the underlying district, when authorized by the Board of Commissioners as a conditional use in accordance with all use and dimensional regulations contained in this section and all other applicable zoning ordinance requirements:

(1) Residential conversion

(2) Bed and breakfast inn

(3) Professional office or cultural studio

(4) Child and/or adult day care facility

(5) Senior assisted living or personal care facility

(6) Library, educational or religious facility

(7) Retail and commercial establishments to include the following and no other:

(a) Retail sale of household merchandise and personal effects such as dry goods, variety and general merchandise, clothing, prepared and packaged food, flowers, beverages, pharmaceuticals and medical supplies, household supplies and furnishings, jewelry, optical goods, small electronics, musical items, and antiques. Grocery stores are permitted only in commercially-zoned areas of the Dresher Overlay. Specialty food shops or delicatessens with some grocery items are permitted.

(b) Restaurant, café, coffee shop, café, bakery, cheese shop, confectionary or similar establishment for serving food and beverages. Outdoor dining that does not reduce walkways, plazas, or parking spaces.

(c) Bank and financial institution (without drive-thru).

(d) Drive-thru lanes and windows for pick-up of prescription medications and other medical supplies only.

(e) Personal care to include barber shop, hairdresser, clothes cleaning, tailoring, nail care, and spa or personal fitness center, not to exceed 7,500 sq.ft.

(8) Mixed Uses in a building integrating one or more of those retail and commercial uses set forth in paragraph 7 above on the first

floor with residential use or office use or a mix of them on the upper floors.

§ 255-219. Use and dimensional requirements.

A. The following regulations shall be applicable to all uses and development in the DO Dresher Overlay District, except if noted otherwise:

(1) All development must be served by public water and sewer service.

(2) All utility lines serving the proposed development must be placed underground from the edge of the right-of-way to the place of service.

(3) Buffer Requirements. Where any proposed development other than single-family detached dwelling or residential conversion abuts an existing detached single family residential district or use outside of the Dresher Overlay District, a screen buffer shall be provided that will be a minimum of 50 feet in width and shall include a mixture of deciduous trees and shrubs at a ratio of no less than 2 trees and 6 shrubs per 100 feet of property boundary. Opaque fences with landscape as specified above shall be permitted as an element of the screen buffer. These shall be included in the Landscape Plan submitted with the plan set.

(4) No individual building shall have a Gross Building Area greater than 15,000 square feet, except as noted in Section 255-219.C(8).

(5) Architectural Guidelines. In consideration of the special nature of that part of the Township encompassed within the Dresher Overlay District, the following regulations shall apply to the erection, construction and alteration of structures:

(a) The appearance of flat roofs shall be prohibited on one-story buildings but are allowed on buildings of two stories or more, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane. Architectural embellishments that serve a function and add visual interest to roofs, such as dormers, masonry chimneys, cupolas, towers, and other similar elements shall be included in the design of buildings. Gable roofs shall have a minimum pitch of 9/12. Hipped roofs shall have a minimum pitch of 6/12. Both gable and hipped roofs shall provide overhanging eaves on all sides extending a minimum of one (1) foot beyond the

building wall. Roof top mechanical systems must be screened by architectural features. Solar panels must be integrated into the building and roof design.

(b) Facades. A building's primary front façade shall be located along the main roadway frontage and designed with clear windows, public access points and signage. Multi-story buildings shall articulate the line between the ground and upper levels with a cornice, canopy, arcade, or other visual device.

(c) Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned wherever possible. The ground floor of the primary front façade(s) shall contain a minimum of 20% windows with a maximum of 60%; windows shall not be tinted, unless for purposes of energy conservation, or be of reflective glass.

(d) To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows. Upper stories of a primary front façade, except those floors used for residential purposes, shall contain a minimum of 20% windows with a maximum of 40%; windows shall not be tinted unless for purposes of energy conservation nor shall they be of reflective glass.

e) Windowless walls, if visible from a right-of-way or vehicular or pedestrian circulation area, are prohibited unless the construction of a blank wall is necessitated by local building codes, in which case the wall should be articulated by one or more of the following: details in masonry courses; the provision of blank window openings trimmed with frames, sills, and lintels; or, if the building is occupied by a commercial use, recessed or projecting display window cases.

f) Materials. Exterior wall material may be a combination of brick, architectural or real stone, stucco, concrete and/or wood siding.

1. The following building materials are prohibited: exterior insulation and finishing systems (EFIS), aluminum or vinyl siding; T-111 or similar plywood siding.

2. Except on rear walls, not visible from any public way, all forms of visible concrete masonry units shall be prohibited.

3. All exposed concrete walls shall be stuccoed or painted. Painted concrete block may not exceed 36 inches in height above the ground.

g) The maximum height of any building constructed under these overlay regulations shall be 35 feet, except as noted in Section 255-219.C(8).

h) Architectural embellishments that add interest to the side and rear elevations of buildings shall be encouraged. To discourage long, straight expanses of side and rear walls, buildings may encroach up to 25% of the required rear or side yard so long as the average set back of that face of the building is not less than the required set back for that yard.

i) All ground-mounted exposed HVAC units or other utility equipment shall be screened from view. This shall be done through the use of masonry walls and landscaping.

j) The Board of Commissioners may, by conditional use, approve the use of architectural concepts and designs which differ from those set forth above, if the applicant demonstrates to the satisfaction of the Board that such concepts and designs are in furtherance of the legislative intent of this Article and the intent of this subsection.

(6) Signs. Signs shall be of muted color and shall not be internally illuminated. Signs anchored in the ground shall not exceed ten feet in height. In all other respects, signs shall comply with uses identified in Article XXI.

(7) Bicycle Storage. Sufficient area for the storage of bicycles shall be provided as approved by the Township Engineer, including racks or other permanently affixed storage devices to accommodate one bicycle for each five required vehicular parking spaces, at a minimum. Bicycle storage facilities may be held in reserve upon approval of the Township Engineer upon a finding that the requirements set forth herein exceed the foreseeable need therefore.

B. Conditional Use Standards. All conditional use applications shall be filed and processed in compliance with Article XXV. In addition, applicants shall demonstrate compliance with the following:

(1) Retention and use of existing principal buildings constructed prior to 1900:

(a) The proposed use shall retain and use the existing principal building(s) on the lot when compatible with the use proposed, and shall retain the general appearance, character, and types of building materials of the front and side facades of the existing building, existing front and side porches, and window openings.

(b) Expansion shall be permitted only to the sides and rear of the existing principal building.

(i) Expansion to the side or rear shall conform in general appearance, scale, and building materials to the front façade of the existing building.

(ii) Rooflines shall be similar or complimentary to those of the existing building.

(c) The applicant shall submit architectural drawings for evaluation of the proposed principal building expansion, including building elevations and colored renderings. The Board of Commissioners may approve expansion different from the existing building, provided that it complements the existing building and does not detract from the intent of this Article to enhance the district's appearance.

(d) Existing, healthy, mature trees shall be preserved in the front and side yards unless they must be removed to provide vehicular access appropriate for the proposed use.

(2) Traffic Control. The conditional use application shall be accompanied by a transportation impact study and parking analysis as provided in § 212-35.1. The study shall set forth the improvements needed to provide for the safe, efficient and orderly movement of traffic and shall be subject to the approval of the Township Engineer.

(a) Uses conditionally permitted shall provide shared access, access easements, cross easements, driveway interconnections, shared parking, and parking easements

with other uses on the same tract, and, where feasible on adjoining tracts in order to facilitate the objectives of this District.

(b) Access easements and maintenance agreements or other suitable legal mechanisms shall be provided, acceptable to the Board of Commissioners in consultation with the Township Solicitor.

(c) When it is not yet appropriate to construct driveway interconnections, shared access or shared parking, access easements shall be set aside for future use.

(3) Applicant shall provide appropriate transit shelters for integration with public or private transit services.

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

(1) Residential conversion. The conversion of a single-family dwelling into a dwelling for a greater number of families shall be permitted by conditional use, rather than special exception, subject to the requirements of §255-19(B-G).

(2) Bed and breakfast inn. The use of an existing detached dwelling for the accommodation of transient guests shall be permitted subject to the following requirements:

(a) The minimum lot area shall be 30,000 sq. ft.

(b) There shall be no external alteration of the building except as may be necessary for safety considerations. Exterior stairways shall be located, whenever practicable, to the rear of the building.

(c) There shall be no separate cooking facilities in any guest room.

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

(a) The front yard shall have a minimum depth of 20 feet.

(b) Two side yards shall be provided, each of which shall have a minimum width of 20 feet.

(c) The rear yard shall have a minimum depth of 50 feet.

(d) Maximum building coverage shall be 40 percent.

(e) Maximum impervious coverage shall be 60 percent.

(f) If an existing structure is being converted to professional office or cultural studio use, the character of the existing building shall be maintained.

(4) Licensed day-care center shall be permitted subject to the following regulations:

(a) The minimum lot area shall be 30,000 sq. ft.

(b) The front yard shall have a minimum depth of 20 feet.

(c) Two side yards shall be provided. each of which shall have a minimum width of 20 feet.

(d) The rear yard shall have a minimum depth of 50 feet.

(e) Maximum building coverage shall be 40 percent.

(f) Maximum impervious coverage shall be 60 percent.

g) An outdoor recreation area shall be provided with a minimum area of 200 sq. ft. per child and 100 sq. ft. per disabled or elderly person. This area shall be located to the side or rear of the lot and shall not include parking or driveway areas. A softening buffer shall be maintained between the recreational area and adjacent properties pursuant to § 212-32.F((2).

h) Sufficient facilities for the safe and orderly loading and unloading of passengers as approved by the Township Engineer shall be provided.

(5) Senior assisted living residence or personal care facility. Either is permitted, but both shall be subject to the parking, buffering,

residence regulations and general requirements of § 255-90.1, and subject to the following regulations:

(a) The minimum lot area shall be 40,000 sq. ft.

(b) The front yard shall have a minimum depth of 40 feet.

(c) Two side yards shall be provided, each of which shall have a minimum width of 30 feet.

(d) The rear yard shall have a minimum depth of 50 feet.

(e) Maximum building coverage shall be 40 percent.

(f) Maximum impervious coverage shall be 60 percent.

g) Up to twenty-five percent (25%) of the allowable density may be set aside for use as nursing beds, when permitted by conditional use.

(6) Library, educational, or religious facility. Public libraries; licensed public, private, or religious schools (excluding commercial trade schools); and places of worship or religious instruction are permitted subject to the following regulations:

(a) The minimum lot area shall be 80,000 sq. ft., with a minimum lot width of 200 feet.

(b) The front yard shall have a minimum depth of 60 feet.

(c) Two side yards shall be provided, each of which shall have a minimum width of 50 feet.

(d) The rear yard shall have a minimum depth of 50 feet.

(e) The maximum building coverage shall be 40 percent.

(f) The maximum impervious coverage shall be 60 percent.

(g) Outdoor recreational areas for use by students shall be provided on the same lot as the building housing the use. Any recreational structures shall be setback a minimum of 50 feet from any property line. A softening buffer shall be maintained between any recreational area and adjacent properties pursuant to § 212-32.F(2).

(7) Retail and Commercial uses as defined in Section 255-218 shall be permitted subject to the following regulations, except as noted in Section 255-219.B(7)g:

(a) The front yard shall have a minimum depth of 40 feet measured from the ultimate right of way of every adjacent street(s) and from the curb of every adjacent private street/driveway.

(b) Two side yards shall be provided, each of which shall have a minimum width of 50 feet, except, where they abut an existing single-family detached residential use outside the Dresher Overlay, they must be 75 feet.

(c) The rear yard shall have a minimum depth of 50 feet, except, where the rear property line is shared with an existing single-family detached residential use outside the Dresher Overlay, it must be 75 feet.

(d) Maximum building coverage shall be 10 percent, except in the case of a mixed use building(s)

(e) Maximum impervious coverage shall be 60 percent.

(f) Hours of operation open to the public shall be limited to a period from 6:30 a.m. to 11:00 p.m. seven days per week.

(g) Hours of operation open to the public of a retail establishment that sells pharmaceuticals, medical supplies and similar products shall be limited to a period of 7:00 am to 10:00 pm seven days a week.

(8) Mixed Use as defined in §255-218 shall be permitted subject to the following regulations:

(a) The front yard shall have a minimum depth of 40 feet.

(b) Two side yards shall be provided, each of which shall have a minimum width of 50 feet, except where they abut an existing single-family detached residential use outside the Dresher Overlay they must be 75 feet.

(c) The rear yard shall have a minimum depth of 50 feet, except where it abuts an existing single-family detached residential use outside the Dresher Overlay it must be 75 feet.

(d) The maximum building coverage shall not exceed 17 percent of the lot area. The commercial and retail component business establishment on the first floor shall be limited to 15,000 s.f. The maximum building height shall not exceed 39 feet and shall be limited to 3 stories. The maximum residential density shall not exceed 10 dwelling units per acre. Such buildings that incorporate a green roof on at least 50% of the roof area are permitted to add building coverage up to 3% of the lot area, but not to exceed 20% total building coverage. Any green roof installed under these provisions must be fully functioning and may not be removed, as established by a covenant.

(e) The minimum dwelling unit sizes shall be:

One bedroom	1,000 sq.ft.
Two bedroom	1,500 sq.ft.
Three bedroom	2,000 sq.ft.

(f) Maximum impervious coverage shall be 60 percent.

§ 255-220. Vehicular access.

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

B. Applicants shall seek agreements for shared vehicular access as the preferred means for reducing the total number of curb cuts within the district for traffic safety and congestion reasons.

(1) When two or more abutting lots share an access driveway, that driveway shall be designed as the main access to those lots, and one or more existing access driveways shall be closed.

(2) Where development of three or more adjoining parcels consolidates vehicular access into one shared driveway, that driveway shall be upgraded into a medium volume driveway according to PennDOT standards.

(3) Shared access may be located entirely on one lot or be split along a common lot line.

C. Driveway widths, grades, and setbacks from intersections shall be regulated by Section 212-16 of the Subdivision and Land Development Code.

§ 255-221. Parking.

A. Parking capacity shall comply with the standards of Article XIX.

B. Shared parking shall be utilized where feasible and where staggered periods of use are achievable, thereby permitting the amount of unused impervious surfaces to be reduced. Shared parking may be located along or across a common lot line. The required aggregate parking capacity may be reduced up to 50% by the Board of Commissioners and held in reserve, where shared parking allows greater efficiency for the uses proposed, subject to review and recommendation by the Township Engineer. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed and the area which is proposed to be eliminated shall be shown on the land development plan as "parking reserve area." The parking reserve area shall be planted with vegetative cover and integrated into the site's landscaping plan. Such area shall be required to be developed as designed if and when the Zoning Officer determines the need therefor. Storm sewer and stormwater management must be based on the required parking per §255-135 as if the reserve parking were constructed.

C. Parking is encouraged behind principal buildings where possible; however, parking in the front yard setback shall be permitted only under the following conditions:

(1) Parking shall be set back a minimum of fifteen feet from the street curb, and a maximum of two parallel rows of parking may be provided.

(2) Parking is partially screened by dense landscaping, such as hedges that do not block sight distance at the driveway entrance.

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

E. Parking spaces and driveways within the DO Dresher Overlay District shall be set back a minimum of fifty feet from rear and side property lines

abutting existing detached single-family residential uses or districts, except when the abutting properties are located within the Dresher Overlay District..

F. Parking spaces shall be set back a minimum of five feet from all buildings.

§ 255-222. Landscaping and buffer requirements.

A. Landscaping. All areas of a developed or redeveloped lot not covered by building and/or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs and ground cover materials.

(1) Buffers. A softening buffer shall be maintained between parking lots and side and rear property lines pursuant to § 212-32(F) (2), except as follows:

(a) Along side or rear property lines the buffer shall be a minimum width equal to the required parking setback from the property line.

(b) Buffer planting is not required along those segments of lot lines where shared access and/or shared parking are located.

B. All other landscaping and buffering standards shall be satisfied in accordance with Section 212-32 of the Subdivision and Land Development Code, except as noted herein.

§ 255-223. Lighting. Lighting shall comply with the provisions of §158-14, as well as the following:

A. Lighting facilities shall not produce any glare, or hazardous interference on abutting properties or highway.

B. Glare control shall be accomplished through the selection and application of lighting equipment, including shields.

C. All lighting shall be directed away from residential properties.

D. Light fixtures shall be located at least twenty feet from a residential district.

E. Light fixtures shall not be located higher than twelve feet above grade.

F. Light fixtures in parking lots shall be installed within a raised landscape island.

G. Lighting shall be on timers, sensor and/or motion detectors to allow parking lot lighting in all or portions of the parking lots to be turned off or reduced as required. .

§ 255-224. Refuse disposal areas.

A. Trash and refuse shall be stored inside the building or within a secured, enclosed, opaque screened area. Such screening shall be at least six feet in height to shield the use.

B. Screened refuse areas shall be located a minimum of 25 feet from all property lines and at least seventy-five (75) feet from the property line of a detached single-family residential use located outside of the Dresher Overlay District.

C. Where possible, refuse areas shall be centrally located for the joint use of tenants.

Section 4. The Zoning Map of the Upper Dublin Township Zoning Ordinance, as amended, is further amended by designating the below-described tract as "DO DRESHER OVERLAY DISTRICT" with the DO Dresher Overlay District to overlay and not replace the existing zoning districts which shall remain as set forth on the Zoning Map of the Upper Dublin Township Zoning Ordinance:

ALL THAT CERTAIN tract of land situate in Upper Dublin Township, Montgomery County, Pennsylvania, being more fully described as follows:

Beginning at a point, the intersection of the original centerline of Limekiln Pike (SR0152) and the original centerline of Susquehanna Road (SR2017); thence, extending along the centerline of Susquehanna Road in a northwesterly direction, the distance of ±2,200 feet to a corner of taxmap block 9 units 5 and 46 of Upper Dublin Township; thence, extending along the said line of units 5 and 46, leaving the centerline of Susquehanna Road in a northeasterly direction ±290 feet to a rear corner of said units; thence, extending along taxmap units 32, 33, and unit 34, approximately parallel to the centerline of Susquehanna Road, a distance of ±515 feet to a point in the line of unit 34, a corner of Lot 'A' a part of unit 44; thence, extending along said Lot 'A' the following seven (7) courses and distances; 1) southwesterly at approximately perpendicular to Susquehanna Road along lines of unit 5, a distance of ±127 feet to a point; 2) southeasterly approximately parallel to Susquehanna Road, a distance of ±75 feet; 3)

southwesterly at approximately perpendicular to Susquehanna Road along lines of units 5 and 44 (Lot 'A'), a distance of ±12 feet; 4) southeasterly along Lot 'A', on and through unit 44 approximately parallel to Susquehanna Road, a distance of ±297 feet; 5) along Lot 'A', northeasterly at approximately perpendicular to Susquehanna Road a distance of ±66 feet to a point of curvature; 6) both along the arc of a circle curving to the left in a northeasterly direction and along a line in a northeasterly direction, the total distance of ±218 feet; 7) northeasterly at approximately perpendicular to Susquehanna Road a distance of ±143 feet to a point in the rear line of unit 10; thence, extending along the said line of unit 10, northwesterly approximately parallel to Susquehanna Road, a distance of ±19 feet to a rear common corner of units 10 and 9; thence, extending along the southerly line of unit 9 in an easterly direction ±255 feet to the physical centerline of Limekiln Pike; thence, extending along the said road centerline in a northwesterly direction, ±491 feet to a corner of taxmap block 10, unit 72; thence, extending from the centerline of Limekiln Pike in a northeasterly direction in line of taxmap block 10, unit 72 and along lands of units 108 and 12, northeasterly ±621 feet to a corner in line of units 78 and 72; thence, extending along the rear property line of units 78, 77, 76, 75, 11 and 8 in a southeasterly direction, the distance of ±948 feet to the center line of Dreshertown Road; thence, along the centerline of Dreshertown Road in a southwesterly direction the distance of ±300 feet to a common corner of taxmap block 12, units 46 and block 12A, unit 163; thence, along the property line of unit 46 and unit 163 in a southeasterly direction the distance of ±871 feet to a point in line of unit 12, block 12; thence, along said unit 12, the following three (3) courses; 1) southwesterly along the line of unit 46, a distance of ±248 feet; 2) southwesterly along line of unit 49, a distance of ±323 feet; 3) southeasterly along unit 45 the distance of ±248 feet to a corner of unit 45 and to a point in line of unit 13; thence, along said unit 13, the following three courses: 1) southwesterly along unit 45, a distance of ±136 feet; 2) southwesterly along unit 45, a distance of ±190 feet corner of unit 61; 3) along said unit 61 in a southwesterly direction, ±119 feet to a corner of unit 71; thence, along unit 71, the following two courses; 1) southeasterly ±171 feet to a corner on the northwesternmost side of an access R/W to unit 13; 2) along the Northwest side said access in a southwesterly direction along unit 71, a distance of ±250 feet to the centerline of Limekiln Pike. Thence, extending along the

centerline of Limekiln Pike in a southerly direction, ±120 feet to a point at the intersection with the centerline of Susquehanna Road, being the first mentioned point and point of beginning.

Containing approximately ±50 acres.

Section 5. Nothing in this Ordinance or in Chapters 212 or 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 212 or 255 prior to the adoption of this amendment.

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

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

Approved by the Board this 14th day of May, 2013

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

Attest:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 13-1274

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Define Transitional Tracts In Multiple Dwelling Developments, To Provide Regulations For The Multiple Dwelling Development Of Transitional Tracts, And To Amend The Zoning Map Of The Township Of Upper Dublin By Rezoning Two Properties From A-Residential to MD-Multi Dwelling District.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, Zoning, Article VII, Multi-Dwelling Districts, shall be amended by the addition of a new §255-50.1, Multiple Dwelling Development on Transitional Tracts, to provide as follows:

§255-50.1. Multiple Dwelling Development on Transitional Tracts

A. A transitional tract in the MD Multi-Dwelling District is a tract four (4) acres or less in size which has one or more of its property lines in common with property zoned for and improved with Single Family Detached Dwellings. Transitional tracts shall be subject to the following additional regulations when developed with a multiple dwelling:

(i) Only Townhouse Dwellings shall be permitted.

(ii) Tract area.

i. Setback from street. There shall be a setback on each street on which a tract abuts of not less than 50 feet from the ultimate right-of-way of such street. From private roads and driveways the minimum setback shall be 20 feet from the face of the curb or nearest side of sidewalk. The minimum setback from the entrance driveway of a MD transition development shall be 35 feet from the face of the curb.

ii. Setback from tract property line. There shall be a building setback from each property line in common with property zoned in the MD

– Multi-Dwelling District of not less than 25 feet. There shall be a minimum setback of 40 feet from the tract boundary when the property line is not in common with another MD Multi-Dwellling District. Interior roadways are to be setback a minimum of 40 feet from the tract boundary.

(iii) Lot area setbacks (minimum)

i. Front yard 20 feet

ii. Side yard 10 feet

iii. Rear yard 20 feet when abutting another yard area; 35 feet when abutting a driveway

(iv) Building length or depth. No fewer than three and no more than eight townhouses shall be allowed in a row. Not more than one eight-unit building shall be allowed per tract. Adjacent townhouse units are to be offset a minimum of four feet.

(v) There shall be a minimum of 25 feet of spacing between buildings, provided the facing walls are constructed of fire-resistant material, such as stucco. Otherwise, the required minimum spacing is 30 feet.

(vi) Street frontage locations. Vehicular access shall be provided by a private road which must be designed to facilitate connection with a private road on an adjacent tract if zoned in the MD Multi-Dwelling District.

(vii) Developments shall provide shared access, access easements, cross easements, and driveway interconnections with adjoining lots.

(viii) Access easements and maintenance agreements or other suitable legal mechanisms shall be provided, acceptable to the Board of Commissioners in consultation with the Township Solicitor.

(ix) When it is not yet appropriate to construct driveway interconnections, access easements shall be set aside for future use.

(x) Building coverage: not more than 20 percent of the tract area.

(xi) Impervious coverage: not more than 50 percent of the tract and/or lot area.

B. Design standards

(i) Architectural features, such as gables, dormers, shed roofs and porticos, shall be utilized on all dwelling units. Flat roofs are prohibited.

(ii) Entry and garage doors shall be insulated, with raised panels and sidelights or glass inserts.

(iii) Windows shall have integrated, detailed mullions and shutters with hardware when these types of architectural features are employed.

(iv) The roof shall be designed with either overhangs, eaves, bargeboards or cornices on all sides.

(v) Roof material may include natural slate, shakes, shingle (either wood or asphalt composition), or fiberglass architectural shingles that represent slate or wood.

(vi) Building materials. Exterior walls shall be high quality and include a combination of materials including, for example: architectural or real stone, stucco or brick and wood or vinyl siding. If vinyl siding is used, it may not occupy more than 15 percent of the front façade of any residential dwelling unit.

(vii) The following building materials are prohibited: exterior insulation and finishing systems (EIFS), aluminum siding, aluminum shutters, T-111 or other similar plywood siding. Metal buildings are also prohibited.

(viii) No building shall exceed 35 feet in height.

(ix) A minimum of 50 percent of the dwelling units shall include a front door accessing onto an unenclosed front porch with a minimum depth of six feet and a minimum floor area of 63 square feet. These porches shall be covered by a permanent roof and shall not be enclosed in the future. These requirements shall be documented on the plans and recorded with the final plan in a declaration of easements, covenants and restrictions and/or in another legal form acceptable to the Township Solicitor.

C. Street lighting standards.

(i) Lighting facilities shall not produce any glare, or hazardous interference on abutting properties or highway.

(ii) Glare control shall be accomplished through the selection and application of lighting equipment, including shields.

(iii) Light fixtures shall not be located higher than 12 feet above grade.

(iv) Light fixtures in parking lots shall be installed within a raised landscape island.

D. Landscaping and buffer requirements

(i) All areas of a developed tract not covered by building and/or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs and ground cover materials.

(ii) A softening buffer shall be maintained along side and rear property lines pursuant to Sec. 212-32F(2), except that buffer planting is not required along those segments of lot lines where shared access and/or shared parking are located.

(iii) All other landscaping and buffering standards shall be satisfied in accordance with Sec. 212-32 of the Subdivision and Land Development Code.

Section 2. The Zoning Map of the Upper Dublin Township Zoning Ordinance, as amended, is further amended by changing the zoning designations of the below-described properties from A-Residential to MD-Multi-Dwelling District:

a) **ALL THAT CERTAIN** tract or parcel of land situate on the westerly side of Limekiln Pike in Upper Dublin Township, Montgomery County, Pennsylvania, as shown on the Plan to Rezone Tract lands of Joseph and Ann Tai, 1635 Limekiln Pike, Dresher, and as more fully described as follows:

BEGINNING at a point on the westerly legal right-of-way line in the line of lands of Joseph Tai and block 9, unit 39, 1477 Golden Drive, said point being 65.94 feet along said right-of-way line from the southernmost terminus of a 30 foot radial corner forming the intersection of the southernmost side of Golden Drive and the westernmost side of Limekiln Pike; **THENCE**, from said point of beginning and extending along said

property line between Tai and block 9, unit 39, northeasterly 54.01 feet to a point on the original title line of the tract near the physical centerline of Limekiln Pike; **THENCE**, along the original tract title line in Limekiln Pike, southeasterly 490.92 feet more or less to a point in the line of lands of block 9, unit 10, now or late, Bunch; **THENCE**, along the lands of Bunch southwesterly 258.72 feet more or less to a point in the line of lands of block 9, unit 44, now or late, FW Triangle LP; **THENCE**, along FW Triangle LP lands northwesterly 264.77 feet to a point in the land of block 9, unit 35; **THENCE**, along the following units (Arbour Hill development) block 9, unit 35, 36, 37, and 39 northeasterly 443.24, more or less, feet to the point and place beginning.

CONTAINING 2.9684 approximate acres of land area, be the same, more or less.

b) **ALL THAT CERTAIN** tract or parcel of land, part of Unit 44, Block 9, APN #54-00-14851-017, lands now or formerly, FW Triangle, L.P. in Upper Dublin Township, Montgomery County, Pennsylvania and more fully described as follows:

BEGINNING at the southwesterly most corner of proposed lot A, at its intersection with the dividing line between Unit 44, Block 9, lands now or formerly FW Triangle, L.P., and Unit 21, Block 9, lands now or formerly Morsun Dresher Senior Living, L.P., said point being distant north 43 degrees – 30 minutes – 00 seconds east, a distance of 170.34 feet from the centerline in the bed of Susquehanna Road (A.K.A. State Route 2017, 80 foot wide legal and proposed right-of-way), and from said point of beginning running, thence;

The following two (2) courses and distances along the dividing line between Unit 44, Block 9 and Unit 21, Block 9:

1. North 43 degrees – 30 minutes – 00 seconds east, a distance of 11.69 feet to a concrete monument, thence;

2. North 46 degrees – 30 minutes – 00 seconds west, a distance of 74.90 feet to a concrete monument, thence;

3. Along the dividing line between Unit 44, Block 9 and Unit 5, Block 9, lands now or formerly Morsun Dresher Senior Living, L.P., north 42 degrees – 57 minutes – 16 seconds east, a distance of 126.55 feet to a point, thence;

4. Along the dividing line between Unit 44, Block 9 and Unit 34, Block 9, lands now or formerly Corson-Nadell, south 46 degrees – 30 minutes – 00 seconds east, a distance of 17.03 feet to an iron pipe, thence;

5. Along the common dividing line between Unit 44, Block 9; Unit 34, Block 9 and Unit 35, Block 9, lands now or formerly Hunayoon & Sultana, north 44 degrees – 56 minutes – 15 seconds east, a distance of 277.68 feet to a point, thence;

6. Along the common dividing line between Unit 44, Block 9; Unit 9, Block 9, lands now or formerly Tai and Unit 10, Block 9, lands now or formerly Bunch, south 46 degrees – 30 minutes – 00 seconds east, a distance of 284.69 feet to a point, thence;

The following five (5) courses and distances along a line running through Unit 44, Block 9, also being the proposed zoning district line and proposed lot line:

7. South 43 degrees – 30 minutes – 00 seconds west, a distance of 143.23 feet to a point, thence;

8. South 20 degrees – 35 minutes – 20 seconds west, a distance of 110.25 feet to a point of curvature, thence;

9. Along the arc of a circle curving to the right, having a radius of 268.83 feet, a central angle of 22 degrees – 54 minutes – 40 seconds, an arc length of 107.50 feet, a chord bearing south 32 degrees – 02 minutes – 40 seconds west and a chord distance of 106.78 feet to a point of tangency, thence;

10. South 43 degrees – 30 minutes – 00 seconds west, a distance of 66.39 feet to the point, thence;

11. North 46 degrees – 30 minutes – 00 seconds west, a distance of 296.71 feet to the point and place of beginning.

CONTAINING 134,122 square feet or 3.079 acres.

Section 3. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any

Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of May, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 13-1275

AN ORDINANCE To Amend The Code of the Township of Upper Dublin, Chapter 255, Zoning, To Add A New Article XXXV, Alternative Energy, To Provide For, Promote, And Regulate The Use of Alternative Energy Sources.

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Municipalities Planning Code, granted the governing body of each municipality the authority to enact zoning ordinances to accomplish the purposes of the Municipalities Planning Code, including, but not limited to, the promotion of energy conservation, the promotion of effective utilization of renewable energy sources, and the conservation and preservation of natural resources and the environment. Therefore, the Board of Commissioners of Upper Dublin Township does hereby ordain as follows:

Section 1. The Code of the Township of Upper Dublin, Chapter 255, Zoning, shall be amended by the addition of a new Article XXXV, Alternative Energy, to provide as follows:

ARTICLE XXXV

Alternative Energy

§ 255-260. Intent.

The purpose of this Article is to promote and regulate the safe, effective and efficient use of alternative energy sources and to encourage the reduction of on-site consumption of utility supplied energy while protecting the health, safety and welfare of the public and adjacent and surrounding land uses.

§ 255-261. Definitions.

A. As used in this Article, the following electricity and energy terms shall have the meanings indicated:

ALTERNATING CURRENT (AC) – An electric current whose direction reverses cyclically, as opposed to direct current (DC), whose direction remains constant. AC is the form of consumer electricity that is delivered to a home or business.

ALTERNATIVE ENERGY – As used in this chapter, the term Alternative Energy shall include geothermal energy, solar energy, wind energy, and biomass energy sources. Alternative energy sources may at times be referred to as renewable energy sources.

DIRECT CURRENT (DC) – The constant flow of electric current in one direction. DC electricity always flows in the same direction, which distinguishes it from alternating current (AC).

ELECTRIC METER – A device used to measure and record the amount of electricity used or generated.

INTERCONNECTION – Interfacing an on-site electricity generator, to the electric distribution system (i.e., the grid). This configuration allows an on-site electricity generating system to operate in parallel with the grid. For small systems, the point of interconnection is through a circuit breaker of the main electric service panel on-site, or it could be a supply tap on the service line just before the main electric service panel.

INTERCONNECTION AGREEMENT – A legal document between a customer and an electric utility authorizing the connection of the customer's on-site electricity generating system to the utility's electric grid.

INVERTER – A device that converts direct current (DC) electricity into alternating current (AC) electricity that can be used in a home or building.

LOAD – The amount of power carried by a utility system or the amount of power consumed by an electric customer at a specific time. Base load is the minimum constant level of electricity required by utility customers; peak load is the amount of electricity required at the time of greatest demand.

NET METERING – An approach for interconnecting and metering on-site electricity generating facilities. The means of measuring the difference between electricity supplied by an electric utility, electric distribution company, or electric generation supplier and the electricity generated by a customer-generator using alternative energy sources. Net metering allows customers to use excess on-site generated electricity to offset utility-purchased electricity on a monthly or annual basis.

NET METERING AGREEMENT – An agreement with a customer-generator and an electric utility, electric distribution company, or electric generation supplier and the electricity generated by a customer generator that allows customers to receive a credit at the retail price of electricity for surplus electricity generated on-site. Under net metering agreement, a bidirectional electric meter is used to measure and record the flow of electricity in both directions from and to the customer-generator.

POWER PURCHASE AGREEMENT (PPA) – A contract to purchase energy. A PPA is usually established between a party that generates electricity and a party that purchases electricity. A PPA may also be a contract written between a building owner that wants to generate electricity on site and a third-party developer who will install, maintain and own the system used to generate the

electricity, and then sell the electricity produced by the system to the building owner at a pre-determined rate.

TIME-OF-USE (TOU) METER – An electric meter that measures and records the times when a customer consumes or generates electricity during utility defined on-peak and off-peak periods. This type of meter is used for customers who are on time-of-use rates.

TIME-OF-USE (TOU) RATES – Electricity prices that vary depending on the time period in which the energy is consumed or produced. In a time-of-use rate structure, higher prices are charged during utility peak-load times. Such rates can provide an incentive for consumers to curb power use during peak times.

TONNAGE – A measure of cooling power. One ton of cooling power is produced by one ton of ice. One ton of cooling power is equal to 12,000 Btu/hr or 3.51 kW. In the United States, heat pumps and air conditioners are rated on tonnage. A typical U.S. residence of 2,000-2,400 square feet will require a 3 to 4 ton cooling unit

WATT – A unit of electric power measurement.

KILOWATT (kW) – A unit of electric power equal to 1,000 Watts, which constitutes the basic unit of electric demand. The Watt is a measurement of power (not energy) and is the rate (not the duration) at which electricity is used. 1,000 kW is equal to 1 megawatt (MW).

KILOWATT–HOUR (kWh) – A unit of electric energy, equivalent to the use of 1 kilowatt of electricity for one full hour. 1 kilowatt-hour (kWh) = the amount of electricity required to burn a 100 watt light bulb for 10 hours. Utilities measure customers' electric energy usage on the basis of kilowatt-hours, and electricity rates are most commonly expressed in cents per kilowatt-hour.

MEGAWATT (MW) – Unit of electric power equal to 1,000 kW, or one million Watts.

WATT-HOUR (Wh) – A unit of energy measurement, equal to one Watt of power used for one hour.

B. As used in this Article, the following geothermal energy terms shall have the meaning indicated:

GEOTHERMAL BOREHOLE or BOREHOLE – A hole drilled or bored into the earth into which piping is inserted for use in a closed vertical loop geothermal system.

GEOTHERMAL ENERGY SYSTEM – An alternative energy system serving as a mechanism for heat exchange that uses the Earth's thermal properties in conjunction with electricity to provide greater efficiency in the heating and cooling of buildings. The most common form of geothermal energy in Pennsylvania comes from shallow bore heat pumps, which capitalize on the constant temperature within the Earth's upper crust. A fluid in a system of tubes is used to transfer energy to and from the Earth to provide cooling in the summer and warmth in the winter. Boreholes are drilled and pipes are buried in the ground. Fluid is circulated through the system. In summer, the fluid takes heat from a building and moves it to the Earth. In winter, the fluid absorbs heat from the Earth and transfers it to the building. Geothermal heat pumps come in two basic configurations: closed loop and open loop systems.

CLOSED HORIZONTAL LOOP GEOTHERMAL SYSTEM – A mechanism for heat exchange that consists of the following basic elements: underground loops of piping; heat transfer fluid; a heat pump; and an air distribution system. An opening is made in the Earth. A series of pipes are installed into the opening and connected to a heat exchange system in the building. The pipes form a closed loop and are filled with a heat transfer fluid. The fluid is circulated through the piping from the opening into the heat exchanger and back. This type of geothermal system is usually the most cost effective when trenches are easy to dig and the available land area is adequate. Workers use a backhoe to dig the trenches three to six feet below the ground in which they lay a series of parallel plastic pipes. A typical horizontal loop will require 400-600 feet of tubing per ton of heating and cooling capacity.

CLOSED VERTICAL LOOP GEOTHERMAL SYSTEM – This type of geothermal mechanism for heat exchange is used where there is little available land area, when surface rocks make digging impractical, or when disruption to the landscape is to be avoided. Vertical boreholes approximately 100 to 450 feet deep are bored into the ground, and a single loop of pipe with a U-bend at the bottom of the borehole is inserted before the borehole is filled. The pipes are connected to the heat exchanger and heat transfer fluid is circulated through the pipes.

OPEN HORIZONTAL LOOP GEOTHERMAL SYSTEM – Water is pumped from a water-well or surface water source into a heat exchanger located in a building. The water drawn from the Earth or water body is then pumped back into the ground or discharged to the water body. In the heating mode, cooler water is returned to the Earth or water body, and in the cooling mode, warmer water is returned to the Earth or water body.

STANDING COLUMN WELL GEOTHERMAL SYSTEM – A standing column well geothermal system is a specialized type of open loop system. It is a groundwater heat pump system that uses groundwater drawn from wells in a semi-open loop arrangement. The ground heat exchanger in such systems consists of a vertical borehole that is filled with groundwater up to the level of the water table. Water is circulated from the well through the heat pump in an open-loop pipe circuit. Water is drawn from the bottom of a deep rock well, passed through a heat pump, and returned to the top of the well, where traveling downwards it exchanges heat with the surrounding bedrock.

C. As used in this Article, the following solar energy terms shall have the meaning indicated:

ACTIVE SOLAR ENERGY SYSTEM – Photovoltaic (PV) panels or solar thermal collectors that harness solar energy. Active solar energy systems increase the supply of energy and are considered supply side technologies.

ALBEDO – The ratio of reflected radiation from a surface to the incident radiation upon the surface (i.e. the reflection coefficient). Albedo is a measure of the reflectivity of a surface and may be used to quantify the amount of solar glare from a solar energy system.

ARRAY – An assembly of electrically interconnected photovoltaic modules providing a single electrical output.

ARRAY AREA – The total photovoltaic area of an entire solar field of arrays.

AZIMUTH – The horizontal angular distance between a vertical plane containing a point in the sky and true south.

BUILDING INTEGRATED PHOTOVOLTAIC (BIPV) SYSTEM – A BIPV system forms part of the structure to which it is affixed. Typically integrated into a roofing system (e.g. solar shingles), BIPV systems can provide architectural interest and/or an unobtrusive solar energy system installation.

CONVERSION EFFICIENCY – The amount of the sun's energy that a solar cell can convert into electricity; the balance is lost as heat or reflected light.

INSOLATION – The amount of solar energy that shines on a building or area and usually expressed in annual kilowatt-hours per square meter.

MODULE – An assembly of electrically interconnected PV cells providing a single electrical output. Modules are typically rated between 10 Watts and 300 Watts.

ORIENTATION – The direction that the surface of a solar module faces. The two components of orientation are the tilt angle (the angle of inclination a module makes from the horizontal) and the azimuth.

PASSIVE SOLAR ENERGY SYSTEM – A solar energy collection system that captures light or heat from the sun through use of materials with favorable thermal mass or light dispersing properties. Passive solar energy systems are demand side systems and may be used to heat water, air, other building mass, or to direct sunlight into a building for illumination purposes.

SOLAR ACCESS – The ability of sunlight to shine on a property owner's land, or more specifically, the owner's solar energy facility or solar energy system, without the sunlight being blocked by structures, vegetation, or other obstructions on neighboring land.

SOLAR EASEMENT – A legal agreement that protects access to sunlight, or solar access, on a property.

SOLAR ELECTRIC SYSTEM – Converts sunlight into electricity. Also known as a photovoltaic system.

SOLAR ENERGY – Radiant light and heat from the sun.

SOLAR ENERGY FACILITY– An alternative energy facility that consists of one or more ground mounted or free-standing solar collection devices, solar energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy to a different form of energy for commercial or other off-site use.

SOLAR ENERGY SYSTEM – An alternative energy system that consists of one or more ground mounted, free-standing, or building mounted solar collection devices and solar energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy to a different form of energy to reduce on-site consumption of purchased power, except that when a property upon which the system is installed also receives electricity supplied by a utility company, excess electricity generated and not presently needed for on-site use may be used off-site by a utility company.

SOLAR GLARE – The effect produced by light reflecting from a solar panel with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility. See ALBEDO definition.

SOLAR HOT WATER SYSTEM – Uses solar energy to heat water. The most common types of solar water heaters are evacuated tube collectors and glazed flat plate collectors generally used for domestic hot water; and unglazed plastic collectors used mainly to heat swimming pools.

SOLAR PANEL – A device containing one (1) or more receptive cells equal to or greater than two (2) square feet, the purpose of which is to convert solar energy into electrical or thermal energy.

SOLAR PHOTOVOLTAIC (PV) SYSTEM – Solar energy system that uses a semiconductor to convert sunlight directly into electricity. A solar cell, or photovoltaic (PV) cell, converts sunlight into electric current using the photoelectric effect. A flow of direct current (DC) electricity is produced when sunlight strikes solar cells containing a photovoltaic material. The DC energy produced by the modules is then fed into an inverter that converts DC power into AC power, which in turn is fed into a main electrical panel to power a home or business. A PV solar cell produces a small amount of power. To produce more power, PV cells (about 40) may be interconnected to form PV panels or PV modules. If more power is needed, several PV modules may be installed in a rack to form a PV array.

SOLAR RELATED EQUIPMENT – Items including a solar photovoltaic cell, panel, module or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and foundations used for or intended to be used for collection and conversion of solar energy.

SOLAR THERMAL SYSTEM – Uses solar energy to heat a fluid, such as water or an antifreeze solution, or to heat a gas, such as air. Solar thermal systems are most commonly utilized for heating domestic hot water systems, though they are also used for space heating, heating swimming pools, and even space cooling.

TRACKER OR TRACKING ARRAY – A number of PV modules mounted such that they track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

D. As used in this Article, the following wind energy terms shall have the meaning indicated:

ARCHITECTURALLY INTEGRATED WIND ENERGY SYSTEM – A wind energy system installed directly onto a building rooftop or designed as part of a building itself.

HUB HEIGHT – The vertical distance measured from the ground at a tower foundation to the height of a wind turbine hub.

ROOF MOUNTED – A wind energy system installation where the system is mounted on the roof of and totally supported by a building.

ROTOR DIAMETER – The cross sectional dimension of the circle swept by the rotating blades of a wind turbine.

SHADOW FLICKER – The on-and-off flickering effect or alternating changes in light intensity caused by moving wind turbine blades casting shadows on the ground and on stationary objects.

TOWER – The monopole or freestanding structure that supports a wind turbine.

TURBINE HEIGHT – the vertical distance measured from the ground at the tower foundation to the tip of a wind turbine blade when the blade tip is at its highest point.

WIND ENERGY FACILITY – An alternative energy facility that consists of one or more wind turbine generators and other associated infrastructure with the primary intention of generating electricity for commercial or other off-site use. The term does not include wind turbines constructed primarily to generate electricity or otherwise convert wind energy for on-site use.

WIND ENERGY SYSTEM – An alternative energy system that converts wind energy into electricity or other usable forms of energy for on-site use. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system. A wind energy system is intended to primarily reduce on-site consumption of purchased power, except that when a parcel on which the system is installed also receives electricity supplied by a utility company, excess electricity generated and not needed for on-site use may be used off-site by a utility company.

WIND MILL – A wind energy system that uses wind energy to power mechanical equipment such as a water pump. For the purposes of this Article, a wind mill shall be considered as a form of wind turbine.

WIND TURBINE – A wind energy conversion system that converts wind energy into electrical energy (i.e. electricity) or mechanical energy through the use of a wind turbine generator or other mechanism. When the wind spins the wind turbine's blades, a rotor captures the kinetic energy of the wind and converts it into rotary motion to drive an electric generator. Wind turbines fall into two general classes depending on how they spin: horizontal axis and vertical axis. Vertical axis machines spin about an axis perpendicular to the ground and are usually ground mounted. Horizontal axis machines spin about an axis parallel to the ground, are usually tower mounted, and are the dominate type of wind turbine.

WIND TURBINE GENERATOR – The blades and associated mechanical and electrical conversion components used to generate electricity through the conversion of wind energy to electrical energy.

E. As used in this Article, the following biomass energy terms shall have the meaning indicated:

BIOMASS – Biological material, including plant matter such as wood, used as an energy source.

CLEAN WOOD – Natural wood that has been seasoned to reduce its water content and provide more efficient combustion. The term clean wood does not include wood that has been altered as follows:

a. Coated with paint, stain, oil, resin or any other preservative, fire retardant or decorative materials;

b. Impregnated with preservatives or fire retardants;

c. Exposed to salt water; or

d. Manufactured with use of adhesives, polymers or resins, such as oriented strand, particle and veneer lumber and recycled lumber.

OUTDOOR WOOD-FIRED BOILER (HYDRONIC HEATER) – A fuel-burning device; also known as an outdoor hydronic heater, outdoor wood-fired furnace, outdoor wood-burning appliance, or wood-fired boiler; that is used as an alternative energy system. The outdoor wood-fired boiler is a variant of the classic indoor wood stove or boiler. An outdoor wood-fired boiler is designed for installation outdoors to transfer heat to building interiors. It often resembles a small shed with a smokestack on top. An outdoor wood-fired boiler works by heating a water jacket that surrounds the firebox. The heated water is then used to transfer heat to a heating system in a building. An outdoor wood-fired boiler is designed to:

a. Burn clean wood or other fuels specifically tested and listed for use by the manufacturer;

b. Operate outdoors or in structures not normally intended for habitation by humans or domestic animals (e.g., garages); and

c. Heat building space and/or water via distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture.

PHASE 2 OUTDOOR WOOD–FIRED BOILER (HYDRONIC HEATER) – An outdoor wood-fired boiler that has been certified or qualified by the U.S. Environmental Protection Agency as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units (BTU) output.

STACK – A vertical structure enclosing a flue(s) to carry off smoke or exhaust from a furnace or other fuel-burning device such as a wood-fired boiler.

§ 255-262. Use Regulations.

A. Alternative energy systems as described in this Article are permitted in all zoning districts as an accessory use to a permitted principal use subject to the standards for accessory uses in the applicable zoning district and the specific criteria set forth in this Article.

B. Alternative energy facilities as described in this Article are permitted in specified zoning districts as a principal use subject to the standards of the applicable zoning district and the specific criteria set forth in this Article.

C. Where general standards of the applicable zoning district and the specific criteria set forth in this Article overlap or conflict, the specific criteria of this Article shall supersede the general standards.

D. An alternative energy system shall provide on-site power or energy for the principal use and/or another accessory use on the same lot, parcel, or unit on which the alternative energy system is located and shall not be primarily used to convert energy for commercial or other off-site transfer or use, although this provision shall not be interpreted to prohibit the sale of electricity generated in excess of on-site requirements under an interconnection agreement, net metering agreement, or power purchase agreement.

§ 255-263. Geothermal Energy Systems.

Geothermal energy systems are permitted as an accessory use in all zoning districts subject to the following specific criteria:

A. Lot, yard and bulk requirements.

(1) All parts of a geothermal energy system, including subsurface parts, shall comply with all required setbacks applicable to accessory uses in the zoning district in which the system is located.

(2) Above-ground equipment associated with geothermal energy systems are prohibited in front yards and along any street frontage.

(3) Geothermal energy systems shall not encroach upon any ultimate right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

(4) Geothermal energy systems shall be set back at least fifteen (15) feet from stormwater management facilities.

(5) Geothermal energy system boreholes and wells shall comply with applicable federal, state, and local laws and regulations with respect to setbacks and isolation distances.

B. Design and installation requirements.

(1) Only the following types of geothermal energy systems shall be permitted:

(a) Closed horizontal loop

(b) Closed vertical loop

(2) Open loop geothermal energy systems are prohibited with the exception of standing column well geothermal systems in which water is circulated from and back to the same borehole, in which case such open loop geothermal energy system may be permitted with conditional use approval in all zoning districts subject to demonstration by the applicant for conditional use approval that the proposed site for the standing column well geothermal system has the requisite geological and groundwater properties for the proper functioning of the system.

(3) The design and installation of geothermal energy systems and related wells, boreholes and trenches shall conform to applicable federal, state, and local laws and regulations, and applicable industry standards, including those of the American National Standards Institute (ANSI), the International Ground Source Heat Pump Association (IGSHPA), the American Society for Testing and Materials (ASTM), the Air-Conditioning and Refrigeration Institute (ARI), and other similar certifying organizations.

(4) For all closed loop geothermal systems relying upon circulating fluids, only nontoxic, biodegradable circulating fluids such as food grade propylene glycol shall be permitted.

(5) All horizontal closed loop systems shall be no more than twenty (20) feet deep.

(6) Geothermal energy systems shall be designed and constructed to provide an effective watertight seal with the borehole casing to prevent contamination from reaching groundwater sources. Boreholes must be grouted from bottom to top with cement, bentonite, or other appropriate material to prevent surface communication with groundwater.

(7) Geothermal energy systems shall be installed in compliance with all applicable federal, state, and local construction and earth disturbance codes and regulations, including regulations with respect to boreholes, wells, and stormwater management.

C. Operation and performance standards.

(1) Geothermal energy systems shall be operated in compliance with all federal, state, and local laws and regulations.

D. Decommissioning requirements.

(1) If a geothermal energy system remains unserviceable for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove or seal the system within six months of abandonment after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, piping, coils, and other components shall be removed.

(b) Underground pipes or coils should be removed and the resulting void space filled, or if abandoned in place, underground pipes and coils shall be filled with grout

to displace the heat transfer fluid. The top of any pipe, coil or boring shall be uncovered and grouted.

(c) Heat transfer fluid shall be captured and disposed of in accordance with applicable regulations.

(2) When a geothermal energy system is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

§ 255-264. Solar Energy Systems.

Solar energy systems are permitted as an accessory use in all zoning districts subject to the following specific criteria:

A. Lot, yard and bulk requirements.

(1) Setback Restrictions.

(a) Solar energy system components are prohibited in front yards, along any street frontage, and within any required setback.

(b) Solar energy system components shall not encroach upon any right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

(c) Solar energy systems must meet the applicable accessory use setbacks for the zoning district in which the system is located.

(d) A ground mounted or freestanding solar energy panel or array may not extend into the applicable side-yard or rear-yard setback when oriented at minimum design tilt.

(e) Solar energy systems shall not encroach upon any stormwater management facility.

(2) Height Restrictions:

(a) Building mounted solar energy systems, other than a building integrated system, shall not exceed the maximum height restriction imposed upon principal and accessory structures and uses within the applicable zoning district. For purposes of height measurement, building mounted solar energy systems shall be considered equipment or mechanical devices and are restricted consistent with the height limitations applicable to other building mounted equipment or mechanical devices in the zoning district in which the solar energy system is located.

(b) Ground mounted or freestanding solar energy systems shall not exceed the applicable maximum accessory structure height in the zoning district in which the solar energy system is located.

(3) Lot Coverage.

(a) For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and freestanding solar collectors, including solar photovoltaic cells, panels, arrays, and solar hot air or water collector devices, shall be considered building area. For a tracking array or other moveable system, the horizontal projection area shall be calculated at a thirty-three degree tilt angle.

B. Design and installation requirements.

(1) Solar energy systems shall be installed in compliance with all applicable building and construction codes, including regulations with respect to stormwater management and impervious cover.

(2) The design and installation of solar energy systems shall conform to applicable industry codes and standards, including those of the International Code Council (ICC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), and other similar certifying and professional organizations such as the American Society of Civil Engineers and the American Society of Mechanical Engineers.

(3) All exterior electrical and/or plumbing lines shall be buried below the surface of the ground and shall be placed in conduit.

(4) All solar energy system components shall be clearly labeled with a warning concerning voltage and other important electrical safety information.

(5) Access, pathways and smoke-ventilation space.

(a) A 3-foot setback from all roof edges shall be provided for roof mounted solar panels to ensure that firefighters may access the roof in a quick and safe manner.

(b) A 3-foot setback along the roof ridgelines shall be provided for roof mounted solar panels to allow available space for firefighters to penetrate the roof to create ventilation.

(c) A 1.5-foot setback from all roof hips and valleys shall be provided for roof mounted solar panels to ensure that firefighters may access the roof in a quick and safe manner if solar panels are installed on both sides of the roof hip or valley.

(d) As an alternative to providing the specified solar panel setbacks for roof edges, ridges, hips, and valleys for roof access, a building specific roof mounted solar panel arrangement may be permitted with conditional use approval subject to demonstration by the applicant of sufficient room for smoke ventilation between solar panels, and adequate access pathways between solar panels along the horizontal and vertical axes of the roof. As part of the application for conditional use approval for building specific roof access, an applicant shall submit a building specific roof access plan showing the solar panel arrangement on the roof,

smoke ventilation areas, and access pathways. The building specific roof access plan shall be reviewed by the Township Fire Marshal. A building specific roof access plan shall consider the following criteria:

(i) There shall be at least one 3-foot clear access pathway from the eave to the ridge on each roof slope where solar panels are located.

(ii) Solar panels may be installed along the roof slope up to the ridge when an adequate alternative smoke ventilation method is provided.

(iii) Roof access points shall be provided in areas that do not require the placement of ladders from the ground to the roof over building openings such as windows and doors.

(iv) Roof access points shall not be placed in locations where the access point may conflict with overhead obstructions such as tree limbs, wires, or signs.

(v) Pathways between solar panels shall be provided to ensure thorough access to the roof and to provide emergency egress from the roof.

(vi) All solar panels shall be mounted in accordance with the listed installation instructions of the system.

(e) Non-habitable Structures. Non-habitable structures are not subject to the roof access, pathway, and smoke ventilation requirements of this section. Non-habitable structures include, but are not limited to accessory detached garages, barns, and sheds.

(6) Solar panels that are part of a building mounted solar energy system are exempt from visual screening requirements specified by the Code of the Township of Upper Dublin outside of this Article.

C. Operation and performance standards.

(1) Solar energy systems shall be operated in compliance with all federal, state, and local laws and regulations.

(2) Solar panels shall be positioned to prevent solar glare upon any neighboring properties.

(3) Solar energy systems shall not be used to display advertising or decoration, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, lights, or similar items. Manufacturers and equipment information, safety warnings, and ownership information may be displayed on solar energy system equipment provided such information complies with applicable sign regulations.

(4) Owners of solar energy systems are encouraged but not required to obtain solar easements from neighboring landowners to ensure solar access. The Township does not guarantee and will not protect any individual property rights with respect to solar access.

D. Decommissioning requirements.

(1) If a solar energy system remains unserviceable for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance, with the exception of BIPV systems. The owner shall remove the system within six (6) months of abandonment after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, and structural components shall be removed.

(b) Underground wiring and structural components shall be removed and the resulting void space filled.

(2) When a ground-mounted or freestanding solar energy system is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

§ 255-265. Wind Energy Systems.

Wind energy systems are permitted as an accessory use with conditional use approval in all zoning districts subject to the following specific criteria:

A. Lot, Yard and Bulk Requirements.

(1) Setback Restrictions.

(a) Wind energy system components are prohibited in front yards, along any street frontage, and within any required setback.

(b) Wind energy system components shall not encroach upon any right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

(c) Wind turbine towers shall be located a minimum distance of one and one tenth (1.1) times the turbine height from any property line, parking lot, street right-of-way, or overhead utility line, to minimize potential harm if the tower should fall.

(d) Wind energy system components shall not extend over parking areas, access drives, driveways or sidewalks.

(e) Wind energy system components shall not encroach upon any stormwater management facility.

(2) Height Restrictions.

(a) The minimum height of the lowest position of a wind turbine blade or other moving part shall be fifteen (15) feet above the ground.

(b) Building mounted wind energy systems shall not exceed the maximum height restriction imposed upon principal and accessory structures and uses within the applicable zoning district. For purposes of height measurement, building mounted wind energy systems shall be considered equipment or mechanical devices and are restricted consistent with the height limitations applicable to other building mounted equipment or mechanical devices in the zoning district in which the wind energy system is located.

(c) Tower mounted wind turbine height shall be limited as follows:

Lot Size	Turbine Height:
0 - 1.99 acres	35 feet
2 - 2.99 acres	40 feet
3 - 3.99 acres	45 feet
4 - 4.99 acres	50 feet
5 - 9.99 acres	55 feet
10 - 14.99 acres	65 feet
15 - 19.99 acres	85 feet

B. Design and installation requirements.

(1) Wind energy systems shall be installed in compliance with all applicable building and construction codes, including regulations with respect to stormwater management and impervious cover.

(2) The design and installation of all wind energy systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society for Testing and Materials (ASTM), and other similar certifying organizations.

(3) When an accessory structure is necessary for storage cells or related wind energy system equipment, the accessory structure shall comply with the accessory structure requirements specified within the underlying zoning district.

(4) All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind turbine or structure associated with a wind energy system, shall be prohibited.

(5) No illumination of a wind turbine or tower shall be allowed unless required by the Federal Aviation Administration.

(6) Any climbing foot pegs or ladder rungs below 12 feet on a wind turbine tower shall be secured to prevent unauthorized climbing.

(7) All on-site utility and transmission lines shall be placed underground.

(8) Wind turbines and towers shall be a non-obtrusive color such as white, off-white or gray.

(9) All wind energy systems shall be equipped with an appropriate braking system. This includes both overspeed controls and mechanical brakes. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

(10) A clearly visible warning sign concerning voltage must be placed on all electrical equipment.

(11) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of all tower guy wires and along all tower guy wires up to a height of ten feet from the ground.

(12) The location of a wind turbine shall be clear of and shall not interfere with any existing, trees, structures, wires and the like.

(13) A wind turbine generator or other wind energy system component that is part of a building mounted wind energy system is exempt from visual screening requirements specified by the Code of the Township of Upper Dublin outside of this Article.

C. Operation and performance standards.

(1) Wind energy systems shall not interfere with any broadcast, radio, wireless or other telecommunication signals or facilities.

(2) Wind energy systems shall not generate noise that exceeds fifty-five (55) decibels nor ten (10) decibels above ambient noise in any one hour, whichever is higher. Noise is measured at the property line. The ambient sound measurement, known as "A-weighted sound level" is taken where the noise from the wind turbine cannot be heard, or with the wind turbine shut down. The ambient sound level shall be considered the level that is exceeded ninety (90) percent of the time when the noise measurements are taken. The fifty-five (55) decibel or ten (10) decibel level may be exceeded during short-term events such as utility outages and/or severe wind storms.

(3) Wind energy systems shall not produce shadow flicker on any occupied building not on the lot where the wind energy system is located.

(4) All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by unauthorized persons.

D. Decommissioning requirements.

(1) If a wind energy system remains unserviceable for a continuous period of one (1) year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the system within six (6) months of abandonment after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, and structural components shall be removed.

(b) Underground wiring and structural components shall be removed and the resulting void space filled.

(2) When a wind energy system is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

§255-266. Biomass Energy Systems.

An outdoor wood-fired boiler shall be permitted as an accessory use in all zoning districts subject to the following provisions:

A. Lot, yard and bulk requirements.

(1) Minimum Lot Size. Outdoor wood-fired boilers are prohibited on lots, units or parcels of land with an area less than two acres.

(2) Setback Restrictions.

(a) Outdoor wood-fired boilers and associated fuel storage are prohibited in front and side yards, along any street frontage, and within any required setback.

(b) Outdoor wood-fired boilers must be set back at least 150 feet from any lot lines and 500 feet from the nearest occupied building not on the lot where the boiler is located.

(c) Outdoor wood-fired boilers and associated fuel storage shall not encroach upon any right-of-way or easement, including but not limited to, water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

(d) Outdoor wood-fired boilers and associated fuel storage shall not encroach upon any stormwater management facility.

B. Design and installation requirements.

(1) Only Phase 2 Outdoor Wood-fired Boilers are permitted to be installed.

(2) Outdoor wood-fired boilers must be equipped with a properly functioning spark arrestor and must have a minimum stack height the taller of ten (10) feet above the ground or two (2) feet above the highest point of any building located less than 150 feet from the outdoor wood-fired boiler.

(3) All piping and electrical connections between an outdoor wood-fired boiler and a serviced building shall be buried underground.

(4) Outdoor wood-fired boilers shall be installed in compliance with all applicable building and construction codes, including regulations with respect to stormwater management and impervious cover.

C. Operation and performance standards.

(1) Only clean wood or wood pellets made from clean wood may be used as a fuel or burned in new and existing outdoor wood-fired boilers.

(2) Outdoor wood-fired boilers installed after the effective date of this Article may not be used or operated between the dates of May 1 and September 30.

(3) Outdoor wood-fired boilers shall be used and operated in compliance with all federal, state, and local laws and regulations.

(4) Fuel shall be stored so as not to create a fire, pest, or safety hazard, or otherwise create a nuisance.

D. Decommissioning requirements.

(1) If an outdoor wood-fired boiler remains unserviceable for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the system within six months of abandonment after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, and structural components shall be removed.

(b) Underground wiring and structural components shall be removed and the resulting void space filled.

(2) When an outdoor wood-fired boiler is removed, any disturbed earth as a result of the removal of the unit shall be restored, graded and reseeded.

§ 255-267. Solar Energy Facilities.

Solar energy facilities are permitted as a principal use in the EC Employment Center District. The regulations, requirements and restrictions set forth in this Article shall apply to solar energy facilities in addition to those regulations, requirements and restrictions of the EC Employment Center District.

A. Lot, yard and bulk requirements.

(1) Setback Restrictions.

(a) Solar energy facility components shall not be located within any required setback.

(b) Solar energy facility components shall not encroach upon any right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

(c) Solar energy facility components shall not encroach upon any stormwater management facility.

(2) Height Restrictions.

(a) Solar energy facilities shall be subject to the maximum height regulation specified within the zoning district.

(3) Lot Coverage.

(a) For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all solar energy facility ground-mounted and freestanding solar collectors, including solar photovoltaic cells, panels, arrays, and solar hot air or water collector devices, shall be considered building area. For a tracking array or other moveable system, the horizontal projection area shall be calculated at a thirty-three degree tilt angle.

B. Design and installation requirements.

(1) Solar energy facilities shall be installed in compliance with all applicable building and construction codes, including regulations with respect to floodplain management, stormwater management and impervious cover.

(2) The design and installation of solar energy facilities shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), and other similar certifying organizations, and shall comply with applicable construction and building codes with all other applicable fire and life safety requirements.

(3) All exterior electrical and/or plumbing lines shall be buried below the surface of the ground and be placed in a conduit.

(4) All solar energy facility components shall be clearly labeled with a warning concerning voltage and other important electrical safety information.

(5) Solar panels shall be positioned to prevent solar glare upon any neighboring properties or any public or private street, and to prevent additional heat load upon neighboring properties.

(6) All equipment for solar energy facilities including any structure for batteries or storage cells shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate.

C. Operation and performance standards.

(1) Solar energy facilities shall be operated in compliance with all federal, state, and local laws and regulations.

(2) Solar energy facilities shall not be used to display advertising or decoration, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, lights or similar items. Manufacturers and equipment information, safety warnings, and ownership information may be displayed on solar energy facility equipment provided such information complies with applicable sign regulations.

(3) Owners of solar energy facilities are encouraged but not required to obtain solar easements from neighboring landowners to ensure solar access. The Township does not guarantee and will not protect any individual property rights with respect to solar access.

(4) The grazing of animals, to include but not be limited to sheep and goats, to control vegetation growing underneath solar arrays is permitted as customarily incidental to a solar energy facility principal use subject to the lot size requirements for livestock specified in this Chapter.

D. Decommissioning requirements.

(1) If a solar energy facility remains unserviceable for a continuous period of two years, the facility shall be deemed to be abandoned and shall constitute a public nuisance, unless the owner demonstrates a good faith intent to sell the facility. Within six months of abandonment, the owner shall remove the system after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, and structural components shall be removed.

(b) Underground wiring and structural components shall be removed and the resulting void space filled.

(2) When a solar energy facility is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

§ 255-268. Wind Energy Facilities.

Wind energy facilities are permitted as a principal use in the EC Employment Center District. The regulations, requirements, and restrictions set forth in this Article shall apply to wind energy facilities in addition to those regulations, requirements and restrictions of the EC Employment Center District.

A. Lot, Yard and Bulk Requirements.

(1) Setback Restrictions.

(a) Wind energy facility components shall not be located within any required setback.

(b) Wind energy facility components shall not encroach upon any right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements

(c) A wind turbine tower shall be located a minimum distance of one and one tenth (1.1) times the turbine height from any building not located on the lot on which the wind energy facility is proposed, property line, parking lot, street right-of-way, or overhead utility line, to minimize potential harm if a tower should fall.

(d) Wind energy facility components shall not extend over parking areas, access drives, driveways or sidewalks.

(e) Wind energy facility components shall not encroach upon any stormwater management facility.

(2) Height Restrictions.

(a) The minimum height of the lowest position of a wind turbine blade or other moving part shall be fifteen (15) feet above the ground.

(b) Wind turbine height shall be limited as follows:

Lot Size	Turbine Height:
1 - 1.99 acres	35 feet
2 - 2.99 acres	40 feet
3 - 3.99 acres	45 feet
4 - 4.99 acres	50 feet
5 - 9.99 acres	55 feet
10 - 14.99 acres	65 feet
15 - 19.99 acres	85 feet

B. Design and installation requirements.

(1) Wind energy facilities shall be constructed in compliance with all applicable building and construction codes, including regulations with respect to floodplain management and stormwater management.

(2) The design and installation of all wind energy facilities shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society for Testing and Materials (ASTM), and other similar certifying organizations, and shall comply with the Township Building Code and with all other applicable fire and life safety requirements.

(3) When an accessory structure is necessary for storage cells or related wind energy facilities equipment, the accessory structure shall comply with the accessory structure requirements specified within the zoning district.

(4) All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind turbine or structure associated with a wind energy facility, are prohibited.

(5) No illumination of a wind turbine or tower shall be allowed unless required by the Federal Aviation Administration.

(6) All on-site utility and transmission lines shall be placed underground.

(7) Wind turbines and towers shall be a non-obtrusive color such as white, off-white or gray.

(8) A clearly visible warning sign concerning voltage must be placed on all electrical equipment.

(9) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of all tower guy wires and along the tower guy wires up to a height of ten feet from the ground.

(10) The location of a wind turbine shall be clear of and shall not interfere with any existing, trees, structures, wires and the like.

(11) Wind energy facilities components shall not be constructed, altered, or maintained so as to project above any of the imaginary airspace surfaces described by Federal Aviation Administration.

(12) All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Manual regulation by wind energy facility personnel shall not be considered a sufficient braking system for overspeed protection.

(13) All mechanical equipment of wind energy facilities including any structure for batteries or storage cells shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate. Wind turbine climbing apparatus shall be limited to no lower than twelve (12) feet from the ground or the wind turbine climbing apparatus shall be fully contained and locked within the tower structure.

C. Operation and performance standards.

(1) Wind energy facilities shall not interfere with any broadcast, radio, wireless or other telecommunication signals or facilities.

(2) Wind energy facilities shall not generate noise that exceeds fifty-five (55) decibels nor ten (10) decibels above ambient noise in any one hour, whichever is higher. Noise is measured at the property line. The ambient sound measurement, known as "A-weighted sound level" is taken where the noise from a wind turbine cannot be heard, or with the wind turbine shut down. The ambient sound level shall be considered the level that is exceeded ninety (90) percent of the time when the noise measurements are taken. The fifty-five (55) decibel or ten (10) decibel level may be exceeded during short-term events such as utility outages and/or severe wind storms.

(3) Wind energy facilities shall not produce shadow flicker on any occupied building not on the lot where the wind energy facility is located.

(4) All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by unauthorized persons.

D. Decommissioning requirements.

(1) If a wind energy facility remains unserviceable for a continuous period of two years, the facility shall be deemed to be abandoned and shall constitute a public nuisance, unless the owner demonstrates a good faith intent to sell the facility. Within six months of abandonment, the owner shall remove the system after a demolition permit has been obtained in accordance with the following:

(a) Any aboveground mechanical equipment, wiring, and structural components shall be removed.

(b) Underground wiring and structural components shall be removed and the resulting void space filled.

(2) When a wind energy facility is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 14th day of May, 2013.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 13-1276

AN ORDINANCE Amending The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, By Revising The Zoning Map To Rezone A Parcel Of Land From A Residential District To B Residential District, The Parcel Being a 6.8 Acre Property Situated At 701 N. Limekiln Pike, Maple Glen.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Section 255-9, Zoning Map, is hereby amended to rezone from A Residential District to B Residential District a 6.8 acre parcel of land identified as 701 N. Limekiln Pike, Maple Glen, and further identified as Montgomery County Tax Parcel No. 54-00-10384-002, and being bounded and described as follows:

BEGINNING at a point on the centerline of Limekiln Pike (proposed to be 70' wide at this point by the addition of 15' on the Northwesterly side from its current width of 55') (S.R. 0152), said point being at a distance of one thousand three hundred eighty-six and fifty one-hundredths feet (1,386.50') measured South six degrees eighteen minutes zero seconds West (S 06° 18' 00" W) from a point formed by the intersection which the centerline of Limekiln Pike makes with the centerline of Norristown Road (33' wide); THENCE from said place of beginning and along said existing centerline South six degrees eighteen minutes zero seconds West (S 06° 18' 00" W) seven hundred twenty-five and fifteen one-hundredths feet (725.15') to a point; THENCE crossing through the bed of Limekiln Pike and along lands now or formerly of Belle-Aire Homeowners Association, North forty-four degrees thirty-one minutes thirty-four seconds West (N 44° 31' 34" W) nine hundred three and twenty-seven one-hundredths feet (903.27') to a point, a corner of lands now or formerly of Lisa D. Kasser; THENCE along said lands North forty-seven degrees three minutes twenty-one seconds East (N 47° 03' 21" E) two hundred four and seven one-hundredths feet (204.07') to a point, a corner of lands now or formerly of Joseph T. and Kathleen P. Donnalley; THENCE along said lands and along lands now or formerly of Raymond L. and Laura C. Schill and along lands now or formerly of Joseph J., III & Carol S. Kollmer, South eighty-three degrees forty-two minutes zero seconds East (S 83° 42' 00" E) five hundred sixty-seven and two one-hundredths feet (567.02') to the first mentioned point and place of beginning.

CONTAINING 297,717 square feet or 6.8346 acres, more or less, to the existing centerline.

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

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

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

Ordained and enacted this 8th day of October, 2013.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

Attest:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 13-1277

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Add Definitions; To Add Uses And Identify Development Rights In The EC Employment Center District; And To Add A New Article XXXV To Establish An Overlay District Within A Portion Of The EC Employment Center District To Provide For And Regulate Transferable Development Rights.

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

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

§ 255-7. Definitions.

DEED OF DEDICATION – With respect to Transferable Development Rights, the legal instrument used by a landowner to transfer ownership of a cleared and stabilized Sending Parcel, without its associated Development Credits, to Upper Dublin Township or its designated agent.

DEED OF DEVELOPMENT CREDITS - The legal instrument necessary to sever and transfer Development Credits currently or previously appurtenant to a Sending Parcel in the Transferable Development Rights Overlay District.

DEVELOPMENT CREDITS – Within the Transferable Development Rights Overlay District, the quantification of a landowner's right under the Township's zoning and development regulations to use a parcel and the structures thereon for a particular use and/or to develop land and structures thereon to a particular area, density, bulk, or height. The terms "Development Credits" and "Development Rights" are synonymous as used herein.

DEVELOPMENT POTENTIAL - The maximum number of dwelling units and/or square feet of nonresidential floor area that may be constructed on a given lot in a specified zoning district in accordance with all the applicable laws and regulations, including, for example, land use, zoning, stormwater, and floodplain regulations in effect on the date of the development application.

POTENTIAL INCREMENTAL DEVELOPMENT – Within the Transferable Development Rights Overlay District, the amount of additional building area or density that may be added to a Sending Parcel beyond that already developed, as per the zoning code regulations in existence on the date Article XXXV was adopted.

RECEIVING PARCEL – a parcel of land in the Receiving Zone where the landowner/authorized agent may attach Development Credits, directly or by intermediate transfers, from a Sending Parcel, and on which increased density and/or intensity is allowed by reason of the transfer of Development Credits

RECEIVING ZONE - A designated area in the Transferable Development Rights Overlay District, not including a Sending Zone, in which Development Credits that were originally associated with a Sending Parcel may be associated with a Receiving Parcel.

SENDING PARCEL – a parcel of land in the Sending Zone from which the landowner may sever Development Credits, and after which those Development Credits that are severed and transferred may only be used for certain limited activities.

SENDING ZONE – A designated area in the Transferable Development Rights Overlay District in which Development Credits associated with a Sending Parcel may be severed from the Sending Parcel and separately transferred for use in a designated Receiving Zone.

TRANSFER OF DEVELOPMENT CREDITS – the procedure prescribed by this Chapter whereby Development Credits may be severed from a Sending Parcel and utilized for additional development on a Receiving Parcel, held for later use or extinguished; and the procedure whereby owners of Development Credits, currently or previously appurtenant to a Sending Parcel, convey some or all of those Credits to another party, including landowners/assignees of Receiving Parcels. The terms "Development Credits" and "Development Rights" are synonymous as used herein.

TRANSFEREE or BUYER or GRANTEE – With respect to Transferable Development Rights, the person or legal entity who purchases or otherwise receives Development Credits and who may apply the Development Credits to a Receiving Parcel, hold them, or subsequently sell or otherwise transfer the Development Credits.

TRANSFEROR or SELLER or GRANTOR – With respect to Transferable Development Rights, the owner of Development Credits and/or the owner of a Sending Parcel who severs and then sells, grants or otherwise transfers the Development Credits associated with the Sending Parcel to another person or entity.

Section 2. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVI, EC: Employment Center District, Section 255-102. Uses permitted by-right, shall be amended by adding the following new subsection:

§ 255-102. Uses permitted by-right.

* * * * * * *

L. **Transfer of Development Credits**. Certain lots within the EC District are also within the TDR Transferable Development Rights Overlay District. These lots may be developed in accordance with the provisions of Article XVI, EC Employment Center District. In the alternative, a landowner/applicant may choose to develop a lot within a Sending or

Receiving Zone in accordance with the provisions of Article XXXV, TDR - Transferable Development Rights Overlay District.

1. Those lots in the TDR Transferable Development Rights Overlay District and that have been specifically identified in Article XXXV, §255-264 are within the TDR Sending Zone.

2. Those lots that are in the TDR Transferable Development Rights Overlay District and are outside of the TDR Sending Zone are within the TDR Receiving Zone. Provided the standards in Article XXXV are met, additional uses and higher densities are permitted on Receiving Parcels utilizing Development Credits.

Section 3. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, Article XVI, EC: Employment Center District, Section 255-115. Lot, yard and bulk regulations, shall be amended by adding the following new subsection:

§ 255-115. Lot, yard and bulk regulations.

* * * * * * * * * *

C. Adjustments to Yard Requirements.

1. The front yard setback noted above shall be replaced with a "build to line" as detailed below, for new development on lots near the intersection of Delaware Avenue, Commerce Drive and Pinetown Road:

   a. Those lots on the north and south side of Delaware Avenue within 500 feet east of the above noted intersection.

   b. Those lots on the East and west sides of Commerce Drive within 600 feet south of the above noted intersection.

   c. Those lots on the East and west sides of Pinetown Rd. within 250 feet north of the above noted intersections.

2. The front façades of buildings on lots within the above noted area shall be situated no further than 25 feet from the street right of way line. The build to line may be increased an additional 15 feet, to a total of 40 feet, when the additional area is designed and used for outdoor dining and/or for use as a public plaza with outdoor seating areas.

3. Surface parking for buildings on lots within the above noted area shall be situated to the rear of the building. A minor number of parking spaces, equal to horizontal dimension of the side of the building measured in feet and divided by ten (10), may be located along the side of the building provided that parking is screened from the view of pedestrians and vehicles traveling in the public right of way. Screening may be created by using fences and/or landscaping.

Section 4. The Code of the Township of Upper Dublin, Chapter 255, entitled Zoning, shall be amended by the addition of a new Article XXXV, TDR: Transferable Development Rights Overlay District, to provide as follows:

ARTICLE XXXV – TDR Transferable Development Rights Overlay District

§ 255-260. Purpose.

A. In addition to the purpose and statement of community development objectives found in Article I, § 255-2, of this Chapter, the specific intent of this district is to establish an equitable method to encourage the transfer and change in use of privately owned land containing sensitive natural resources, such as, for example, floodplains and alluvial soils, and to conserve this land to protect and enhance the public's health, safety and welfare.

B. The provisions of the TDR Transferable Development Rights Overlay District are intended to protect property rights by allowing property owners whose land is flood prone or otherwise appropriate for conservation to sell some or all of the Development Credits associated with their land in-lieu of development and to provide the opportunity to certain other landowners in designated areas of the Township the option to increase the density of development on their land by acquiring those Development Credits.

C. Upper Dublin Township's specific objectives include the following:

1. To establish a Transferable Development Rights (TDR) program that will help achieve the land use planning goals identified in the Township's 2010 Comprehensive Plan while recognizing existing property rights.

2. To protect environmentally sensitive areas and reduce the risk of flooding through the establishment of designated Sending Zones from which landowners may sever and transfer Development Credits to reduce development and thereby enable the Township to protect the public health, safety and welfare and natural resources including floodplains, riparian buffers, alluvial soils, woodlands, steep slopes and related open land;

3. To manage growth by providing incentives in designated portions of the Township for removing development in certain areas by establishing Sending Zones and encouraging additional compact development by establishing Receiving Zones. Development Credits purchased through the TDR program may be used in Receiving Zones to supplement the development permitted in the underlying zoning district;

4. To limit development in flood prone areas that contain environmentally sensitive features while providing an equitable method to compensate landowners in the designated Sending Zones who voluntarily forbear developing their property;

5. To enable a more efficient land use pattern that will facilitate the implementation of an effective, long term management plan to maintain public infrastructure and provide public services, ensuring the quality and character of Upper Dublin Township is sustained into the future.

6. To create a more sustainable, inviting, and pedestrian oriented land use pattern where new development, on higher, drier ground may include a greater intensity and variety of uses and people may choose to travel by using an interconnected network of sidewalks and greenways to be created on portions of previously developed Sending Parcels.

§ 255-261. Legislative Framework

A. The TDR program is established pursuant to the authority granted by Sections 603(c)(2.2) and 619.1 of the Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, P.L. 805, as reenacted and amended, from time to time. By authority of the MPC, Development Credits are a separate estate in land and may be declared severable and separately conveyable from a Sending Parcel.

B. The severability and transferability of Development Credits from certain parcels of land within the Township is hereby recognized and established, and Development Credits may be transferred and used in accordance with the provisions of this Article. The TDR program is recognized as a voluntary program under the terms of this Article and transfers between a willing seller and a willing buyer shall be governed by the following criteria:

1. Land designated for conservation shall be situated within Sending Zones and designated as Sending Parcels. A landowner may sever and transfer Development Credits as provided for herein, if some portion or all of the Development Credits are to be utilized for development on a Receiving Parcel and the Sending Parcel landowner agrees to dedicate their land as a vacant parcel to the Township or its designated agent for a public purpose.

2. Land designated to receive Development Credits for additional, compact development shall be situated within Receiving Zones. After Development Credits are severed from a Sending Parcel they may be used to increase the variety and intensity of development permitted on a Receiving Parcel, as provided for in this Article.

3. Instruments necessary to sever Development Credits from a Sending Parcel, to convey Development Credits to one or more parties, or to affix Development Credits to one or more Receiving Parcels may be issued, transferred and recorded. These instruments shall be executed by the owners of Development Credits being transferred, and lien holders, and the Township.

4. Development Credits not designated for use on a Receiving Parcel may be transferred because all Development Credits do not need to be used at any

particular time, so long as the Development Credits are exercised, if at all, within a Receiving Zone and otherwise in compliance with this Article.

5. The number and use of Development Credits are established by this Article.

6. The price of Development Credits will be determined by the willing Seller and the willing Buyer under fair market conditions.

7. Upper Dublin Township may purchase and accept the donation of Development Credits. All such Development Credits shall be either retired by the Township or held in a TDR account for future sale or use by the Township.

§ 255-262. Use Categories.

The following permitted uses as provided for in the EC Employment Center District §255-102A, are categorized for the purpose of assigning Development Credits associated with Sending Parcels:

A. Industrial/Warehouse Use: Any industrial or warehouse use not specifically prohibited; flexible space used for either accessory or support office space; kennels; indoor storage facilities.

B. Retail Use: Automated teller machines; restaurants; commercial/retail uses; health clubs; gas stations; car wash; recreational facilities.

C. Office Use: Offices; banks; schools and/or other educational facilities; medical facilities and clinics; animal hospitals; doctors and veterinary offices; religious facilities/places of worship; day care centers; exhibition space; museums.

D. Hotel Use: Buildings designed for overnight or other short term residential purposes, either furnished or unfurnished, with or without common dining facilities or in-room kitchenettes; personal care facilities; nursing homes; and similar uses

§ 255-263. Character Of Development Credits

A. Development Credits are an integral part of real property when they are appurtenant to a Sending Parcel. Development Credits may be severed from a Sending Parcel when, in accordance with the provisions of this Article, they are separately identified and registered with the Township and the Sending Parcel is accepted for dedication and transferred to the Township, or its assignee.

B. Development Credits separately identified and registered with the Township may be held, sold or retired as provided for in this Article, by registering the transfer with the Township and recording a Deed of Transfer of Development Credits with the Montgomery County Recorder of Deeds.

C. Appropriate Deeds with respect to Development Credits shall be recorded with the Montgomery County Recorder of Deeds and notification shall be given to the Montgomery County Board of Assessment so that a proper reassessment of Sending and Receiving Parcels may occur.

D. Development Credits may be assigned to and utilized as part of an approved development plan on a Receiving Parcel.

§ 255-264. Sending Parcel – Development Credit Allocation and Use

A. General. A Sending Zone parcel shall be designated in accordance with criteria established in this Article.

Table 1: Sending Zone Parcels

Address	Street	Block/Unit #	Parcel ID #	Lot Size (Acres)
135	Commerce Dr.	Block 50/Unit 30	54-00-04366-008	7.10
155	Commerce Dr.	Block 50/Unit 58	54-00-04367-007	3.20
175	Commerce Dr.	Block 50/ Unit 35	54-00-04372-002	4.87
285	Commerce Dr.	Block 50/ Unit 26	54-00-04381-002	3.08
425	Delaware Ave.	Block 50/ Unit 48	54-00-04618-008	2.10
165	Indiana Ave.	Block 50/ Unit 33	54-00-08788-005	0.96
467	Pennsylvania Ave.	Block 43/Lot 23	54-00-13393-008	2.93
471	Pennsylvania Ave.	Block 43/ Unit 15	54-00-13390-002	0.92
475	Pennsylvania Ave.	Block 43/ Unit 21	54-00-13387-005	0.65
515	Pennsylvania Ave.	Block 50/ Unit 37	54-00-04363-002	4.42
535	Pennsylvania Ave.	Block 50/ Unit 36	54-00-08791-002	1.73
440	Virginia Dr.	Block 50/ Unit 49	54-00-16372-053	2.93
475	Virginia Dr.	Block 50/ Unit 51	54-00-16389-009	5.97
525	Virginia Dr.	Block 50/ Unit 46	54-00-16390-008	10.33
550	Virginia Dr.	Block 50/ Unit 47	54-00-16387-002	2.27
555	Virginia Dr.	Block 50/ Unit 45	54-00-16393-005	2.14
565	Virginia Dr.	Block 50/ Unit 44	54-00-16396-002	2.10
575	Virginia Dr.	Block 50/ Unit 54	54-00-16397-001	2.23
1005	Virginia Dr.	Block 50/ Unit 42	54-00-04627-008	8.80
1015	Virginia Dr.	Block 52/ Unit 20	54-00-16402-005	2.31
1035	Virginia Dr.	Block 52/ Unit 25	54-00-16375-104	2.34
1250	Virginia Dr.	Block 52/ Unit 17	54-00-16384-005	4.20

B. Determination of Development Credits. Development Credits shall be determined based on the current development and the Potential Incremental Development of a Sending Parcel as permitted by the land development, zoning and other regulations applicable in the EC Employment Center District as of the date of enactment of this ordinance. The

formulas to be used in determining the number of Development Credits applicable to a particular parcel are set forth below.

1. One (1) Development Credit per 5,000 SF of existing Office or Hotel Building Area.

    a. One fifth (1/5th) Development Credit per 5,000 SF of potential Office or Hotel Building Area

2. One (1) Development Credit per 10,000 SF of existing Industrial/Warehouse Building Area.

    a. One third (1/3rd) Development Credit per 10,000 SF of potential Industrial/Warehouse Building Area

3. One (1) Development Credit per 3,500 SF of existing Retail Building Area

    a. One half (½) Development Credit per 3,500 SF of potential Retail Building Area

4. Development credits calculated for a parcel shall be rounded to the nearest 1/4th credit.

C. Mixed Uses. Where the lawful use of a parcel is mixed and each use comprises more than 10% of the Building Area, the formulas above shall be proportionate to such uses. For calculation of Development Credits due to Potential Incremental Development, the mix of uses and the percentage of area devoted to each use shall be proportionate to the current mix of uses.

D. Development Credit Allocation. Based on the formulas set forth above, the initial Development Credit allocations for Sending Parcels are identified in Table 2.

    a. If at any point subsequent to the date this Article is adopted, a Sending Parcel is subdivided, then the property must go through the Credit Allocation Process detailed in this Article.

Table 2: Development Credit Allocation:

St. #	Street	Block/ Unit #	Building Category	Existing Building (SF)				Potential Incremental Development (SF)				Credit
				Industrial/ Warehouse	Hotel	Office	Retail	Industrial/ Warehouse	Hotel	Office	Retail	
135	Commerce Dr.	Block 50/ Unit 30	Industrial/ Warehouse	144,908								14.50
155	Commerce Dr.	Block 50/ Unit 58	Industrial/ Warehouse	25,088				16,700				3.00
175	Commerce Dr.	Block 50/ Unit 35	Industrial/ Warehouse	42,990				20,700				5.00
285	Commerce Dr.	Block 50/ Unit 26	Hotel		76,343							15.25
425	Delaware Ave.	Block 50/ Unit 48	Office			21,058				6,400		4.50
165	Indiana Ave.	Block 50/ Unit 33	Office			10,189						2.00
467	Pennsylvania Ave.	Block 43 Unit 23	Office			32,464						6.50
471	Pennsylvania Ave.	Block 43/ Unit 15	Retail				4,720				1,300	1.50
475	Pennsylvania Ave.	Block 43 Unit 21	Retail				1,392				2,800	0.75
515	Pennsylvania Ave.	Block 50/ Lot 37	Office			83,998						16.75
535	Pennsylvania Ave.	Block 50/ Unit 36	Office			30,160						6.00
440	Virginia Dr.	Block 50/ Unit 49	Office			17,436				14,500		4.00
475	Virginia Dr.	Block 50/ Unit 51	Office			76,008						15.25
525	Virginia Dr.	Block 50/ Unit 46	Industrial/ Warehouse	129,704				27,800				14.00
550	Virginia Dr.	Block 50/ Unit 47	Industrial/ Warehouse	16,944				12,700				2.00
555	Virginia Dr.	Block 50/ Unit 45	Industrial/ Warehouse	10,864				17,100				1.75
565	Virginia Dr.	Block 50/ Unit 44	Office			14,868				8,000		3.25
575	Virginia Dr.	Block 50/ Unit 54	Industrial/ Warehouse	21,976				7,200				2.50
1005	Virginia Dr.	Block 50/ Unit 42	Office			87,000				8,800		17.75
1015	Virginia Dr.	Block 52/ Unit 20	Office			19,920				5,300		4.25
1035	Virginia Dr.	Block 52/ Unit 25	Office			30,720						6.25
1250	Virginia Dr.	Block 52/ Unit 17	Office			45,252						9.00

E. Right to Develop. An owner of a Sending Parcel is not required to utilize the TDR program and may choose, instead, to develop the Sending Parcel in accordance with the underlying zoning district standards, retaining the parcel's Development Credits as they are set forth in this Table 2.

F. If a Sending Parcel identified in Table 2 is subdivided at some time in the future and there is a change to its Parcel Number and/or the block and unit number, then the assigned number of development credits shall be divided proportionately based on the

parcel's lot area and Table 2, the Development Credit Allocation Table, shall be administratively adjusted without the need for any Zoning Code amendment.

§ 255-266. Credit Allocation Revision Process

A. General. An owner may apply for a revision of the Sending Parcel Development Credit allocation in Table 2 in accordance with the following procedures.

1. Any revision request must occur and be decided prior to new development being approved or permitted by the Township or prior to severing Development Credits from a Sending Parcel and recording the a Deed of Transfer of Development Credits.

2. Once development plans are approved, building permits are issued, or the Development Credits are independently described and severed from a Sending Parcel, the opportunity to revise the allocation is lost and the landowner shall be irrefutably presumed to have elected to accept the allocation listed on Table 2, above, as an accurate measure of the Sending Parcel's Development Potential.

B. Process. In order to revise the allocation of Development Credits, a landowner or assignee shall submit a properly completed Credit Allocation Revision Application for the Sending Parcel with the required review fees to the Township Zoning Officer. Review fees shall be as specified in Chapter 110. The application shall include the following:

1. Supporting documentation which fulfills the requirements of this application process, including detailed information on existing structures and uses, any Potential Incremental Development and any information required by the Township Engineer to confirm compliance with stormwater and sanitary sewer regulations.

2. Any other information the Zoning Officer requires to properly determine the amount and type of existing development and the Potential Incremental Development of the property.

C. When a Credit Allocation Revision Application is submitted with an objection to the Development Credit Allocation as shown on Table 2, a development plan conforming to the requirements for a Preliminary Plan submission as set forth in Chapter 212 hereof shall be included with the application. The development plan shall demonstrate compliance with all zoning, land development and other land use regulations applicable to the subject property in effect as of the date of the adoption of this Article without the need for any zoning relief or waivers of regulations.

D. Once a complete application has been submitted, the Zoning Officer shall, within the time period required for consideration of a land development plan as provided for in Chapter 212, calculate the Development Credits applicable to the subject property based upon the formulas set forth in this Article and the plan... If the allocation calculated is different from the initial allocation noted in Table 2, then Table 2, the Development

Credit Allocation Table, shall be administratively adjusted, without the need for any Zoning Code amendment.

E. Any appeal of the Zoning Officer's determination of the Development Credits applicable to a Sending Parcel shall be made to the Zoning Hearing Board.

§ 255-267. Registration of Development Credits

A. Upper Dublin Township shall maintain an accurate record of Development Credits, including those severed from Sending Parcels and held without application to a Receiving Parcel, those that are sold and applied to a Receiving Parcel and those that are retired. The record shall utilize an appropriate indexing system and information shall be keyed to the original tax parcel number associated with the Sending Parcel.

B. Based on the provisions of this Article, Development Credits shall be issued and registered as either "Unrestricted," "Residential," or "Non-Residential". Development Credits shall be identified as "Unrestricted" when they are initially severed from and are no longer appurtenant to a specific Sending Parcel.

§ 255-268. Sending Parcels: Separation And Sale Of Development Credits

A. Severing and selling Development Credits. To sell, transfer, dedicate or otherwise convey any or all of a Sending Parcel's Development Credits, the Credits must be severed from the real estate by utilizing the following procedure:

1. The Sending Parcel shall be cleared of all improvements. All buildings, paving and other improvements shall be demolished or otherwise removed and the ground shall be graded level, stabilized with respect to erosion and sediment control, and seeded with an appropriate meadow mix. Proper clearing, grading and stabilization shall be documented by a Phase 1 Environmental Assessment Report satisfactory to the Township.

    a. The cleared and stabilized Parcel shall be covered with high quality topsoil to a depth readily sufficient to support the continued growth and development of any remaining or newly planted vegetation, including wildflower and/or other meadow seed mixtures.

    b. The dedicated vacant Sending Parcel must be cleared and stabilized for purposes of erosion and sedimentation control to the satisfaction of the Montgomery County Conservation District and the Township Engineer in accordance with applicable laws and regulations, and, if subject to their jurisdiction and regulation, determined by the Pennsylvania Department of Environmental Protection ("DEP") or U.S. Environmental Protection Agency ("EPA"), as applicable, to not pose a threat to human health or the environment.

c. Sending Parcels having experienced environmental contamination through spills or other releases of hazardous or other regulated substances shall be remediated to the satisfaction of DEP, and, as applicable, EPA.

2. Development Credits severed from a Sending Parcel shall be separately described in a Deed of Development Credits which shall identify the owner of the Credits and shall be filed with the Township and recorded with the Montgomery County Recorder of Deeds. A Deed of Development Credits shall be endorsed by the Township prior to conveyance and recording.

a. A Deed of Development Credits submitted to the Township for endorsement shall be accompanied by a title search of the source Sending Parcel and the Development Credits, and a legal opinion with respect to the good and marketable title of the Development Credits. A title report should be prepared within ten days prior to submission of the deed and the legal opinion of title must meet the reasonable approval of the Township Solicitor.

3. The Sending Parcel from which the Development Credits are severed shall be separately described in a Deed of Dedication that identifies the owner of the Sending Parcel as the Grantor and that specifies that the Sending Parcel is to be used for a public purpose. The Deed of Dedication shall be offered to the Township or its designee.

a. The Sending Parcel Deed of Dedication shall be accompanied by a title search of the Sending Parcel and a legal opinion with respect to the good and marketable title of the Sending Parcel. A title report should be prepared within ten days prior to submission of the deed and the legal opinion of title must meet the reasonable approval of the Township Solicitor. The Sending Parcel Deed of Dedication shall also be accompanied by a surveyor-confirmed deed description.

4. The Deed of Dedication shall be offered to the Township, or its assignee, but there is no obligation to accept such offer until such time as the Sending Parcel owner demonstrates, to the satisfaction of the Township, that there is a commitment to utilize 50% or more of the Sending Parcel's Development Credits on a given Receiving Parcel(s) within five (5) years of the date of recording the Deed of Development Credits.

a. When an offered Deed of Dedication is accepted by the Township, or its assignee, it shall be recorded with the Montgomery County Recorder of Deeds prior to and/or concurrently with recording the Deed of Development Credits for the Sending Parcel's Development Credits.

B. The Deed of Dedication for a Sending Parcel subject to a Deed of Development Credits shall address and comply with the following:

1. The Deed of Dedication shall be placed on the entirety of the Sending Parcel that is subject to the Deed of Development Credits. The Deed of Dedication shall

specify that the Parcel is to be used for public purposes.

2. Upon acceptance of the Deed of Dedication the owner of the Sending Parcel shall pay the Township or its assignee a fee for the maintenance and management of the Sending Parcel in an amount set forth in Chapter 110.

3. The Deed of Dedication shall be filed with the Township and recorded in the Montgomery County Recorder of Deeds prior to and/or concurrently with recording the Deed of Development Credits severed from the Sending Parcel.

C. An owner of Development Credits not appurtenant to any Sending Parcel may transfer some or all of those Credits in fractional shares not less than a quarter (¼) credit through the use of the following procedures:

1 The owner shall submit an Application for Transfer to the Zoning Officer together with the application fee as set forth in Chapter 110.

2 The Zoning Officer shall determine that the application contains all of the required information and that it transfers no more than the maximum number of Development Credits available and that those Credits are not already assigned or extinguished.

3. If the Zoning Officer determines that the Application and supporting documentation establishes the criteria as set forth above, then the Zoning Officer shall sign the Transfer Application, certifying that, upon recording, the Deed of Development Credits will transfer ownership of the number of Development Credits contained within it to the party named, provided that if the Deed is not recorded within 90 days of the date that the certification is signed, unless this time period is extended by the applicant, then the assignment shall be null and void.

4. Upon signing the Application for Transfer, the Deed of Development Credits shall be returned to the owner for recording. Proof of recording shall thereafter be submitted to the Zoning Officer.

5. Upon receipt of proof that the Deed has been recorded, the Zoning Officer shall document the recordation upon the Township's Development Credit registry. The record shall include the Recorder of Deed's assigned book and page of recording.

6. The owner shall be responsible for all costs associated with the review of the Transfer Application and recording the Deed, including professional consultant fees.

D. Once a Deed of Dedication and Deed of Development Credits have been recorded for a Sending Parcel and the required maintenance fee has been submitted, Development Credits severed from a Sending Parcel may be sold, retired or used on an eligible Receiving Parcel. Until these Deeds are recorded and the fee is paid, the Receiving Parcel is subject to the underlying zoning district's density and land use restrictions.

§ 255-269. Subdividing and Redesignating a Sending Parcel.

Provided the process and standards below are met, a Sending Parcel landowner who believes a portion of the Sending Parcel is outside of the 100 year floodplain and who desires to retain and/or redevelop the dry portion of the property, may do so by submitting a subdivision application. If approved, the plan will redefine the resultant parcels as Sending and Receiving Parcels.

A. The originally designated Sending Parcel, which is the subject of a Subdivision and Land Development application, shall have a minimum Lot Area of 3.5 acres.

B. Subdivision and Land Development plans and an application shall be submitted to determine the number of Development Credits that will remain associated with the newly created Sending Parcel(s). This application shall include a Yield Plan, as provided for in this Chapter, showing the development and Potential Incremental Development that can occur on the proposed Receiving Parcel.

   1. The Application shall detail the number of Development Credits allocated to the subject property, the original Sending Parcel. A conceptual development plan based on the underlying zoning district regulations shall be submitted for the proposed Receiving Parcel, calculating the number of Development Credits associated with the conceptual development, similar to how a Yield Plan provides the basis for determining the number of residential lots permitted on an Open Space Preservation Plan.

   2. The calculation of the Development Credits associated with the conceptual development on the Yield Plan for the proposed Receiving Parcel shall be based on the factors detailed above in this Article for Development Credit Allocation and Use.

   3. The number of Development Credits allocated to the proposed Sending Parcel(s) shall be determined by subtracting the Development Credits associated with conceptual development of the proposed Receiving Parcel, i.e. the Yield Plan, from the Development Credits allocated to the original Sending Parcel.

C. Submission of a Sending Parcel subdivision plan shall occur when a landowner/applicant intends to concurrently sever the Development Credits from the newly created Sending Parcel(s) and record a Deed of Development Credits and Deed(s) of Dedication for the real estate. Recording the Subdivision Plan shall occur concurrently with recording the Deed of Dedication and Deed of Development Credits and the Township's Development Credit Registry shall be amended accordingly.

D. The portion of the Sending Parcel being redesignated as a Receiving Parcel shall comply with the following:

   1. The Lot Area shall be no less than 2 acres and there shall be developable areas on the lot that are outside of the designated Floodplain Conservation District.

2. All Building Area on the new Receiving Parcel shall be outside of the Floodplain Conservation District. Surface parking for that Building Area may remain and/or be developed, as permitted by this Chapter.

3. Remaining and new development shall comply with all provisions of the Floodplain Conservation District and with the EC Employment Center District dimensional standards.

4. The landowner and/or applicant shall demonstrate and document how safe, orderly and efficient access onto and off of the newly created Receiving Parcel is provided for in flood emergencies.

E. In determining which portion of a Sending Parcel is to remain and be subject to a Deed of Dedication, and in an effort to meet this Article's purpose and objectives, a landowner shall consider including space with the following characteristics:

1. Land within the Floodplain Conservation District and Riparian Buffers,

2. Land with alluvial or hydric soils, including wetlands,

3. Land containing woodlands and/or slopes in excess of fifteen percent, and

4. Land adjacent to Township or other publicly owned land, and

5. Land identified in the Township's Open Space & Recreation Plan and/or the Official Map.

F. The new Sending Parcel(s) shall comply with the following standards:

1. The total area that will be the subject of a Deed of Dedication shall be no less than 1.5 acres

2. There shall be no more than two separately described Sending Parcels created by the Subdivision and described in a Deed of Dedication. The Development Credits allocated to the new Sending Parcel(s) shall be described in a Deed of Development Credits.

3. No individual Sending Parcel shall be smaller than 30,000 square feet, nor shall it have a width and/or length of less than 40 feet.

G. Provided the remaining Sending Parcel(s) subject to the Deed of Dedication complies with the above noted standards, the Township, or its assignee, may accept the Deed of Dedication as provided for in this Article.

§ 255-270. Receiving Zone: Process for Using Development Credits

Development Credits may be acquired and used to enhance a Receiving Parcel's Development Potential by utilizing the following procedures:

A. The Receiving Parcel landowner/applicant must first obtain final approval of a land development plan contingent and conditioned on the acquisition and assignment of Development Credits to the Receiving Parcel.

B. To meet the condition of approval, the landowner/applicant, at or prior to the approval of a Final Plan or the issuance of the first building permit, whichever occurs first, shall submit to the Zoning Officer a completed Development Credit Use Application and the appropriate review fees, as set forth in Chapter 110.

C. Provided the application and supporting documentation are complete and accurate, the Zoning Officer shall approve the Development Credit Use Application certifying the permanent transfer of the Development Credits required for the proposed development on the designated Receiving Parcel and that the source Sending Parcel(s) associated with each Development Credit has been cleared, stabilized and transferred to Upper Dublin Township or its assignee.

D. A Deed of Development Credits shall be recorded to make the Development Credits appurtenant to a specific Receiving Parcel, thereby enabling the approved development plan to be recorded and to prevent the use of the transferred Development Credits on any parcel other than the designated Receiving Parcel.

E. The landowner/applicant shall be responsible for all costs associated with the review of the Development Credit Use Application for the use of Development Credits, including professional consultant fees as authorized by this Chapter.

§ 255-271. Receiving Zone: Standards For Use of Development Credits

A. Rights Attributable To Utilizing Development Credits. Provided a Deed of Development Credits and the necessary Deed(s) of Dedication have been recorded, a landowner/applicant utilizing Development Credits has the right to the following additional Development Potential on the Receiving Parcel:

1. Floor Area Ratio (FAR) density limits shall be increased as follows:

   Office: from a functional limit of 0.25 FAR to an absolute limit of 0.55 FAR
   Hotel: from a functional limit of 0.60 FAR to an absolute limit of 0.85 FAR

2 Residential Density:

Minimum. bldg. height	FAR		Dwelling units/acre	
	Min	Max	Min	Max
4 stories	1.0	1.50	30	50
5 stories	1.0	1.55	30	55
6 stories	1.0	1.60	30	60
7 stories	1.0	1.65	30	65

3. Density limits for Retail use. The maximum floor area of an individual retail use shall be 10,000 square feet.

   a. Retail uses are permitted only on the ground floor of multi-story buildings.
   b. All retail uses may comprise no more than 50% of the building's total floor area.
   c. For the purpose of this Article, the calculation of Total Floor Area excludes structured parking.

4. Height Limits. The minimum height limit for all uses is 30 feet. The maximum height limits range from 35 and 70 feet and are detailed in Map 1, in Appendix A

B. Increments of TDR Development. The Development Potential of an individual Receiving Parcel utilizing Development Credits in accordance with provisions of this Article may be increased as follows:

1. Up to 10,000 square feet of additional Office or Hotel Floor Area is permitted on each Receiving Parcel for each one-quarter (0.25) Development Credit utilized.

2. Up to 12,500 square feet of Residential Floor Area is permitted on each Receiving Parcel for each one-quarter (0.25) Development Credit utilized.

3. No more than a total of 24 Development Credits within the Transferable Rights Overlay District may be allotted for Residential use within the entirety of the Receiving Zone. The Township shall track the use of Development Credits in the Development Credit Registry.

4. Up to 2,500 square feet of additional Retail Floor Area, not otherwise allowed, is permitted for each one quarter (0.25) Development Credit utilized.

§255-272. Receiving Zone: Additional Development Standards

The development standards set forth in Article XVI, the EC, Employment Center District, shall apply on a Receiving parcel utilizing Development Credits, except when in conflict with the following:

A. A Receiving Parcel with frontage along and/or vehicular access exclusively onto Highland Avenue or Camp Hill Road may not be developed with a mixed-use building if that building contains more than 750 square feet of retail space.

1. Access provisions in Township Code Chapter 233, Sections 233-17, 233-18.2 and 233-52 are applicable to all Receiving Parcels developed in accordance with the TDR Overlay District regulations.

B. Multi-family residential buildings are permitted in two distinct areas in the Receiving Zone, as shown on Map 2, and in Appendix A

C Parking ratios shall be reduced from minimum of 5 spaces per 1,000 square feet to a minimum of 3.8 spaces per 1,000 square feet for any non-residential Building Area developed. Parking ratios for residential units shall be 1.5 spaces per unit.

D Impervious Surface: The maximum impervious surface on a Receiving Parcel shall not exceed 85%.

E. Dimensional Standards.

1. Minimum Setbacks. The following accessory uses shall be setback a minimum of 150 feet from residentially zoned lots or the right of way line of a street adjacent to residentially zoned land.

a. Loading and delivery areas

b. Structured parking

2. Minimum Parking Setbacks. Surface Parking shall be setback a minimum of 50 feet from residentially zoned lots or the right of way line of a street adjacent to residentially zoned land.

a. The first 25 feet of the 50 foot setback shall contain a Screen Buffer as provided for in §212-32 of the Upper Dublin Township Subdivision and Land Development Code. Existing vegetation and elevation differences can be used to achieve this required level of screening.

3. Front Yard Setbacks. Minimum front yard setback shall be 25 feet for buildings up to 40 feet in height. Buildings or any portion of a building taller than 40 feet shall have a minimum setback of 35 feet.

F. Design Guidelines

1. All mechanical equipment for new development shall be situated in the building or on the roof.

a. Roof mounted mechanical equipment shall be visually and acoustically screened from any adjacent residential use.

b. Restaurant ventilation equipment shall be roof mounted to minimize odors.

2. Outdoor lighting shall comply in all respects with the Township Code. In addition, to minimize glare impacting nearby properties, full cut off shields shall be used to screen views of the light source.

3. Noise generated on site shall be minimized and be maintained within the limits specified by the Township Code.

4. The Township's sign regulations concerning on-site Freestanding Signs are further limited to permit only monument signs no taller than eight feet. These signs shall be screened from the views of adjacent residential lots.

G. Architectural Design Standards. To ensure that the size, proportions and design of buildings and other development within the Transferable Rights Overlay District accomplishes the goal of creating a pedestrian-friendly environment, especially at the street level, new construction shall comply with the following criteria:

1. Visual mass of all buildings shall be de-emphasized through the use of architectural and landscape elements including form, architectural features and materials, to reduce their apparent bulk and volume, to enhance visual quality and contribute to human scale development.

a. Vertical Articulation. Vertical articulation of the building facade, including changes in building plane and materials, shall be used to create pedestrian-scale buildings. Vertical articulation may include architectural features such as projecting bays, changes in roof line, recessed entries, balconies and other similar features. The depth of such articulation shall be a minimum of 2'-0". Such vertical articulation shall occur at a minimum 50' interval.

b. Horizontal Articulation. Horizontal articulation of the building facade, including changes in building plane and/or materials, shall be used to break up the scale of the building facade. Such horizontal articulation may be provided by roof terraces, setbacks or other devices. Horizontal articulation shall emphasize the building base, to reinforce the pedestrian scale.

2. No reflective glass shall be permitted. Tinted windows shall allow a minimum of 85% light penetration into the building.

3. Flat roofs must have articulated parapets and cornices. Pitched roof material may include slate (either natural or man-made), shingle (either wood or asphalt composition) and metal formed to resemble standing seams or other similar materials. Specifically prohibited are white, tan or blue shingles, and corrugated plastic or corrugated metal.

4. Exterior wall materials may include stucco, wood, wood clapboard, stone,

architectural concrete block or polished block, or brick of a shape, color and texture as that commonly found within the area. Specifically prohibited shall be white, tan or any type of painted brick, T-111 or other similar plywood siding. Other materials shall be limited as follows:

a. All forms of conventional concrete block shall be prohibited, unless authorized by the Board of Commissioners as a conditional use as provided for below.

b. Exterior insulation and finishing system (e.g., drivit) shall be limited to a maximum of 50% of any single facade, subject to approval by the Board of Commissioners

5. The Board of Commissioners may, by conditional use, approve the use of architectural concepts and designs which differ from those set forth above, if the applicant demonstrates to the satisfaction of the Board that such concepts and designs are in furtherance of the legislative intent of this article and of this subsection.

§ 255-273. Plan Submittal Process For Development Utilizing Development Credits

A. Applicants seeking to develop Receiving Parcels utilizing Development Credits shall submit Sketch and Preliminary Plans showing the development with the use of Development Credits. The plans shall be submitted and processed in accordance with the requirements of the Chapter 212, Subdivision and Land Development Code and any other applicable Township regulations.

B. The TDR Transferable Development Rights Plan application shall also include:

1. A draft Deed of Development Credits detailing the number of Development Credits required for development of the Receiving Parcel as proposed and the Sending Parcel(s) from which the Credits were obtained.

2. The number of residential dwelling units and/or floor area of non-residential development that may be built in accordance with underlying zoning regulations.

3. The number of dwelling units and/or floor area of non-residential development that may be built when Development Credits are applied.

4. A location plan identifying the Sending Parcel(s) from which the applicant proposes to use Development Credits. This plan shall show all information needed to determine the number of Development Credits which are available and how many are sold, if that number varies. A draft of the Deed of Dedication shall be submitted. The deed shall be recorded with the Final Plan if one is required.

C. In order to receive Final Plan approval, the applicant must guarantee the Deed of Dedication and the Deed of Development Credits is registered and recorded as provided for in this Article.

Section 5. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 26th day of November, 2013.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

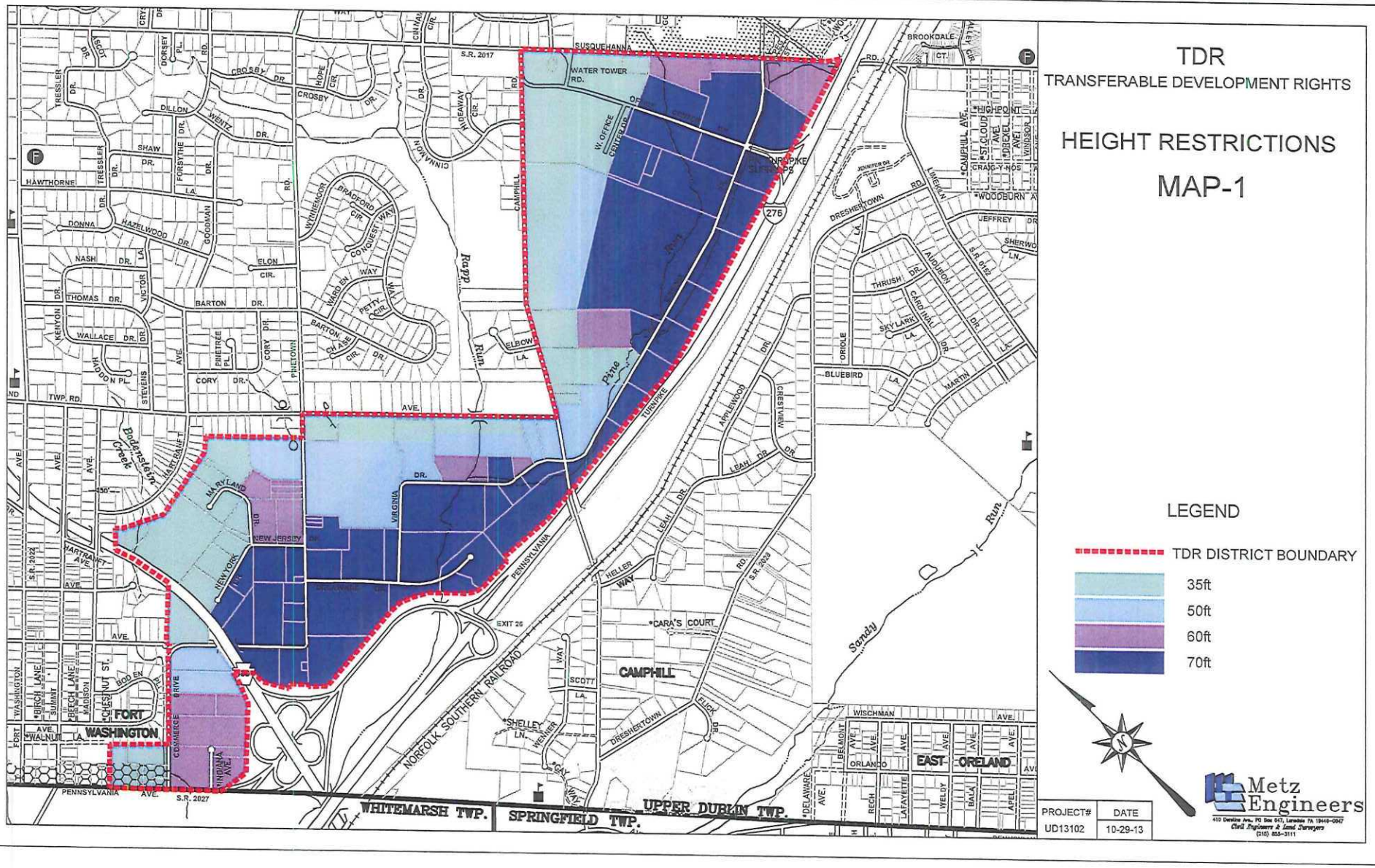
Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

Exhibit "A"

Maps



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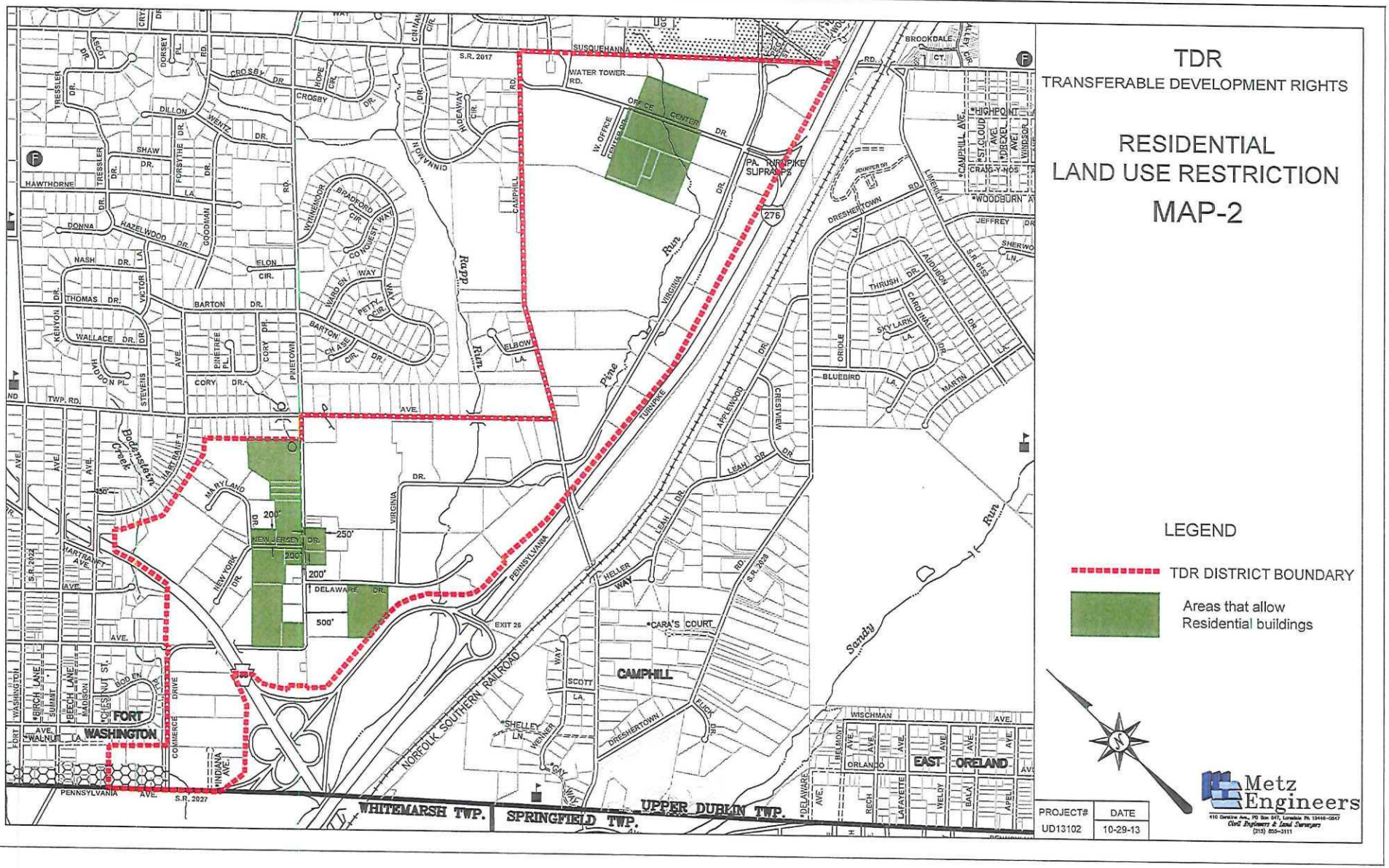
TDR
TRANSFERABLE DEVELOPMENT RIGHTS
RESIDENTIAL
LAND USE RESTRICTION
MAP-2
LEGEND
TDR DISTRICT BOUNDARY
Areas that allow
Residential buildings
PROJECT#
UD13102
DATE
10-29-13
Metz
Engineers
WHITEMARSH TWP.
SPRINGFIELD TWP.
UPPER DUBLIN TWP.
FORT WASHINGTON
CAMPHILL
EAST ORELAND
NORFOLK SOUTHERN RAILROAD
PENNSYLVANIA TURNPIKE
S.R. 2017
S.R. 2027
S.R. 2028
S.R. 2022
WATER TOWER RD.
OFFICE CENTER DR.
W. OFFICE CENTER DR.
PA TURNPIKE SUPPLEMENT
DRESHERTOWN RD.
BLUEBIRD LA.
CARA'S COURT
HELLER WAY
SHELLEY LN.
GAY WAY
EXIT 26
Bapp Run
Pine Run
Sandy Run
Bodenstein Creek
200'
250'
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ORDINANCE NO. 13-1278

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2014

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 2014.

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 2014 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	20,122,037
Receipts from Taxes of Prior Years	72,000
Other Revenues and Receipts	6,491,725
TOTAL ESTMATED RECEIPTS AND CASH	**26,685,762**

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,198,743
Treasurer and Tax Collector		24,482
Library		1,100,215
Municipal Buildings		464,340
Economic Development		150,695
	TOTAL	**3,938,475**
PROTECTION TO PERSON AND PROPERTY		
Police		7,009,038
Fire		714,998
Emergency Services		301,378
	TOTAL	**8,025,414**

SANITATION		2,309,686
CODE ENFORCEMENT		648,902
HIGHWAY AND ENGINEERING		3,773,320
PARKS AND RECREATION		2,038,673
DEBT SERVICE		2,683,584
NON EXPENDABLE TRUSTS		1,300
CAPITAL PROJECTS		
General Capital		1,647,792
Stormwater Management Projects		927,900
Fire Capital		583,000
Open Space		94,466
	TOTAL	**3,253,158**
COMMUNITY CONTRIBUTIONS		13,250
	TOTAL APPROPRIATIONS	**26,685,762**

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2014.

ENACTED AND ORDAINED THIS 10th day of December 2013.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 13-1279

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2014 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2014 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2014 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2014 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2014 FOR VOTER APPROVED OPEN SPACE DEBT, THE TAX RATE FOR THE YEAR 2014 FOR LIBRARY SERVICES AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes

That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2014, as follows:

Tax rate for General Purposes, the sum of	2.662 mils
on each dollar of assessed valuation, or the sum of	26.620 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.662	26.620

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 2014, as follows:

Tax rate for Debt Service, the sum of	0.922 mils
on each dollar of assessed valuation, or the sum of	9.220 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.922	9.220

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 2014, as follows:

Tax rate for Fire Protection, the sum of	0.571 mils
on each dollar of assessed valuation, or the sum of	5.710 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.571	5.710

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 2014, as follows:

Tax rate for Parks and Recreation the sum of	0.710 mils
on each dollar of assessed valuation, or the sum of	7.100 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.710	7.100

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2014, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of	0.096 mils
on each dollar of assessed valuation, or the sum of	0.960 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Voter Approved Open Space Debt	.096	0.960

SECTION 6: Tax Rate for Library Services

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 2014, as follows:

Tax rate for Library Services, the sum of	0.455 mils
on each dollar of assessed valuation, or the sum of	4.550 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Library Services	.455	4.550

SECTION 7: Discounts and Penalties

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

SECTION 8: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

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

SECTION 10: This Ordinance shall take effect and be in force from and after January 1, 2014.

ENACTED AND ORDAINED THIS 10th day of December 2013.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 14-1280

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin By Revising Chapter 9, Electoral Districts In Order To Reapportion The Seven Wards Of The Township Of Upper Dublin, Montgomery County, Pennsylvania By Revising The Boundary Lines Thereof Based On The 2010 Federal Census In Order To Make The Populations In Each Ward As Nearly Equal As Practicable.

WHEREAS, Article IX, Section 11, of the Constitution of the Commonwealth of Pennsylvania, and the Municipal Reapportionment Act, require the Board of Commissioners of the Township of Upper Dublin (the "Board of Commissioners") to reapportion the Township within the year following the year in which the Federal decennial census is officially reported as required by Federal Law, and at such other times as the Board shall deem necessary; and

WHEREAS, the results of the 2010 Federal Census were reported to the President of the United States in December 2010 as required by Federal Law and made available on the census block level shortly thereafter in 2011 by the United States Census Bureau; and

WHEREAS, Section 536 of the Pennsylvania Election Code, as amended, prohibits the establishment, abolishment, or alteration of any election district until all judicial appeals to the 2012 Congressional Reapportionment Plan have been resolved, whichever occurs later; and

WHEREAS, the Board of Commissioners now has the authority to reapportion the Township under the Pennsylvania Election Code;

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

Section 1. The Code of the Township of Upper Dublin, Chapter 9 thereof, entitled Electoral Districts, is hereby amended to provide as follows:

Chapter 9

ELECTORAL DISTRICTS

§9-1. Reapportionment of wards.

There shall continue to be seven (7) wards in the Township of Upper Dublin, which wards are hereby reapportioned to be as nearly equal in population as practicable based on the official statistics of the 2010 Federal Census conducted by the United States Census Bureau.

§9-2. Retention in office and new elections.

The commissioners in office at the time of this reapportionment shall retain their offices and continue to represent their respective wards until the end of their respective terms. The election of commissioners under the reapportionment shall be held in accordance with the First Class Township Code, 53 P.S. § 55101 *et seq*, and the Pennsylvania Election Code, 25 P.S. § 2600 *et seq*.

§9-3. Boundaries of the First Ward, Ward One.

The boundaries of the First Ward shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward One (1), situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the north by the Borough of Ambler and the Township of Lower Gwynedd; to the west by the Township of Whitpain; and to the south by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, at the intersection of the center line of Susquehanna Road and the center line of Tennis Avenue; THENCE from said point of beginning, along the center line of Susquehanna Road, in a southeasterly direction, crossing the north and south Branch of the Rose Valley Creek, to the center line of Butler Pike; THENCE leaving Susquehanna Road, extending in a northeasterly direction along the center line of Butler Pike to the center line of the Route 309 Expressway; THENCE leaving Butler Pike, extending in a southerly direction along the center line of the Route 309 Expressway to the center line of Susquehanna Road; THENCE leaving the Route 309 Expressway, extending in a northwesterly direction along the center line of Susquehanna Road to the center line of Cedar Road; THENCE leaving Susquehanna Road, extending along the center line of Cedar Road in a southwesterly direction, crossing the beds of Hoffman Road, Forest Creek Drive, Meadowbrook Avenue, Booth Lane and Argyle Avenue to the center line of Loch Alsh Avenue; THENCE leaving Cedar Road, extending along the center line of Loch Alsh Avenue in a southeasterly direction, crossing the beds of Hoffman Road, Lake Drive, the Honey Run Creek and Farm Lane to the center line of the Route 309 Expressway; THENCE leaving Loch Alsh Avenue, extending along the center line of the Route 309 Expressway in a southerly direction, crossing the bed of Highland Avenue to the center line of Fort Washington Avenue; THENCE leaving the Route 309 Expressway, extending along the center line of Fort Washington Avenue in a southwesterly direction, crossing the beds of Creek Drive, Prospect Avenue and Spring Avenue to the center line of Montgomery Avenue; THENCE leaving Fort Washington Avenue, extending along the center line of Montgomery Avenue to the center line of Washington Lane; THENCE leaving Montgomery Avenue, extending along the center line of Washington Lane in a westerly direction to the center line of Bethlehem Pike; THENCE leaving Washington Lane, extending along the center line of Bethlehem Pike, southerly to the center line of Pennsylvania Avenue, the line dividing the

Township of Upper Dublin from the Township of Whitemarsh; THENCE along said township line, northwesterly (this line being the extended center lines of Pennsylvania Avenue and Morris Road in this area) crossing the beds of the SEPTA Railroad, the Wissahickon Creek and entering the bed of Morris Road crossing the beds of Carey Drive and Butler Pike, to a point on the line between the Township of Upper Dublin and the Township of Whitpain; THENCE leaving the extended center line bed of Morris Road, extending along the aforementioned Whitpain Township Line in a northeasterly direction, crossing the beds of Morris Road, the Wissahickon Creek, Maple Avenue and the SEPTA Railroad to a point on the borough line of the Borough of Ambler, a common point of said borough line with the Whitpain and Upper Dublin Township Lines; THENCE extending along the said borough line, in a counter-clockwise manner, around the Borough of Ambler, the following twelve (12) courses:

(1) Southwesterly, crossing Maple Avenue,
(2) Still southwesterly to an angle point;
(3) Southerly crossing Butler Pike to an angle point,
(4) Southeasterly, paralleling Wissahickon Creek and Morris Road to an angle point, in line of Church Street,
(5) Northeasterly, crossing the SEPTA Railroad to the center line of Church/Main Street,
(6) Southerly, along the center line of Main Street to the center line of Randolph Avenue,
(7) Leaving Main Street, easterly along the center line of Randolph Avenue to a point,
(8) Then perpendicular in a northerly direction, leaving Randolph Avenue to an angle point,
(9) Northeasterly, paralleling Church Street to the center line of Ambler Road,
(10) Along the center line of Ambler Road, northerly, to the center line of Church Street,
(11) Along the center line of Church Street, northeasterly, crossing Southern Avenue, Highland Avenue, Trinity Avenue, and Rosemary Avenue to the center line of Bethlehem Pike,
(12) Leaving Church Street, along the center line of Bethlehem Pike in a northerly direction, crossing the beds of Lindenwold Terrace, Ardross Avenue, Loch Alsh Avenue, Argyle Avenue, Homestead Lane, Butler Pike, East Fairview, Hagues Mill Road, the south branch of the Rose Valley Creek to the center line of Tennis Avenue;

THENCE leaving Bethlehem Pike, extending in a northeasterly direction along the center line of Tennis Avenue to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the First Ward.

§9-4. Boundaries of the Second Ward, Ward Two.

The boundaries of Ward Two shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Two, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the southwest by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Cedar Road; THENCE along the Susquehanna Road center line, in a southeasterly direction, to the center line of the Route 309 Expressway; THENCE leaving Susquehanna Road, extending along the Route 309 Expressway center line in a northerly direction to the center line of the Tannery Run Creek; THENCE along the bed of the Tannery Run Creek, in an easterly direction, crossing the access road to the Woods Apartments to the center line of Meetinghouse Road; THENCE leaving the Tannery Run Creek, extending along the center line of Meetinghouse Road in a southeasterly direction, crossing Joel Drive to the center line of Fort Washington Avenue; THENCE leaving Meetinghouse Road, extending along the center line of Fort Washington Avenue, in a northeasterly direction to the center line of Limekiln Pike; THENCE leaving Fort Washington Avenue, extending along the Limekiln Pike center line in a southerly direction, crossing the beds of Fulton Drive, Dillon Road, Broad Street, Jarrettown Road, Mundock Road and Candlebrook drive to a point in the center line of Limekiln Pike, said point being the intersection of the center line of Limekiln Pike and the common line between the northerly property line of Tax Block 9, Unit 3 and the southeastern property line of Tax Block 9A, Unit 82; THENCE leaving Limekiln Pike, extending in a southwesterly direction along the common line between the northeasterly property lines of Tax Block 9A, Units 82, 81, 80, 83 and Tax Block 9, Unit 3 to a point, said point being where the southeast parcel corner of Tax Block 9A, Unit 83 intersects with the northwestern property line of Tax Block 9, Unit 3; THENCE extending in a southeasterly direction along the southwestern property line of Tax Block 9, Unit 3 to a point, said point being where the northern parcel corner of Tax Block 9, Unit 4 intersects with the southwestern property line of Tax Block 9, Unit 3; THENCE extending in a southwesterly direction along the common line between the northwestern property line of Tax Block 9, Unit 4 and the southeastern parcel lines of Tax Block 9A, Units 83, 69, 68 and 67 to the center line of Susquehanna Road; THENCE extending in a northwesterly direction along the center line of Susquehanna Road, crossing the beds of Water Tower Road, Candlebrook Road, Camphill Road, Cinnamon Drive, Cinnamon Circle, Crosby Road, Pinetown Road, and Broad Street to the center line of Dillon Road; THENCE leaving Susquehanna Road, extending along the Dillon Road center line in a southwesterly direction, crossing the bed of Crosby Drive to the center line of Wentz Drive; THENCE leaving Dillon Road, extending along the center line of Wentz Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Wentz Drive, extending along the Goodman Drive center line in a southwesterly direction crossing Hawthorne Lane to the center line of Hazelwood Drive; THENCE leaving Goodman Drive, extending along the Hazelwood Drive center line in a northerly direction to the center line of Victor Lane; THENCE leaving Hazelwood Drive, extending along the Victor Lane center line in a westerly direction crossing Nash Drive to the center line of Barton Drive; THENCE leaving Victor Lane, extending along the Barton Drive center line in a southeasterly direction, to the center line of Hartranft Avenue; THENCE leaving Barton Drive, extending along the Hartranft Avenue center line, in a

westerly direction, crossing Cory Drive to the center line of Highland Avenue; THENCE leaving Hartranft Avenue extending along the Highland Avenue center line in a southerly direction to the center line of Pinetown Road; THENCE leaving Highland Avenue, extending along the Pinetown Road center line in a southwesterly direction, crossing New Jersey Drive and Delaware Drive to the center line of Commerce Drive; THENCE changing direction ninety degrees to a northwesterly direction, extending along the Commerce Drive center line, crossing the bed of the Route 309 Expressway, changing direction ninety degrees to a southwesterly direction to the center line of Pennsylvania Avenue (said center line being the line dividing the Township of Upper Dublin from the Township of Whitemarsh); THENCE leaving Commerce Drive, extending along the Pennsylvania Avenue center line in a northwesterly direction, crossing Summit Avenue and Fort Washington Avenue to the center line of Bethlehem Pike; THENCE leaving Pennsylvania Avenue, extending along the Bethlehem Pike center line in a northerly direction to the center line of Washington Lane; THENCE leaving Bethlehem Pike extending along the Washington Lane center line in an easterly direction to the center line of Montgomery Avenue; THENCE extending along the Montgomery Avenue center line, in a southeasterly direction, to the center line of Fort Washington Avenue; THENCE leaving Montgomery Avenue, extending along the Fort Washington Avenue center line in an easterly direction crossing the beds of Spring Avenue, Prospect Avenue and Creek Drive to the center line of the Route 309 Expressway; THENCE leaving Fort Washington Avenue, extending along the Route 309 Expressway center line in a northeasterly direction, crossing the bed of Highland Avenue to the center line of Loch Alsh Avenue; THENCE leaving the 309 Expressway, extending along the Loch Alsh Avenue center line in a northwesterly direction crossing the beds of Farm Lane, Lake Drive and Hoffman Road to the center line of Cedar Road; THENCE leaving Loch Alsh Avenue, extending along the Cedar Road center line in an easterly direction, crossing the beds of Argyle Avenue, Booth Lane, Meadowbrook Avenue, Forest Creek Drive, and Hoffman Road to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the Second Ward.

§9-5. Boundaries of the Third Ward, Ward Three.

The boundaries of the Third Ward shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Three, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northeast corner of the Township, being bordered to the north by the Township of Horsham and the Township of Upper Moreland; to the east by the Township of Abington; and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Dreshertown Road with the center line of Welsh Road; THENCE extending along the center line of Welsh Road in a southeasterly direction, following the common line between Upper Dublin, Horsham, and Upper Moreland Townships, crossing the beds of the Pennsylvania Turnpike, the Norfolk Southern Trenton cutoff, Twining Road and Kimball Avenue to the center line of North Hills Avenue extended (said extended center line being the common line between Upper Dublin and Abington Townships in this area); THENCE leaving Welsh Road, extending along the extended center line of North Hills Avenue in a southwesterly direction crossing Sunnycrest Road, the bed of Goenter Road, recrossing Kimball Avenue, crossing the beds of Woodlyn Avenue, Alba Avenue, Elliot Avenue, Alba Avenue, Brentwood Drive and School Lane to a point in the center lines of North Hills Avenue, Woodland Avenue and Fitzwatertown Road; THENCE leaving North Hills Avenue and extending along the center line of Fitzwatertown Road, in a southwesterly direction to the point of the line extended along the center line of Paul Avenue (extended undedicated street) at Fitzwatertown Road; THENCE leaving Fitzwatertown Road extending along the centerline of Paul Avenue crossing the beds of Bernard Avenue, Henry Avenue, Karl Avenue to the center line of Dundee Drive; THENCE extending along the center line of Dundee Drive in a northeasterly direction to the center line of Malcolm Drive; THENCE extending along the center line of Malcolm Drive in a northerly direction to a point, said point being the intersection of the centerline of Malcolm Drive and the southwestern property line of Tax Block 14, Unit 1; THENCE extending in a northwesterly direction along the southwestern property line of Tax Block 14, Unit 1 and continuing along the same line to the center line of Twining Road; THENCE extending in a southwesterly direction along the center line of Twining Road crossing the bed of Malcolm Drive to a point in the Twining Road center line, said point being the extension of the common parcel line of the southwesterly property line of Tax Block 12, Unit 14 and the northeasterly property line of Tax Block 12, Unit 16; THENCE extending along said extended property line in a northwesterly direction crossing the Twining Valley Golf Course and along Tax Block 12C, Units 24, 25, 26, 27, 28 and 29 to a point in the center line of the Norfolk Southern Trenton cutoff; THENCE along the center line of the Norfolk Southern Trenton cutoff in an easterly direction to a point in the center line of same (said point being the extension of the southwest line of the Dublin Hunt Open Space parcel (Tax Block 12A, Unit 163) and the northeast line of Tax Block 12, Unit 46; THENCE leaving the Trenton cutoff, extending along said extended common parcel line, in a northwesterly direction, crossing the beds of the Pennsylvania Turnpike and the Pine Run Creek to a point in the center line of Dreshertown Road; THENCE extending along the center line of Dreshertown Road, in an easterly direction to the center line of Kirk's Lane; THENCE extending in a northwesterly direction along the center line of Kirk's Lane crossing the beds of Glenecho Lane and Harris Road to a point in the center line intersection of Kirk's Lane and Aiman Circle; THENCE continuing in a southwesterly direction along the center line of Kirk's Lane to the center line of Limekiln Pike; THENCE leaving Kirk's Lane and extending in a northerly direction along the center line of Limekiln Pike crossing the beds of Harris Road, the second time, Candlebrook Drive, Mundock Road, Jarrettown Road and Broad Street to the center line of Dillon Road; THENCE leaving Limekiln Pike, extending in an northeasterly direction along the center line of Dillon Road to a point, said point being the intersection on the center line of Dillon Road and the common line between the northeastern property line of Tax Block 8, Unit 10 and the northwestern property line Tax Block

8, Unit 11; THENCE leaving Dillon Road along the common property line of Tax Block 8, Units 10 & 11 in a southeasterly direction to a point in the property line of Tax Block 8G, Unit 15; THENCE extending in a north easterly direction along the property lines of Tax Block 8, Units 11, 12 & 13, Tax Block 8G, Units 15, 11, 10 & 9 and Taxmap Block 8C, Units13 & 14 to a point, said point being a common property line at the corner of the northerly Tax Block 8G, Unit 9 and the southwesterly corner of Tax Block 8J, Unit 45; THENCE extending in a southeasterly direction along the property line between Tax Block 8G, Unit 9 and Tax Block 8J, Unit 45, crossing the bed of Lexington Drive along the property lines of Tax Block 8G, Units 8, 7, 6, 5, 4 & 3 and Tax Block 8J, Units 38, 37, 36, 35, 8 & 7, said point being a common corner of the northeasterly corner of Tax Block 8G, Unit 3 and the northwesterly corner of Tax Block 8G, Unit 1; THENCE extending in a southwesterly direction along the property line between Tax Block 8G, Units 3 & 1to a point, said point being a northerly corner of Tax Block 8G, Unit 2; THENCE extending in a southeasterly direction along the property lines between Tax Block 8G, Units 1 & 2 to a point in the centerline of Jarrettown Road; THENCE extending along the center line of Jarrettown Road, in a northeasterly direction crossing the beds of Aiden Lair Road, Dublin Road and Heard Drive to a point where the property line between the Dublin Open Space (Tax Block 11, Unit 3) and the New Horizons Montessori School (Tax Block 11, Unit 4 intersects with Jarrettown Road; THENCE leaving Jarrettown Road, extending in a southerly direction along the property line between Dublin Open Space and New Horizons Montessori School to the common point between Dublin Open Space, New Horizons Montessori School, and Tax Block 11D, Unit 3; THENCE extending in a southwesterly line from said common point along the eastern boundary of the New Horizons Montessori School and beyond to a point at the southeast corner of the Dawesfield Open Space; THENCE extending in a southeasterly direction along the southern boundary of the Dawesfield Open Space and beyond to the center line of Dreshertown Road; THENCE extending in a northeasterly direction along the center line of Dreshertown Road crossing the beds of Tuckerstown Road, Dryden Road, and St. Georges Road to the center line of Welsh Road the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Third Ward.

§9-6. Boundaries of the Fourth Ward, Ward Four.

The boundaries of the Fourth Ward shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Four, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southeast corner of the Township, being bordered on the northeast by the Township of Abington and on the southwest by the Township of Springfield, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Dillon Road; THENCE from said point of beginning, extending along the center line of Susquehanna Road in a southeasterly direction, crossing the beds of Broad Street, Pinetown Road, Crosby Drive, Cinnamon Drive, Cinnamon Circle, and Mundock Road, Camphill Road and Candlebrook Drive to a point where the property line between Tax Block 9A, Unit 67 and Tax Block 9, Unit 4 intersects with Susquehanna Road; THENCE leaving Susquehanna Road, extending in a northeasterly direction along the property line between Tax Block 9, Unit 4 and Tax Block 9A, Units 67, 68, 69 & 83 to a point in the northerly property line of Tax Block 9 Unit 3; THENCE extending in a northwesterly direction along the property line between Tax Block 9, Unit 3 and Tax Block 9A, Unit 83 to a point, said point being a southwesterly corner of Tax Block 9, Unit 3; THENCE extending in a northeasterly direction along the property line between Tax Block 9, Unit 3 and Tax Block 9A, Units 83, 80, 81 & 82 and beyond to the center line of Limekiln Pike; THENCE extending along the Limekiln Pike center line in a southeasterly directing crossing the bed of Harris Road to the center line of Kirks Lane; THENCE leaving Limekiln Pike extending along the Kirks Lane center line in a northeasterly direction to the center line of Aiman Circle; THENCE extending along the Kirks Lane center line in a southeasterly direction, crossing the beds of Harris Road and Glenecho Lane to the centerline of Dreshertown Road; THENCE extending along the center line of Dreshertown Road in a southwesterly direction, crossing the bed of Limekiln Pike to a point in the intersection of the center line of Dreshertown Road, Virginia Drive and Susquehanna Road; THENCE leaving Dreshertown Road, extending along the center line of Susquehanna Road in a southeasterly direction, crossing the beds of Peg Street and Limekiln Pike to the center line of the Pennsylvania Turnpike; THENCE leaving the center line of Susquehanna Road, extending along the center line of the Pennsylvania Turnpike in a southwesterly direction to a point where the common property line between Tax Block 53, unit 1 and Tax Block 53A, unit 26 extends to the centerline of the Pennsylvania Turnpike; THENCE leaving the Pennsylvania Turnpike center line, in a southeasterly direction, along the extended common property line between Tax Block 53, Unit 1 and Tax Block 53A, Units 26 & 1, crossing the Norfolk Southern Trenton cutoff to a point in the center line of Dreshertown Road, said point being the point of intersection of said property line extended with the Dreshertown Road center line; THENCE along the center line of Dreshertown Road, in a southwesterly direction, crossing the beds of Applewood Drive and Bluebird Lane to a point in the center line of Dreshertown Road, said point being the extension of the southern property line of Tax Block 54, Unit 13 (also known as Manufacturers Country Club); THENCE along said southern property line to an angle point in same, changing direction from an easterly to a southerly direction along same perimeter to its point of intersection with the Sandy Run Creek; THENCE along the Sandy Run Creek in an easterly direction to the center line of Twining Road; THENCE leaving the Sandy Run Creek, extending along the center line of Twining Road in a southwesterly direction to a point in the center line of Twining Road, said point being the extension of the center line of Beechwood Avenue (not open); THENCE leaving Twining Road, extending along the unopened center line of Beechwood Avenue in a southeasterly direction, crossing the beds of Jackson Avenue, Girard Avenue, Logan Avenue and Linden Avenue to a point in the center line of Limekiln Pike; THENCE leaving Beechwood Avenue (not open) along the center line of Limekiln Pike in a northwesterly direction to a point where the property line between Tax Block 70, Units 16 & 17 intersects with Limekiln Pike; THENCE leaving Limekiln Pike, extending in a southeasterly direction along the property line between Tax Block 70, Units 16, 17 and 97 to a northeasterly

corner of Tax Block 70, Unit 97; THENCE extending along the property line between Tax Block 70, Units 97 & 16, in a southwesterly direction to the center line of Beechwood Avenue (not open); THENCE extending along the center line of Beechwood Avenue (not open) in a southeasterly direction to a point on the common Upper Dublin and Abington Township line; THENCE along said township line in a southwesterly direction to the center line of Summit Avenue extended (not open); THENCE extending along the center line of the unopened Summit Avenue in a southwesterly direction, crossing the bed of Limekiln Pike to the open portion of Summit Avenue, along said center line to the center line of Chelsea Avenue; THENCE leaving Summit Avenue and extending along Chelsea Avenue in a southwesterly direction, crossing Walnut Avenue, Chestnut Avenue and Mount Carmel Avenue to a point on the northwest line of the SEPTA Railroad; THENCE along said line in a southeasterly direction to an angle point; THENCE changing direction ninety degrees to the southwest, crossing the SEPTA Railroad to a point on the southeast side of the SEPTA Railroad, said point also being a common point in line of Springfield Township; THENCE along the same line in a northwest direction, recrossing the SEPTA Railroad to a point in the center line of Pennsylvania Avenue, said point being the extension of the common rear property line of those properties facing on Mill Road and Jackson Avenues; THENCE extending along the center line of Pennsylvania Avenue, in a northwesterly direction, crossing the beds of Mill Road, Garden Road, Twining Road, Apel Avenue, Bala Avenue, Weldy Avenue, Lafayette Avenue, Rech Avenue (after which this line becomes the center line of Pennsylvania Avenue extended), then continuing along said extended center line, still in a northwesterly direction, crossing the beds of Sandy Run Creek, Camphill Road, the Norfolk Southern Trenton cutoff, the Pennsylvania Turnpike and the Route 309 Expressway, and Indiana Avenue to the center line of Commerce Drive; THENCE leaving the bed of Pennsylvania Avenue (this previous course had reentered the bed of Pennsylvania Avenue at the Indiana Avenue intersection) along the center line of Commerce Drive, in a northeasterly direction, crossing the Bodenstein Creek to an angle point (at which point Commerce Drive turns ninety degrees to the right), continuing along same in a southeasterly direction, crossing the Route 309 Expressway to a point in the center line of Pinetown Road; THENCE leaving Commerce Drive, changing direction ninety degrees to a northeasterly direction along the center line of Pinetown Road, crossing the beds of Delaware Drive and New Jersey Drive to the center line of Highland Avenue; THENCE leaving Pinetown Road, along the center line of Highland Avenue in a northwesterly direction, to the center line of Hartranft Avenue; THENCE leaving Highland Avenue, along the center line of Hartranft Avenue in a northeasterly direction, crossing Cory Drive to the center line of Barton Drive; THENCE leaving Hartranft Avenue, extending along the center line of Barton Drive in a northerly direction to the center line of Victor Lane; THENCE leaving Barton Drive, along the center line of Victor Lane, in a northeasterly direction, crossing the bed of Nash Drive to a point in the center line of Hazelwood Drive; THENCE leaving Victor Lane along the center line of Hazelwood Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Hazelwood Drive, extending along the center line of Goodman Drive, in a northeasterly direction, crossing the bed of Hawthorne Lane to the center line of Wentz Drive; THENCE leaving Goodman Drive, along the center line of Wentz Drive, in a northerly direction to the center line of Dillon Road; THENCE leaving Wentz Drive, extending along the center line of Dillon Road in a northeasterly direction, crossing the Mondauk waters and Crosby Drive, to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fourth Ward.

§9-7. Boundaries of the Fifth Ward, Ward Five.

The boundaries of Ward Five shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Five, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located between the center of the Township and the southeast line of the Township being border by the Township of Abington, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Dreshertown Road, said point being the point of intersection of the center line of Dreshertown Road and the center line of Susquehanna Road; THENCE from said point of beginning, extending along the center line of Dreshertown Road in a northerly direction, crossing the bed of Limekiln Pike to a point in the center line of Dreshertown Road, said point being the extension of the southwest property line of the Dublin Hunt Open Space parcel (Tax Block 12A, Unit 163) and the northeast line of Tax Block 12, Unit 46; THENCE along said common property line in a southeasterly direction, crossing Tax Block 12, Unit 12, and Tax Block 12D, Unit 129, and crossing the Pennsylvania Turnpike to the center line of the Norfolk Southern Trenton cutoff; THENCE leaving said line and extending along the center line of the Trenton cutoff in a southwesterly direction to a point, said point being the intersection of the center line with the property line of the Dresherbrooke townhouse project; THENCE extending along said line in a southeasterly direction through the lands of the Twining Valley Golf Course to a point in the center line of Twining Road; THENCE extending along the center line of Twining Road in a northeasterly direction, crossing the bed of Malcolm Drive to a point, said point being the intersection of the center line of Twining Road and a line extended from the southwestern property line of Tax Block 14, Unit 1; THENCE leaving Twining Road extending in a southeasterly direction along the extended line of the southwestern property line of Tax Block 14, Unit 1 to the center line intersection of Malcolm Drive and Woodland Road; THENCE extending in a southeasterly direction along the center line of Woodland Road to the center line of Dundee Drive; THENCE extending along the center line of Dundee Drive in a southwesterly direction to the extended center line of Paul Avenue (extended undedicated street); THENCE leaving Dundee Drive extending southeast along the center line of Paul Avenue to the center line of Fitzwatertown Road; THENCE extending in a southwesterly direction along the center line of Fitzwatertown Road crossing the beds of Alpin Drive to the center line of Anzac Avenue; THENCE leaving Fitzwatertown Road extending in a southeasterly direction along the center line Anzac Avenue to the center line of Clemens Avenue; THENCE leaving Anzac Avenue extending in a southwesterly direction along the center line of Clemens Avenue to the center line of Susquehanna

Road; THENCE leaving Clemens Avenue extending in a southeasterly direction along Susquehanna Road to a point, said point being the point of intersection of the rear property line of Tax Block 78, Unit 19 extended; THENCE along said line in a southwesterly direction, along the rear property line of Tax Block 78, Units 19 through 24, and continuing along said line extended and crossing the beds of Madison Avenue, Meyer Avenue, Jefferson Avenue, Lincoln Avenue, Spear Avenue and Woodrow Avenue to the center line of Jenkintown Road; THENCE extending along the center line of Jenkintown Road in a northwesterly direction to the center line of North Hills Avenue; THENCE along the center line of North Hills Avenue in a southwesterly direction to a point in the center line of North Hills Avenue, said point being the extension of the Beechwood Avenue center line (not open); THENCE leaving North Hills Avenue and extending along the unopened Beechwood Avenue center line in a northwesterly direction to a point, the point of intersection of the center line of Beechwood Avenue and the property line between Tax Block 70, Units 16 & 97; THENCE leaving Beechwood Avenue extending along the property line between Tax Block 70, Units 16 & 97 to a northeasterly corner of Tax Block 70, Unit 97; THENCE extending along the property lines of Tax Block 70, Units 16, 97 & 17 to a point in the center line of Limekiln Pike; THENCE extending along the Limekiln Pike Center line in a southerly direction to a point in center line of Beechwood Avenue (not open); THENCE leaving Limekiln Pike, extending along Beechwood Avenue (not open) in a northwesterly direction to the center line of Twining Road; THENCE extending along the Twining Road center line in a northerly direction to a point in the center line of the Sandy Run Creek; THENCE along the Sandy Run Creek in a southwesterly direction to a point, the point of intersection of the center line of the Sandy Run Creek and the westerly property line of Tax Block 54, Unit 13, Lands of Manufacturers Country Club; THENCE along said westerly property line, in a northerly direction to an angle point in the perimeter line of said parcel, thence along same perimeter line in a northwesterly direction to the center line of Dreshertown Road; THENCE along the center line of Dreshertown Road, in a northeasterly direction crossing the beds of Bluebird Lane and Applewood Drive to a point in the center line of Dreshertown Road, said point being the extension of the northern property line of Tax Block 53A, Unit 1 and the southeastern property line of Tax Block 53, Unit 1; THENCE along said common parcel line in a northwesterly direction, along the northeasterly property line of Tax Block 53A, Unit 26, crossing the Norfolk Southern Trenton cutoff, through Tax Block 52, Unit 7 to the center line of the Pennsylvania Turnpike; THENCE extending along the Pennsylvania Turnpike center line in a northeasterly direction to the center line of Susquehanna Road; THENCE leaving the Pennsylvania Turnpike extending along the center line of Susquehanna Road in a northwesterly direction, crossing the beds of Limekiln Pike and Peg Street to the center line of Dreshertown Road the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fifth Ward.

§9-8. Boundaries of the Sixth Ward, Ward Six

The boundaries of Ward Six shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Six, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located along the northwest line of the Township, being bordered by the Township of Horsham, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Welsh Road with the center line of Limekiln Pike, said point also being a point in the common line between the Township of Upper Dublin and the Township of Horsham; THENCE from said point of beginning extending along the center line of Welsh Road in a southeasterly direction crossing the beds of Norristown Road, Howe Lane, Terrace Drive, Farmview Road, Fort Washington Avenue, Dillon Road, Purdie Lane, Spring Hill Drive, Brittany Drive and Jarrettown Road to the center line of Dreshertown Road; THENCE leaving the bed of Welsh Road and extending along the center line of Dreshertown Road in a southwesterly direction and crossing the bed of St. Georges Road, Dryden Road and Tuckerstown Road to a point where the extended property line along the southern border of the Dawesfield Open Space intersects with the center line of Dreshertown Road; THENCE, from said point of intersection extending along the extended southern property line of the Dawesfield Open Space in a northwesterly direction to a point at the southwest corner of the Dawesfield Open Space; THENCE from said point at the southwest corner of the Dawesfield Open Space extending in a northeasterly direction along the extended property line of the eastern boundary of New Horizons Montessori School to the common point between the Dublin Open Space, New Horizons Montessori School, and Tax Block 11D, Unit 3; THENCE, from said common point extending in a northwesterly direction along the property line between the Dublin Open Space and the New Horizons Montessori School to a point where the said property line intersects with the center line of Jarrettown Road; THENCE in a southwesterly direction along the center line of Jarrettown Road crossing the beds of Heard Drive, Dublin Road and Aiden Lair Road to a point of intersection with the center line of Jarrettown Road and the extended property line between Tax Block 8G, units 1 & 2; THENCE leaving Jarrettown Road, extending along the property line between Tax Block 8G, units 1 & 2 in a northwesterly direction to a point in the property line of Tax Block 8G, Unit 3; THENCE extending along the property lines of Tax Block 8G, Units 1 & 3, in a northeasterly direction to a point in the property line of Tax Block 8J, Unit 7; THENCE extending in a northwesterly direction along on the property line between Tax Block 8G, Units 3, 4, 5, 6, 7 & 8 and Tax Block 8J, Units 7, 8, 35, 36, 37 & 38 and crossing the bed of Lexington Drive, continuing along the property line between Tax Block 8J, Unit 45 and Tax Block 8G, Unit 9 to a point in the property line of Tax Block 8C, Unit 14; THENCE extending along the property lines between Tax Block 8G, Units 9, 10, 11 & 15, Tax Block 8C, Units 14 & 13 and Tax Block 8, Units 13, 12 & 11, in a southwesterly direction to an easterly property corner of Tax Block 8, Unit 10; THENCE extending along the property line between Tax Block 8, Units 11 & 10 in a northwesterly direction to the center line of Dillon Road; THENCE leaving said line extending along the Dillon Road center line in a southwesterly direction to the center line of Limekiln Pike; THENCE leaving Dillon Road and extending along the center line of Limekiln Pike in a northwesterly direction, crossing the beds of Fulton Drive, Fort Washington Avenue, Shepard Drive, Bell Lane, Howe Lane, Wright Drive, Thornbury Drive, and Norristown

Road to the center line of Welsh Road, said center line being the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Sixth Ward.

§9-9. Boundaries of the Seventh Ward, Ward Seven.

The boundaries of Ward Seven shall be as shown on the Electoral District Ward Map, dated August 13, 2002, last revised January 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Seven, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northwest corner of the Township, being bordered by the Townships of Lower Gwynedd and Horsham, and being bound and described as follows, to wit:

BEGINNING at a point, said point being located at the intersection of the center lines of Welsh Road and Tennis Avenue, said point also being a common corner of Upper Dublin Township and Lower Gwynedd Township and also a point in the southeast line of Horsham Township, thence from said point of beginning, extending along the center line of Welsh Road in a southeasterly direction and crossing the beds of Webster Lane, Daisy Lane and Butler Pike to the center line of Limekiln Pike; THENCE leaving Welsh Road, extending in a southerly direction along the center line of Limekiln Pike crossing the beds of Norristown Road, Thornbury Drive, Wright Drive, Howe Lane, Bell Lane, Shepherd Drive to a point in the center line of Fort Washington Avenue; THENCE leaving Limekiln Pike and extending along the center line of Fort Washington Avenue in a southwesterly direction to the center line of Meetinghouse Road; THENCE leaving Fort Washington Avenue and extending along the center line of Meetinghouse Road in a northwesterly direction, crossing the bed of Joel Drive to the center line of the Tannery Run Creek; THENCE leaving Meetinghouse Road and extending along the center line of the Tannery Run Creek in a westerly direction along lands now or late of the Tannery Woods Homeowner's Association and crossing the access drive to the Woods Apartments to the center line of the Route 309 Expressway; THENCE leaving the Tannery Run Creek and extending along the Route 309 Expressway in a northerly direction to the center line of Butler Pike; THENCE leaving the Route 309 Expressway extending along the center line of Butler Pike in a westerly direction to the center line of Susquehanna Road; THENCE leaving Butler Pike, extending in a northwesterly direction along the center line of Susquehanna Road and crossing the north branch of the Rose Valley Creek, the bed of Arrowhead Trail, and Willow Avenue to the center line of Tennis Avenue; THENCE leaving Susquehanna Road and extending along the center line of Tennis Avenue in a northeasterly direction (said center line being the common line between the Townships of Upper Dublin and Lower Gwynedd in this area) crossing the beds of Arrowhead Trail, the Route 309 Expressway, Cheston Lane, Gift Circle, Stout Road, Norristown Road, Executive Drive, Jem Drive and

Annasmead Road to the intersection of the center lines of Tennis Avenue and Welsh Road, the first mentioned point and place of beginning.
Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Seventh Ward.

Section 2. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing under the Code of the Township of Upper Dublin prior to this amendment; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

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

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

ENACTED AND ORDAINED this 14th day of January, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

IRA S. TACKEL, PRESIDENT

ATTEST:

PAUL A. LEONARD, SECRETARY

AN ORDINANCE

No. 14-1281

AN ORDINANCE Of The Board Of Commissioners of Upper Dublin Township To Rescind Ordinance No. 14-1280, Enacted January 14, 2014, Changing The Boundary Lines Of Township Wards.

WHEREAS, on January 14, 2014, by Ordinance No. 14-1280, the Board of Commissioners altered the boundaries of various Township Wards; and

WHEREAS, the Township has been advised by the Montgomery County Board of Elections that it cannot create Election Districts within the new ward lines because such Election Districts would not follow census block boundaries.

NOW THEREFORE, be it ordained by the Board of Commissioners of Upper Dublin Township as follows;

Section 1. Ordinance 14-1280 is hereby rescinded and the boundaries of the seven wards into which the Township is divided shall be as heretofore established prior to the enactment of Ordinance 14-1280.

Section 2. Saving Clause. That nothing in this ordinance or in the Code of Upper Dublin Township as hereby amended shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing under the Code of Upper Dublin Township prior to this amendment; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

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

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

Approved by the Board of Commissioners this 11th day of February, 2014.

BOARD OF COMMISSIONERS OF THE
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

ATTEST:

Paul Leonard, Secretary/Township Manager

ORDINANCE NO. 14-1282

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2014.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2014 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2014 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings of the Township of Upper Dublin for the year 2014 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings of the Township of Upper Dublin for the year 2014 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2014 shall be held on the fourth Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings

may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be effective February 11, 2014 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 11th day of FEBRUARY, 2014.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

Attest: _____
Paul A. Leonard, Secretary

AN ORDINANCE

No. 14-1283

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter A264-1, Entitled Historic Resource Inventory, To Add Additional Properties.

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

Section 1. The Code of the Township of Upper Dublin, Chapter A264, §A264-1, the Historic Resource Inventory, shall be amended by adding thereto in alphabetical and numerical order the following properties:

House #	Street	Post Office	Class
515	Dreshertown Road	Fort Washington	C2
401	Ellerslie Avenue	Ambler	C2
211	Lafayette Avenue	Oreland	C2
216	Lafayette Avenue	Oreland	C2
224	Lafayette Avenue	Oreland	C2
509	Loch Alsh Avenue	Fort Washington	C2
513	Loch Alsh Avenue	Fort Washington	C2
517	Loch Alsh Avenue	Fort Washington	C2
521	Loch Alsh Avenue	Fort Washington	C2
612	Loch Alsh Avenue	Fort Washington	C2
628	Loch Alsh Avenue	Fort Washington	C2
303	Locust Road	Fort Washington	C2
442	Meetinghouse Road	Ambler	C2
805	Montgomery Avenue	Fort Washington	C2
205	Orlando Avenue	Oreland	C2
600	Orlando Avenue	Oreland	C2
606	Orlando Avenue	Oreland	C2
214	Rech Avenue	Oreland	C2
204	Washington Lane	Fort Washington	C2
115	Wischman Avenue	Oreland	C2
516	Wischman Avenue	Oreland	C2
604	Wischman Avenue	Oreland	C2
608	Wischman Avenue	Oreland	C2

Section 2. Nothing in this Ordinance or in Chapter A264 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter A264 prior to the adoption of this amendment.

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

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

Approved by the Board this 10th day of FEBRUARY, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

BY: _____
Ira S. Tackel, President

ATTEST:

_____
Paul A. Leonard, Secretary/Township Manager

2-19-2014

AN ORDINANCE

NO. 14-1284

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, To Establish Age Qualified Residential Community As A Permitted Use Within The A Residential District And To Provide Specific Regulations Governing Development Of Same.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, Zoning, shall be amended by the addition of a new §255-43.2, to provide as follows:

In an A Residential District, in addition to the provisions at Section 255-43 above, Age Qualified Residential Community shall be a permitted use and the following regulations shall apply to that use:

A. Any Age Qualified Residential Community shall require a minimum Developable Acreage, calculated pursuant to Section 255-43D of 35 acres.

B. Lot, yard and bulk requirements.

Regulation	**Requirement**
Lot area (minimum)	6,000 square feet
Width at minimum setback line (minimum)	65 feet
Width at actual building setback line (minimum)	70 feet
Front yard (minimum)	20 feet
Side yard (minimum)	10 feet
Distance between dwellings – side to side	20 feet
Rear yard (minimum)	15 feet
Principal building height (maximum)	27 feet*
Accessory building	Not permitted

Lot building coverage (maximum)	50%
Lot impervious surface (maximum)	60%
Minimum setback of individual residential lot lines from adjoining residentially zoned property, measured from any lot line within Age Qualified Residential Community	50 feet
Minimum setback of individual residential lot lines within Age Qualified Residential Community from ultimate right-of-way line of abutting public roadways	75 feet

* Height of building – the building's vertical measurement from the first floor ground elevation (not basement) to a point midway between the highest and lowest points of the roof.

C. Density. The maximum permitted density shall be 2.9 units per developable acre. (Total number of lots to be rounded up if fraction greater than 0.75 or down if 0.75 or less.)

D. Open Space. A minimum of 20% of the developable acreage shall be retained as open space for use of the residents to include recreation, leisure activities, resource protection, stormwater management facilities and minimum setback areas from abutting properties or abutting ultimate road right-of-way. Open space areas having a dimension less than 30 feet in width or containing an individual area less than 20,000 square feet shall not be counted toward this minimum 20% requirement.

E. The required setback areas on the perimeter of the site shall be utilized for a combination of landscape buffering, earthen berm buffering and stormwater management to effect a suitable screening of the Age Qualified Residential Community from abutting public road rights-of-way and to provide appropriate buffering between the Community and adjoining residential properties.

F. Perpetual use guarantee:

(1) A property which has been developed to the special standards allowed for the Age Qualified Residential Community use shall not, at any time in the future, change from age-restricted use unless all of the standards for the other use are complied with.

(2) An applicant for an Age Qualified Residential Community use shall provide at the time of final plan approval proof of deed restrictions or other documentation satisfactory to the Township Solicitor that limits the residential use of the property to one where the residents are restricted by age in compliance with the Federal Fair Housing Act.

(3) Any homeowners association associated with an Age Qualified Residential Community use shall include in their bylaws provisions to restrict and enforce the restriction of residents by age in compliance with the Federal Fair Housing Act and the provisions of applicable Township regulations. Such provisions may not be amended unless approved by the Township.

(4) Should the homeowners association fail to enforce the age restrictions, the Township reserves the right to do so by any lawful means, including the imposition of fines on the violating residents and/or the homeowners association.

Section 2. The Code of Upper Dublin Township, Chapter 255, Zoning, shall be amended by the addition of a new definition to §255-7 as follows:

A. **AGE QUALIFIED RESIDENTIAL COMMUNITY** – A Residential Community consisting of single family detached dwellings, each of which must qualify as Age Restricted Housing as defined in this Ordinance **(added 5-11-2004 by Ord. No. 1127)**. Such development shall contain a community building with associated recreational amenities satisfactory to the Board of Commissioners for the size of the development, as well as perimeter buffering of the community from bordering roadways and adjoining residentially zoned tracts. The community building and amenities, as well as all buffer/setback areas and internal roadways, which shall be undedicated, to be managed and maintained by a duly formed non-profit corporation (Homeowners Association) the members of which shall be the owners of the individual housing units. Access/usage of any community building and associated amenities to be restricted to the owners and occupants of the individual housing units and accompanied guests. Such use must be in full compliance with the Federal Fair Housing Act, with the caveat that 100% of the detached dwelling units shall qualify as Age Restricted Housing.

B. **ACCESSORY USES** – Accessory uses to the Age Qualified Residential Community shall be specifically restricted to serve only residents of the Age Qualified Residential Community and their invited guests and shall be limited to the following:

(1) A clubhouse consisting of activity rooms, craft rooms, lockers and shower room, library, physical therapy and fitness center, lounges, and similar facilities for members of the Age Qualified Residential Community and invited guests.

(2) Recreational facilities such as a swimming pool, tennis courts, bocce courts, and shuffle board.

(3) A guard station and/or mechanical entrance gate.

Section 3. Special Design Considerations – Age Qualified Residential Community. The following design criteria shall be applicable to an Age Qualified Residential Community, and shall supersede any conflicting provisions in other Township Ordinances, including the Township Subdivision and Land Development Ordinance:

A. Front Yard Setback. Not more than two adjacent lots shall provide the same front yard setback for each dwelling unit. There shall be a minimum difference in front yard setback of five feet for compliance with this requirement. Front yard setback on the undedicated internal roadways shall be measured from face of curb if no sidewalk and back of sidewalk where sidewalk provided.

B. Corner Lots. Each corner lot shall have one front yard, two side yards and one rear yard. The internal road parallel to the front of the dwelling unit shall determine the front yard.

C. Internal Pedestrian Circulation. Sidewalk shall be provided on one side of all internal roadways, unless provision is made for a comprehensive internal trail system designed to standards acceptable to the Township. Any provision for trail in lieu of sidewalk to be approved in the discretion of the Board of Commissioners.

D. Internal Road Cartway. Cartway width for all internal roadways shall be a minimum of 26 feet from face of curb to face of curb. All internal roadways shall be undedicated and shall be the maintenance responsibility of the Homeowners Associations.

E. Public Pedestrian Improvements. An Age Qualified Residential Community shall provide sidewalk in accordance with Township Design Criteria along the perimeter of the development site bordering any public roadway. A macadam trail may be substituted in the discretion of the Board of Commissioners, at a width and along such perimeter areas as

shall be determined by the Board in furtherance of Township open space considerations and trail plans. Any such sidewalk and/or trail shall be within dedicated right-of-way or within an easement area established for the benefit of public usage.

F. Private Road System. All internal roadways are to be privately owned and maintained by the Homeowners Association for the Community. Access to and from bordering public roadways shall be established in a manner to prevent thru-public traffic. The Board of Commissioners may approve of a single point of access from an adjoining public roadway provided an acceptable emergency access to and from an abutting public roadway is provided. The primary access shall be designed in boulevard configuration with 20 foot wide cartways separated by an 8 foot center island, same extending to an appropriate point within the interior roadway system as determined in the discretion of the Board of Commissioners.

G. Trash Removal. As all internal roadways are to be privately owned, the Homeowners Association shall have responsibility to provide for trash removal for the dwelling units and clubhouse amenity within the Community.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of March, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel
President

ATTEST:

Paul A. Leonard
Township Manager

AN ORDINANCE

NO. 14-1285

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 158, Nuisances, To Add Definitions For Animal Products and Green Kitchen Waste; And To Provide Regulations For The Products Which Can Be Employed In The Maintenance Of A Compost Pile On Property In The Township.

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

Section 1. The Code of Upper Dublin Township, Chapter 158, Nuisances, § 158-1, Definitions, shall be amended to add thereto in alphabetical order the following:

§158-1 – Definitions.

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

- ANIMAL PRODUCTS – Food materials derived from animals and originating from the preparation of food products.

* * * * * * *

- GREEN KITCHEN WASTE – Organic plant materials, uncontaminated with animal products of any kind, originating from the preparation of residential household food products.

* * * * * * *

Section 2. The Code of Upper Dublin Township, Chapter 158, Nuisances, § 158-10, Composting, subsection (A) thereof, shall be amended to provide as follow:

§ 158-10. Composting.

Only chopped or whole leaves, grass clippings and Green Kitchen Waste are permitted in a compost pile. Animal Products of any type or classification are not permitted in a compost pile.

* * * * * * *

Section 3. Nothing in this Ordinance or in Chapter 158 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 158 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of March, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 14-1286

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF UPPER DUBLIN, CHAPTER 57, ALARMS, TO ADD, DELETE, AND AMEND DEFINITIONS ASSOCIATED WITH VERIFIED RESPONSE; TO AMEND EXISTING REQUIREMENTS TO ACCOMMODATE VERIFIED RESPONSE; AND TO ADD REQUIREMENTS FOR VERIFIED RESPONSE TO DETERMINE WHETHER AN ALARM SIGNAL IS VALID OR THE RESULT OF AN ACTUAL EMERGENCY BEFORE EMERGENCY PERSONNEL ARE DISPATCHED.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-1, Definitions, shall be amended by adding the definition of "Alarm Company", "Emergency Responder", and "Verified Response"; by deleting the definition of "Answering Service", "Central Station Protective System", "Chief of Fire Department", "Designated Trunkline", "Direct Trunkline", "Primary Trunkline", and "Secondary Trunkline"; and by amending the definition of "Alarm User", "Audible Alarm", "Automatic Protection Device", "False Alarm", "Fire Department", and "Intermediary" to provide henceforth as follows:

§ 57-1. Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

* * * * * * *

ALARM COMPANY – An entity that provides a service or protective system, or group of such systems, operated privately for an Alarm User by a person, firm or corporation, and which maintains trained personnel and accepts signals or other messages from automatic protection devices at a protected premises reporting an emergency at a stated location and which has a duty to relay immediately by live voice or other communication method through designated channels, including and primarily through 9-1-1 telephone call answering points to emergency responders, particularly the Police Department or Fire Company.

* * * * * * *

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

AUDIBLE ALARM — Any device, bell, horn or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building and designed to

attract attention when activated by criminal act or other emergency requiring the Police Department or Fire Company to respond.

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

* * * * * * *

EMERGENCY RESPONDER [FIRST RESPONDER] – An individual or organization that responds in an official or officially authorized capacity to situations that endanger health, safety, or property. FALSE ALARM — Any signal activated by an automatic protection device, any audible alarm or any other kind of direct or indirect signal given the Police Department or Fire Company to which police or firemen respond, which alarm or signal is not the result of a burglary, fire, robbery or similar emergency.

* * * * * * *

FIRE DEPARTMENT — The Township of Upper Dublin Fire Department.

* * * * * * *

INTERMEDIARY — An Alarm Company as herein defined.

* * * * * * *

* * * * * * *

VERIFIED RESPONSE – The process by which an alarm company attempts to contact a person at the premises protected by the alarm system by telephone and/or other electronic means to determine whether an alarm signal is valid or the result of an actual emergency before requesting the dispatch of emergency personnel in an attempt to avoid an unnecessary alarm dispatch request. A person on site at the protected premises who can properly be identified must verify whether an alarm signal is a valid emergency alarm prior to notification of an alarm to emergency responders.

Section 2. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-4, Registration of installation and permit required, shall be amended by amending the alarm registration information requirements to provide henceforth as follows:

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

A. Before any alarm system is installed, enlarged, extended or modified, a permit to use such alarm must be obtained from the Code Enforcement Department. A permit for alarm system use shall be in addition to any permits required by applicable building and construction codes.

B. Within one hundred twenty (120) days from the effective date of this chapter and thereafter within thirty (30) days of the installation of any new or modified alarm system, every alarm user in the township shall furnish as required by the Code Enforcement Department a registration of such installation, which alarm registration form shall include, but not be limited to, the following information:

* * * * * * *

(3) The name, address and telephone number of the alarm company authorized to provide verified response as required by this chapter or gain access to the address where the device is installed.

* * * * * * *

C. Reserved.

D. All information furnished pursuant to these sections shall be kept confidential and shall be for the use of the Township only.

* * * * * * *

Section 3. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-8, Disconnection; expenses, shall be amended to provide henceforth as follows:

§ 57-8. Reserved.

Section 4. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-9, Permission required for testing, shall be amended to provide henceforth as follows:

§ 57-9. Reserved.

Section 5. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-10, Fees, shall be amended to provide henceforth as follows:

§ 57-10. Fees.

Alarm users shall pay such permit and permit renewal or repair fees as the township shall set by resolution from time to time. The township may set permit fees and adopt regulations to implement this chapter from time to time

Section 6. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-11, Right of entry, shall be amended to provide henceforth as follows:

§ 57-11. Reserved.

Section 7. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, Section 57-13, Enforcement, shall be amended to provide henceforth as follows:

§ 57-13. Enforcement.

Authorized officials of the Code Enforcement Department, the Fire Marshal, or any police officer are hereby empowered to enforce all provisions of this chapter and to write citations for any alarm violations.

Section 8. The Code of the Township of Upper Dublin, Chapter 57 thereof, entitled Alarms, shall be amended to add a Section 57-14, Verified Response, to provide henceforth as follows:

§ 57-14. Verified Response.

An alarm user and/or property owner shall implement verified response for a fire alarm system installed in a residential dwelling unit within one year of the effective date of this section.

A. Alarm Verification. An alarm company shall not retransmit a fire alarm signal to emergency responders until an attempt is made to verify the accuracy of a fire alarm signal originating from a residential dwelling unit. Verification shall be made within 90 seconds of receipt of a fire alarm signal. If the alarm user or other properly identified person on site at the dwelling unit is contacted and can confirm that no emergency condition exists, then the alarm signal shall not be retransmitted. In all other situations, the alarm signal shall be immediately retransmitted.

B. Alarm Verification Exceptions. Waterflow alarms, and manual pull station alarms shall be immediately retransmitted without alarm verification when they can be distinguished by the alarm company from other fire alarm systems on the protected premises.

Section 9. Nothing in this Ordinance or in Chapter 57 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 57 prior to the adoption of this amendment.

Section 10. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

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

Ordained and enacted this 11th day of March, 2014.

BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

AN ORDINANCE
NO. 14-1287

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 233, Vehicles And Traffic, Article VIII, "Schedules", §233-55, Schedule XIV: "Parking Prohibited Certain Hours" By Deleting The No Parking 8 A.M. To 4 P.M., Mon. To Fri. Restriction On The West Side Of Joel Drive From Meetinghouse Road To Tannerie Run Road And Amending §233-54, Schedule XIII: Parking Prohibited At All Times, By Establishing A "No Parking Any Time" Restriction On Both Sides Of Joel Drive From Meetinghouse Road To Tannerie Run Road.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-55, Schedule XIV: Parking Prohibited Certain Hours, shall be amended by rescinding the following restriction:

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

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

Name of Street	Side	Hours/Days	Location
		* * * * * * *	
Joel Drive	West	8 am to 4 pm Mon. to Fri.	From Tannerie Run Road to Meetinghouse Road

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

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

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

Name of Street	Side	Location
	* * * * * *	
Joel Drive	East	From Tannerie Run Road to Meetinghouse Road

Section 3. The Code of the Township of Upper Dublin, Chapter 233 thereof, entitled Vehicles and Traffic, Article VIII, "Schedules", Section 233-54, Schedule XIII: Parking Prohibited at All Times, shall be amended to provide as follows:

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

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

Name of Street	Side	Location
	* * * * * *	
Joel Drive	Both	From Tannerie Run Road to Meetinghouse Road

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

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

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

ENACTED AND ORDAINED this 11th day of March, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

IRA S. TACKEL, PRESIDENT

ATTEST:

PAUL A. LEONARD, SECRETARY

AN ORDINANCE

NO. 14-1288

AN ORDINANCE To Vacate And Abandon A Portion Of A Certain Right-Of-Way Known And Designated As Lewisville Drive In The Township Of Upper Dublin, Being An Approximately 3,126.34 Foot Area That Had Formed A Portion Of A Temporary Cul-De-Sac At The Former Eastern Terminus of Lewisville Drive Before Lewisville Drive Was Extended East Into The Loeb Tract As Set Forth On A Plan Of Subdivision Of The Loeb Tract.

The Board of Commissioners of the Township of Upper Dublin, having determined following a public hearing that it is necessary for the public convenience, general benefit and welfare that a portion of a public street known as Lewisville Drive be vacated, does hereby enact and ordain:

Section 1. That a certain portion of Lewisville Drive, consisting of a total area of 3,126.34 sq. ft. in size, more or less, described as portions of the lands now or formerly of Siddharth and Usha Sagreiva (Block 4G, Unit 28), and Neil H. and Ellen Feinstein (Block 4G, Unit 29), and Peter J. and Doreen K. McNutt (Block 4G, Unit 30) by the plan attached hereto as Exhibit "A" and the descriptions attached hereto as Exhibits "B", "C", and "D," that had formerly been part of a temporary cul-de-sac at the former eastern terminus of Lewisville Drive before Lewisville Drive was extended east into a tract of land known as the Loeb Tract as set forth on a plan of subdivision of the Loeb Tract is hereby vacated and abandoned for public use according to the General Road Laws of the Commonwealth of Pennsylvania, clear and unencumbered ownership thereof to revert to the owners of the adjacent property, known as lands now or formerly of Siddharth and Usha Sagreiva, Montgomery County Tax Parcel Number 54-00-09946-845, and Neil H. and Ellen Feinstein, Montgomery County Tax Parcel Number 54-00-09946-863, and Peter J. and Doreen K. McNutt, Montgomery County Tax Parcel Number 54-00-09946-827. Said portion of roadway shall be deleted from the Township Plan of Streets upon the filing of a report of these proceedings.

Section 2. Within ten (10) days after passage of this Ordinance, notice thereof shall be given by handbills posted in conspicuous places along Lewisville Drive in the vicinity of the area hereby vacated, which notice shall state the fact of the passage or approval of this Ordinance and the date thereof.

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

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

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

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

Approved by the Board this 13th day of May, 2014.

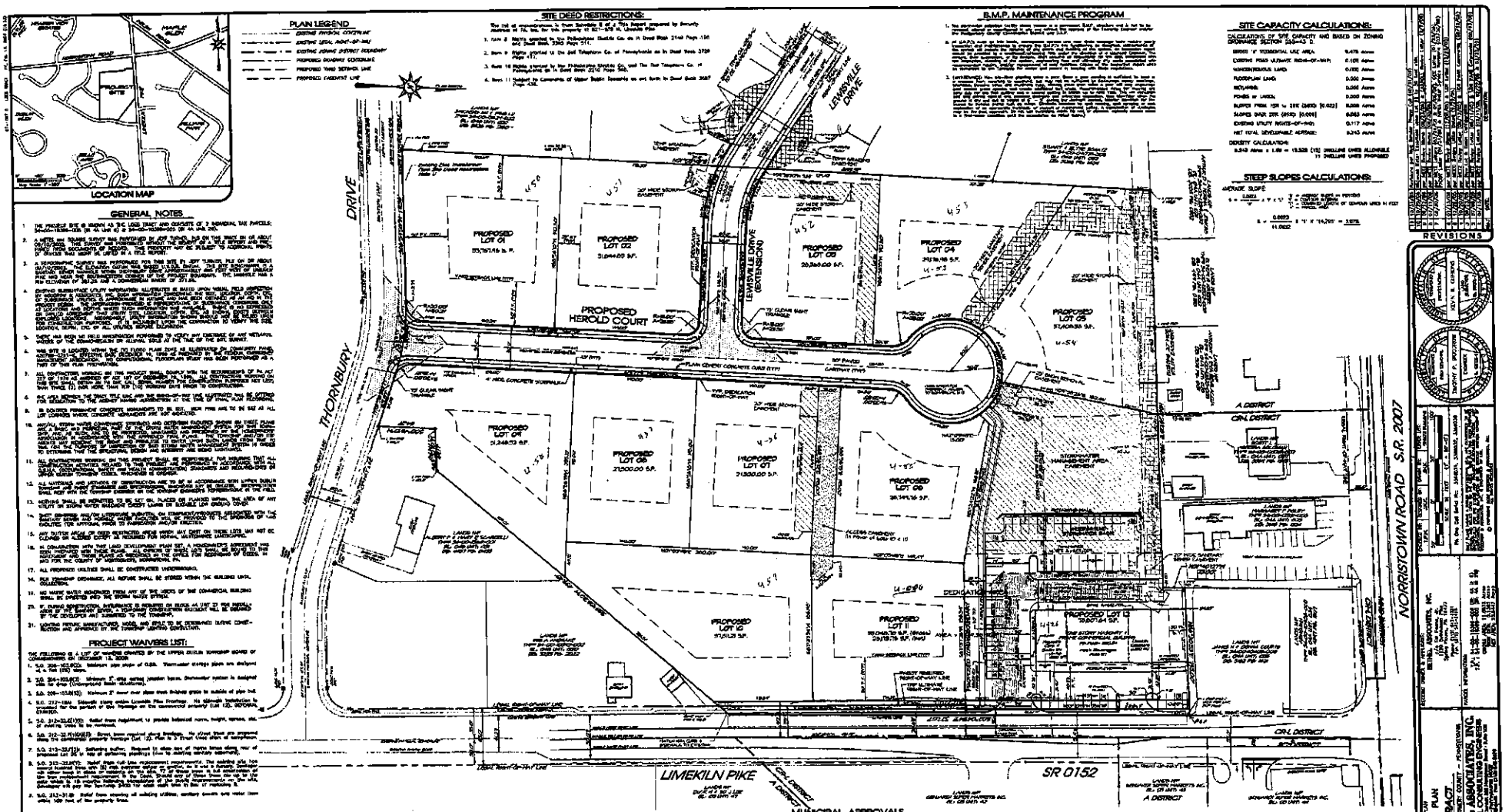
BOARD OF COMMISSIONERS
TOWNSHIP OF UPPER DUBLIN

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

Exhibit "A"

Plan



SITE DATA and ZONING SCHEDULE

ZONING DISTRICT: A = RESIDENTIAL			ZONING DISTRICT: OA = COMMERCIAL-RETAIL		
STANDARD ITEM	SECTION No.	REQUIREMENT	PROVIDED	SECTION No.	REQUIREMENT	PROVIDED
MINIMUM LOT AREA	280-139	54,000 Sq. Ft.	> 54,000 Sq. Ft.	— — —	— — —	760,01.87 Sq. Ft.
MINIMUM LOT WIDTH	280-139	150 Ft.	> 150 Ft.	— — —	— — —	258.89 Ft. [3]
MINIMUM SETBACKS: FRONT SIDE REAR	280-139 280-139 280-139	35 Ft. 35 Ft. 50 Ft.	> 35 Ft. > 35 Ft. > 50 Ft.	280-805 280-805 280-805	40 Ft. 20 Ft. (1) 50 Ft.	42.29 Ft. [3] 30.62 Ft. > 100.00 Ft.
MAXIMUM BUILDING HEIGHT	280-139	35 Ft. (Principal)	< 45 Ft. (Principal)	280-1202(2)	50 Ft. (2 Stories)	< 50 Ft. (1 Story)
MINIMUM IMPERVIOUS: BUILDING COVERAGE IMPERVIOUS SURFACE	280-139 280-139	15 % 25 %	< 15 % < 25 %	280-1202(1) 280-1202(2)	35 % 75 %	17.26 % 40.86 %
Parking SPACE QTY.	280-1304	2 Spaces Per Family	2 Per Bldg. Unit	280-1302(1) 280-1302(2) 280-1302(3) 280-1302(4)	1,750 S.F. Gross Floor Area Per Parking Space 1 Space Per Employee 1 Space Per Company Vehicle 1,000 S.F. Floor Area	56 Spaces [4]

ADDITIONAL SITE ORDINANCE REQUIREMENTS

S.O. 280-130: Requires 10 Ft. side or another driveway. S.O. 280-140: Requires parking and aisle to be 8.5 Ft. x 19 Ft.

COMMENTS

(1) 20 Ft. (50 total), a width equal to that required on the abutting nonresidential district.

(2) Width measured at the front building setback.

(3) 31.62 Ft. measured to the front setback building. (Non-conforming setback)

(4) 4,750 S.F. Retail / 225 = 21 Spaces Required
1,000 S.F. Admin. Off. / 300 = 3 Spaces Required
1,000 S.F. Floor Area / 500 = 2 Spaces Required
Total 26 Spaces Required

MUNICIPAL APPROVALS

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY

OWNER'S CERTIFICATION OF INTENT

BOARD OF COMMISSIONERS' APPROVAL

TOWNSHIP ENGINEER'S APPROVAL

SURVEYOR'S CERTIFICATION

ENGINEER'S CERTIFICATION

The Bucks County Water & Sewer Authority is to be contacted one week prior to sanitary sewer construction, and 72-hours prior to excavating near, and connecting into any existing sanitary sewer.

The sanitary sewer system and easement are to be offered for dedication to the Bucks County Water & Sewer Authority.

MCPC No.: 04-0284-04 Township File No.: U004.015

PROCESSED and REVIEWED. A report has been prepared by the Montgomery County Planning Commission in accordance with the Municipalities Planning Code.

Certified this date: _____

_____ For the Director

Montgomery County Planning Commission

Job No. 97-1007 B

Plan Date: Dec 22, 2004

SHEET No. 2 of 20

Exhibit "B"

Legal Description

Lands now or formerly of Siddharth and Usha Sagreiva
(Block 4G, Unit 28)

Job Number: 97-1007d
Job Name: Loeb Tract
Date: 8/16/2006
File Name: Cul-De-Sac Aband. Sagreiya

WOODROW & ASSOCIATES

Legal Description of a Temporary Cul-De-Sac to be abandoned to lands now or formerly of Siddharth & Usha Sagreiya (Block 4G, Unit 28)

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised June 30, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT on the southerly legal right of way line of Lewisville Drive, said point being the common property corner between lands now or formerly of Neil H. & Ellen Feinstein (Block 4G, Unit 29) and said lands of Sagreiya and being further located North 58 degrees 53 minutes 50 seconds West, a distance of 126.46 feet from the point of intersection of the common property line between lands now or formerly of the Loeb Tract (Block 4A, Units 6 & 26) and said lands now or formerly of Neil H. & Ellen Feinstein (Block 4G, Unit 29) with the southerly legal right of way line of Lewisville Drive (Extension), being 50 feet wide at this point;

THENCE, leaving said beginning point and along the common property line between said lands of Feinstein & Sagreiya, South 31 degrees 04 minutes 25 seconds West, a distance of 0.25 feet, to a point on the southerly former right of way line, to be abandoned, of the terminus cul-de-sac bulb of Lewisville Drive;

THENCE, along said southerly former right of way line and along an arc of a circle curving to the left, having a radius of 30.00 feet, an arc distance of 3.86 feet, being subtended by a chord bearing of North 55 degrees 13 minutes 10 seconds West and a chord distance of 3.86 feet, to a point of tangent on the southerly existing legal right of way line of Lewisville Drive, being 50 feet wide at this point;

1. THENCE, along said southerly newly established right of way line of Lewisville Drive, South 58 degrees 53 minutes 50 seconds East, a distance of 3.85 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 0.32 Square Feet / 0.0000 Acres.

Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E

Municipal/Civil Consulting Engineers
Suite 5 • 1108 North Bethlehem Pike • Lower Gwynedd, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1996

Exhibit "C"

Legal Description
Lands now or formerly of Neil H. and Ellen Feinstein
(Block 4G, Unit 29)

Job Number: 97-1007d
Job Name: Loeb Tract
Date: 8/16/2006
File Name: Cul-De-Sac Aband. Feinstein

WOODROW & ASSOCIATES

Legal Description of a Temporary Cul-De-Sac to be abandoned to lands now or formerly of Neil H. & Ellen Feinstein (Block 4G, Unit 29)

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised June 30, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT on the southerly legal right of way line of Lewisville Drive, said point being further located North 58 degrees 53 minutes 50 seconds West, a distance of 28.91 feet from the point of intersection of the common property line between lands now or formerly of the Loeb Tract (Block 4A, Units 6 & 26) and lands now or formerly of Neil H. & Ellen Feinstein (Block 4G, Unit 29) with the southerly legal right of way line of Lewisville Drive (Extension), being 50 feet wide at this point;

THENCE, leaving said beginning point and along the southerly former right of way line, to be abandoned, of the terminus cul-de-sac bulb of Lewisville Drive, the following two (2) courses and distances:

1. Along an arc of a circle curving to the right having a radius of 50.00 feet, an arc distance of 93.00 feet, being subtended by a chord bearing of North 65 degrees 36 minutes 47 seconds West and a chord distance of 80.16 feet, to a point of reverse curve;
2. Along an arc of a circle curving to the left, having a radius of 30.00 feet, an arc distance of 20.52 feet, being subtended by a chord bearing of North 31 degrees 55 minutes 40 seconds West and a chord distance of 20.13 feet, to a point on the common property line between said lands of Feinstein and lands now or formerly of Siddharth & Usha Sagreiya (Block 4G, Unit 28);

THENCE, along said common property line between said lands of Feinstein & Sagreiya, North 31 degrees 04 minutes 25 seconds East, a distance of 0.25 feet, to a point on the southerly newly established legal right of way line of Lewisville Drive;

1. THENCE, along said southerly new established legal right of way line of Lewisville Drive, South 58 degrees 53 minutes 50 seconds East, a distance of 97.55 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 1,562.80 Square Feet / 0.0359 Acres.

COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL
KEVIN R. GIBBONS
LAND SURVEYOR
SEAL
No. 044550-E

Kevin R. Gibbons
Professional Land Surveyor
Commonwealth of Pennsylvania
License No. SU-044550-E

Municipal/Civil Consulting Engineers
Suite 5 • 1108 North Bethlehem Pike • Lower Gwynedd, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1996

Exhibit "D"

Legal Description
Lands now or formerly of Peter J. and Doreen K. McNutt
(Block 4G, Unit 30)

Job Number: 97-1007d
Job Name: Loeb Tract
Date: 8/16/2006
File Name: Cul-De-Sac Aband. McNutt

WOODROW & ASSOCIATES

Legal Description of a Temporary Cul-De-Sac to be abandoned to lands now or formerly of Peter J. & Doreen K. McNutt (Block 4G, Unit 30)

ALL THAT CERTAIN tract of land situate in the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania bounded and described according to a Record Plan entitled Loeb Tract, prepared by Woodrow & Associates, Inc., dated December 22, 2004, last revised June 30, 2006 and to be recorded in the Office for Recording of Deeds at Norristown, Pennsylvania, as follows, to wit:

BEGINNING AT A POINT of intersection of the northerly legal right of way line of Lewisville Drive, being 50 feet wide at this point, with the common property line between lands now or formerly of the Loeb Tract (Block 4A, Units 6 & 26) and lands now or formerly of Peter J. & Doreen K. McNutt (Block 4G, Unit 30);

THENCE, leaving said beginning point and along the northerly newly established right of way line of Lewisville Drive, North 58 degrees 53 minutes 50 seconds West, a distance of 101.40 feet, to a point of curve;

THENCE, along the northerly former legal right of way line, to be abandoned, the following two (2) courses and distances:

1. Along an arc of a circle curving to the left, having a radius of 30.00 feet, an arc distance of 24.38 feet, being subtended by a chord bearing of South 82 degrees 10 minutes 56 seconds East and a chord distance of 23.72 feet, to a point of reverse curve:
1. Along an arc of a circle curving to the right, having a radius of 50.00 feet, an arc distance of 93.00 feet, being subtended by a chord bearing South 52 degrees 10 minutes 50 seconds East and a chord distance of 80.16 feet, to a point, said point being the first mentioned point and PLACE OF BEGINNING.

Containing in area 1,563.22 Square Feet / 0.0359 Acres.

COMMONWEALTH OF PENNSYLVANIA
REGISTERED PROFESSIONAL
KEVIN R. GIBBONS
SEAL
LAND SURVEYOR
No. 044550-E

Kevin R. Gibbons
Professional Land Surveyor
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Phone: 215-542-5648 • Fax 215-542-5679
Established 1996

3/26/2014

ORDINANCE NO. 14-1289

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 110, Entitled Fees, To Revise The Current Fee Schedule And To Impose New Fees For Permits, Inspections And/or The Processing Of Plans Relating To Building Construction, Housing, Excavations And Grading, Streets and Sidewalks, Zoning, and Stormwater Management, Including Escrow Funds Required In Conjunction With Such Applications.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-3, "Building Construction", subsection A, shall be amended to provide as follows:

§ 110-3. Building construction.

In accordance with Chapter 73, Building Construction, the following fees shall be charged:

A. Applicants for permits to be issued under Chapter 73, Building Construction, shall pay to the township at the time of application the fees prescribed in this section.

(1) New construction.

(a) Permit fees for new single-family and two-family dwellings, townhouses, and buildings accessory thereto shall be as follows:

[1] The floor area of any proposed building referred to in this subparagraph shall be computed from the plans submitted at the time application is made for a permit by taking the sum of the gross floor area of each building level, excluding unfinished basements and unfinished attics, as determined from the exterior perimeter dimensions of each building level. For the first 1,500 square feet, including attached garages and excluding areas of crawl space, basements and attic space under six feet in height, the basic fee is $400. For accessory buildings and detached garages, the basic fee is $350.

[2] Where the total floor area of each unit is more than 1,500 square feet: an additional fee of $150. for each additional 500 square feet, or fraction thereof over 1,500 square feet.

[3] For new single-family and two-family dwellings, and townhouses a plan review fee of $75.

(b) Permit fees for the construction of multiple dwelling unit structures, such as apartments, dormitories, rooming houses and boardinghouses and buildings accessory thereto shall be as follows:

[1] For each dwelling unit: $200.

[2] Buildings accessory to a multiple dwelling unit structures shall be charged in the same manner as the charge for new single-family and two-family dwellings.

[3] A plan review fee of $75.

(c) Permit fees for assisted living facilities, skilled nursing care facilities, hotels and similar construction shall be computed in the same manner as provided above in Subsection A(1)(b).

(2) Alterations, residential additions, repairs, demolition and installation of permanent equipment.

(c) Permit fees for the alteration, repair or demolition of a residential building, the installation of permanent equipment thereon, and the repair of miscellaneous structures accessory thereto, shall be as follows:

[4] The fee for roofing or reroofing shall be $25 for the first $1,000 of the estimated cost plus $10 for each additional $1,000 or fraction thereof.

* * * * * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-0, "Plumbing", shall be amended to provide as follows:

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

(1) New construction.

(b) Each additional fixture over 10:, $25.

(2) Alterations or replacements: $25 per fixture.

(4) Inspection fee for sewer connection, tapping, reinstallation or repair: $30.

Section 3. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-12, "Streets and Sidewalks", shall be amended to provide as follows:

B. Highway occupancy permit. The permit fee for occupying a portion of a public right-of-way shall be as follows:

(1) The permit fee for the adjustment, replacement or construction of curb and/or sidewalk shall be as follows:

(a) In front of residential properties used as a single-family or duplex dwelling unit; a fee of $90.

(b) In front of all other properties: a fee of $90 plus $5 for every 10 lineal feet of affected curb or sidewalk, or fraction thereof.

C. Street opening. Before the issuance of a permit, the applicant shall make payment to the Township of the fee or fees as are hereinafter provided.

(5) Where the applicant is permitted to make final restorations of an opening in an improved highway, road, street, avenue or public alley, he shall pay an inspection fee of $90 plus $5 for each 10 lineal feet or fraction thereof.

Section 4. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-5, "Excavation permits", shall be amended to provide as follows:

§ 110-5. Excavation permits. The following permits are issued under Chapter 99, Excavations:

A. Before issuing a grading permit, the appropriate official of the township shall collect a permit fee to be determined as follows:

(3) The permit fee for new homes or home additions greater than 400 square feet shall be $400, plus an inspection fee of $80. The permit fee for home additions of 400 square feet or less shall be $120 plus an inspection fee of $80.

(4) The permit fee for miscellaneous construction items involving excavation shall be as follows:

(b) Deck – open construction – a fee of $150 for new construction if the area of the deck is greater than 400 sq.ft., and a fee of $100 for new construction if the area of the deck is 400 sq.ft. or less. For a replacement deck with no patio or slab underneath, a grading permit is not necessary. If there is a patio or slab underneath or a change to the impervious coverage, the fee is $60.

(e) Walkways and steps – There is no fee for new construction. For replacement walkways and steps, the fee is $60.

(f) Raised gardens, beds, berms, diversions, mounding, and swales – a fee of $60, plus an inspection fee.

(g) Detached garages – for detached garages with an area of 400 sq.ft. or less, a fee of $120 plus an inspection fee. For detached garages greater than 400 sq.ft., a fee of $300 plus an inspection fee.

B. The fee for an inspection shall be $80 in addition to the permit fee above.

Section 5. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, Section 110-4, "Basic housing fees", shall be amended to provide as follows:

§ 110-4. Basic housing fees.

A. For rental units within an apartment or condominium building, a permit fee of $50 per building plus $25. per unit shall be paid every two years.

C. For motel and hotel rooms, a fee of $50 per inspection.

Section 6. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-13, Subdivision and land development, shall be amended to provide as follows:

§ 110-13. Subdivision and land development.

C. Escrow fund. An initial escrow fund will be established for each subdivision or land development plan filed (including sketch plans) out of which those charges set forth in §212-54(C) will be paid, according to the schedule below. If a single filing encompassing both subdivision and land development is received, the required escrow will be the largest sum calculated from this schedule. If the escrowed amount falls below 25% of the initial deposit a subsequent escrow deposit will be required. In addition to any other legal or equitable remedy, the Township reserves the right to suspend the processing of plans, to decline the issuance of permits, to suspend any permits previously issued, and to withhold any site improvement releases until receipt of payment if a written statement for a subsequent escrow deposit or a written statement for the payment of charges remains unpaid for 20 days.

(1) Initial escrow deposit:

(a) Subdivision plans, per lot: $750.

Section 7. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-17, Zoning, shall be amended to provide as follows:

B. Conditional use application. An applicant for a conditional use approval shall pay a fee of $1,000.

E. The fee for written zoning certifications shall be $150.

J. For a Notice of Preliminary Opinion under the Municipalities Planning Code, a fee of $300 plus the cost of advertisement.

Section 8. The Code of the Township of Upper Dublin, Chapter 110 thereof, entitled Fees, section 110-22, Stormwater management, shall be amended to provide as follows:

A. Plan review.

(4) For the review of swales, berms and diversions, $225.

* * * * * * *

Section 9. Nothing in this Ordinance or in Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 110 prior to the adoption of this amendment.

Section 10. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

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

ENACTED AND ORDAINED this 13th day of May, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

ATTEST:

IRA S. TACKEL, PRESIDENT

PAUL A. LEONARD, SECRETARY

AN ORDINANCE

NO. 14-1290

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 192, Sewers, By Amending Article I, General Provisions, Section 192-3, Definitions, To Add The Definition Of Grinder Pump; And By Amending Article XII, Ambler Wastewater Treatment Plant, By Adding Two Reserved Sections; And By Adding Article XIII, Grinder Pumps, To Establish Procedures For The Installation, Operation, Maintenance, And Retirement Of Grinder Pumps.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 192, Sewers, Article I, General Provisions, Section 192-3, Definitions, shall be amended by adding thereto the definition of Grinder Pump as follows:

ARTICLE I

General Provisions

* * * * * * *

§ 192-3. Definitions.

* * * * * * *

GRINDER PUMP – Any electric-motor-driven, submersible pump capable of macerating all material found in normal domestic sanitary sewage, including but not limited to reasonable amounts of objects, such as plastics, sanitary napkins, disposable diapers, rubber and the like, to fine slurry, and pumping this material through a small-diameter discharge.

* * * * * * *

Section 2. The Code of the Township of Upper Dublin, Chapter 192, Sewers, Article XII, Ambler Wastewater Treatment Plant, shall be amended by adding thereto two reserved sections as follows:

ARTICLE XII

Ambler Wastewater Treatment Plant

* * * * * * *

§ 192-68. (Reserved)

§ 192-69. (Reserved)

Section 3. The Code of the Township of Upper Dublin, Chapter 192, Sewers, shall be amended by adding thereto a new Article XIII, Grinder Pumps, as follows:

ARTICLE XIII

Grinder Pumps

§ 192-70. Purpose.

The purpose of this Article is to establish procedures for the installation, operation, maintenance, and retirement of grinder pumps and any associated low-pressure sewer systems and laterals.

§ 192-71. General provisions.

A. Each owner of a property served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing the

grinder pump and any associated low-pressure sewer system and lateral, unless otherwise set forth in this Article or by agreement with the Township and/or the operator.

B. Each owner of a property served by a grinder pump shall have full responsibility for using the grinder pump consistent with the manufacturer's instructions and shall avoid introducing into the sewer system materials that may damage the grinder pump.

C. The Township and the operator shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of a grinder pump and any associated low-pressure sewer system and lateral, except as otherwise set forth in this Article or by agreement with the property owner.

D. The Township shall require each property owner proposing to install or who has installed a grinder pump or associated low-pressure sewer system or lateral to assure the short- and long-term operation and maintenance, use, service, repair or replacement of such systems.

§ 192-72. Installation.

A. The connection of a property to an existing or proposed sanitary sewer system through the use of a grinder pump and associated low-pressure sewer systems and laterals shall occur only after the property owner receives the required approvals from the Township, the operator, the Department of Environmental Protection, and other agencies as applicable; such approvals to include sewage facilities planning under the Pennsylvania Sewage Facilities Act (Act 537, as amended).

B. The property owner is responsible for obtaining any required permits and approvals for the installation or modification of a grinder pump and any associated low-pressure sewer systems and laterals.

C. All grinder pumps and associated low-pressure sewer systems and laterals shall be installed, used, operated, maintained, serviced, repaired and replaced in full compliance with the rules and regulations of the Township and the operator in effect from time to time.

D. The owner of a property serviced by a grinder pump shall provide an adequate supply of electrical power with the proper phase, frequency and voltage as recommended by the equipment manufacturers of the various components of the System.

E. All control panels for individual grinder pump units shall have a permanently attached phenolic label stating the following: "All maintenance costs for grinder pump systems are the property owner's responsibility."

F. All off-site low-pressure sewers and service connections shall be dedicated to the operator in accordance with the operator's regulations and procedures.

G. Maintenance of grinder pumps and low-pressure sewer systems not dedicated to and accepted by the operator shall be performed by the property owner in accordance with this Article.

H. The Township and/or the operator will not issue a permit for the installation of a grinder pump until evidence is presented that all approvals have been obtained as required by this section.

§ 192-73. Operation and Maintenance.

A. Each owner of a grinder pump and its associated low-pressure sewer system and lateral shall implement an inspection and maintenance program for the pump that includes, at a minimum, the manufacturers' recommended services and inspections for each separate component of the pump and system.

B. After the first month of operation of a grinder pump, and annually thereafter, or more frequently if the manufacturer of any component parts recommends more frequent servicing, the property owner shall have the grinder pump inspected and certified by a qualified individual to confirm that it is operating properly. The property owner shall obtain and maintain a report signed by the inspector certifying that the grinder pump is operating in accordance with the manufacturer's specifications and recommendations. The property owner shall provide the Township with a copy of the certified report upon request by the Township

C. The owner of each property served by a grinder pump shall close the associated low-pressure sewer system or lateral and cease operations during any period when the grinder pump and/or low-pressure sewer system or lateral serving the property is inoperable.

D. All existing improved properties containing a grinder pump prior to the enactment of this Article shall comply with the operations and maintenance requirements of this Article within six months of the date of enactment.

§ 192-73. Documentation.

A. A property owner proposing to install a grinder pump and associated low-pressure sewer system or lateral shall prepare an operation and maintenance plan for the grinder pump and

execute and record a declaration of covenants, easements, and restrictions with respect to the operation and maintenance of the grinder pump and associated facilities in a form satisfactory to the Township Solicitor. The declaration shall acknowledge, among other things, that the property owner is aware of and will comply with this Article and will assure the short- and long-term operation, maintenance, service, repair and replacement of the grinder pump and any associated low-pressure sewer system and lateral. Further, the declaration shall permit and empower the Township and the operator, at and within their sole discretion, to take any and all steps necessary to enforce the property owners' obligations under this Article and the declaration and to enter judgment and lien the subject property for reimbursement of all costs and expenses related thereto. The Township will not issue installation permits until evidence is presented that the declaration has been recorded in the Office for the Recording of Deeds, Montgomery County, Pennsylvania.

B. Where a low pressure sewer system or lateral is shared between property owners, they shall submit to the Township a declaration of covenants, easements, and restrictions in recordable form setting forth the agreement of each benefited property owner with respect to the installation, use, operation, maintenance, service, repair and replacement of the low pressure sewer system or lateral, which agreement shall bind all future property owners. Following the approval of the low pressure system by all applicable agencies, the Township will issue installation permits after evidence is presented that the declaration has been recorded in the Office for the Recording of Deeds, Montgomery County, Pennsylvania.

C. The owner of a property served by a grinder pump shall obtain and maintain at the property, and make available to the Township and operator as requested, the following information with respect to the grinder pump:

(1) Written operation and maintenance instructions.

(2) Annual inspection reports for the past three years.

(3) A detailed drawing showing the location, size, material type, and depth of all components of the grinder pump and any associated low-pressure sewer system and lateral, including provision of a caution notice regarding disturbance near and within the grinder pump and associated facilities.

(4) A written description of any automatic alarm system with the grinder pump and any associated low pressure system, and who to contact in the event the alarm would be activated.

D. Upon the sale or transfer of a property served by a grinder pump or low pressure sewer system or lateral, the seller/grantor shall provide the buyer/grantee prior to settlement all information regarding the grinder pump system installed. The information provided shall include all information and documents required to be maintained at the property, recording information for all recorded documents, manufacture and distributor identity and contact information, operating instructions, warranties, and maintenance schedule.

E. The seller/grantor shall inform the buyer/grantee about the requirements of this Article and any recorded document with respect to the grinder pump and associated facilities.

F. All existing improved properties containing a grinder pump prior to the enactment of this Article shall comply with the grinder pump documentation requirements of this Article within six months of the date of enactment. However, the execution and recordation of a declaration is not required.

§ 192-74. Gravity connection.

The owner of each property served by a grinder pump and associated low-pressure sewer system and lateral shall retire the grinder pump, disconnect the property from the low-pressure system, and connect the property to a gravity sanitary sewer system at the direction of the Township or the operator when a gravity sanitary sewer collection system is constructed in a location abutting any boundary line of the property or within 150 feet of any occupied structured situated on the property, and the Township Engineer or the operator determines that it is reasonably feasible to connect the property to the gravity system.

§ 192-75. Remedies.

A. In addition to the Enforcement Remedies specified in this Chapter, in the event of a property owner's failure to perform under this Article or any subsequent resulting agreements, the Township and the operator shall have the right to pursue whatever legal or equitable remedy they shall deem appropriate, including but not limited to bringing an action for specific performance against the property owner to compel compliance with this Article or any subsequent resulting agreement.

B. In the event the Township or the operator elects to perform the property owner's obligations contained in this Article, or in any declarations or agreements entered into by the property owner, because the property owner has failed to do so, the Township and the operator may charge the property owner the cost incurred by the Township and the operator in performing any of the property owner's obligations, and the property owner shall reimburse the Township and the operator for all such costs within 30 days after such costs are billed. The

Township and the operator shall have the right to file a lien against the property to secure to the Township and the operator any reimbursement of costs due to them.

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

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

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

Enacted by the Board of Commissioners of Upper Dublin Township this 13th day of May, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary

AN ORDINANCE

NO. 14-1291

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, Article I, General Provisions, Section 255-7, Definitions, By Adding Definitions For Barn and Principal Residential Use; and Article IV, Accessory Buildings, Structures and Uses, Section 255-27, Dwellings, To Provide Additional Requirements Applicable to Accessory Dwelling Units; and Article IV, Accessory Buildings, Structures and Uses, Section 255-29, Lot, Yard and Bulk Requirements, To Provide New Criteria By Deleting The Existing Section 255-29, And By Adding A New Section 255-29, Lot, Yard and Bulk Requirements.

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

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

BARN – An accessory building used primarily for the keeping of animals and/or the storage of vehicles or materials, which such use may include a work area.

PRINCIPAL RESIDENTIAL USE – A single family dwelling; the primary residential use on a particular lot.

Section 2. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-27, Dwellings, shall be amended by the addition of subsections E.(1) (c) and E. (1) (d) as follows:

Section 255-27. Dwellings

The following uses shall be accessory to dwellings:

A. A private garage, private stable, barn or private parking space, provided that no motor vehicle parked thereon shall be other than those permitted in a private garage as defined in § 255-7; and provided that as to a private stable or barn:

(1) No animals shall be housed therein unless the structure is located on a lot at least five acres in area and at least 100 feet from any boundary line and at least 150 feet from any dwelling.

(2) The minimum lot area shall be one (1) acre.

(3) The maximum height shall be thirty-five (35) feet to the peak of the roof.

(4) The maximum building coverage shall be 1,200 square feet.

(5) If the building coverage exceeds six hundred (600) square feet, the building shall be setback a minimum of twenty-five (25) feet from the side and rear property lines.

* * * * * * *

E. The following when authorized as a special exception:

(1) Dwelling unit either within a single family detached dwelling or a building accessory thereto for household employees, caretakers, caregivers, or members of the owner's immediate family, provided the following conditions are met:

(a) The property may not otherwise be used for any of the following accessory uses: the renting of rooms, home day care, professional office, or minor home occupation;

(b) The owner shall record a covenant to run with the land restricting the use of such unit to these purposes.

(c) The off-street parking requirements of this chapter are met for both dwelling units.

(d) The floor area of the accessory building can be no more than forty percent (40%) of the floor area of the principal dwelling, or 1,200 square feet, whichever is less.

(e) The maximum building height, measured to the peak of the roof, for a detached accessory building containing an accessory dwelling unit shall not exceed thirteen (13) feet for a one-story building and twenty-two (22) feet for a two-story building. The height of an accessory dwelling unit attached to a principal dwelling shall not exceed the existing height of the principal dwelling.

(f) A detached accessory building containing an accessory dwelling unit must meet the building setback requirements for the principal dwelling on the lot.

Section 3. The Code of the Township of Upper Dublin, Chapter 255, Zoning, Article IV, Accessory Buildings, Structures and Uses, Section 255-29, Lot, Yard and Bulk Requirements, shall be amended by the deletion of Section 255-29 in its entirety and its replacement by the addition of a new Section 255-29, Lot, Yard and Bulk Requirements, to provide as follows:

§ 255-29. Lot, yard and bulk requirements.

Accessory buildings, structures, and uses may be erected or conducted in a side or rear yard, but not a front yard, must be completely detached from the principal building, structure or use, and must meet all of the following criteria:

A. Height. Unless otherwise specifically permitted or prohibited by any other law or regulation, accessory buildings and structures shall not be greater in height, measured from grade, than the lesser of twenty-two (22) feet or the height of the principal building or structure measured from grade to the peak of the principal building roof.

B. Size. An accessory building or structure, other than a barn, may not exceed six hundred (600) square feet in building coverage..

C. Principal Building Setback. Accessory buildings, structures, and uses shall be situated no closer than ten (10) feet from the principal building, structure, or use unless a greater building setback is specifically required by any other law or regulation.

D. Lot Line Setback. Accessory buildings, structures, and uses shall be located no closer to any side or rear property line than the greater distance of ten (10) feet or other applicable specific accessory building, structure, or use setback requirement. In B, C and NH Residential Districts, accessory buildings or structures may be setback no closer than four feet to any side and rear property line, provided they are of fire-resistant construction and no other applicable specific accessory building, structure, or use setback requirement applies. Utility boxes, to include other outdoor storage containers not exceeding two hundred (200) cubic feet, are exempt from setback requirements.

E. Easement Setback. Accessory buildings, structures, and uses shall not encroach upon any easement, right of way, or sight distance triangle area unless specifically authorized to do so by the instrument, law or regulation creating the easement, right of way, or sight distance triangle.

F. Building Coverage and Impervious Surface. The horizontal area of accessory buildings and structures shall be included as building coverage and impervious surface.

(1) On a lot with a principal residential use, the total building coverage of accessory buildings and structures, , may not exceed fifty (50) percent of the allowable building coverage in the underlying zoning district.

Section 4. Nothing in this Ordinance or in Chapter 255 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 255 prior to the adoption of this amendment.

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

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

Enacted by the Board of Commissioners of the Township of Upper Dublin this 12th day of August, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 14-1292

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 255, Zoning, By The Addition Of A New Zoning District To Be Titled MRH – Mixed Use Residential - Historic District And To Set Forth The Regulations Governing Development In Such District.

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

Section 1. The Code of Upper Dublin Township, Chapter 255, Zoning, shall be amended by the addition of a new Article XXXVII, MRH – Mixed Use Residential - Historic District, to provide as follows:

ARTICLE XXXVII

MRH – Mixed Use Residential - Historic District

§255-281. Legislative Intent.

It is the intent of this Article to provide for the preservation of meaningful historical buildings, structures and features on property proposed for mixed use residential – development by the establishment of reasonable zoning standards to promote the desirable benefits which will follow the development of a mixed use residential community which will preserve as part of the community significant historical buildings, structures and features. Design criteria shall include standards governing use type and mix, dwelling unit density, parking requirements, dwelling unit setbacks from internal roadways and from historic buildings as well as perimeter setbacks, which standards are to ensure that the community will not exert an adverse impact on the historical buildings, structures and features nor on surrounding neighborhoods.

§255-282. Use Regulations and Definitions.

Within the MRH – Mixed Use Residential – Historic District, one or more buildings may be erected or used, and a lot may be used or occupied, for any of the following purposes:

A. The uses permitted by right, by special exception and by conditional use in Article XIII, INST - Institutional District, § 255-88, § 255-90 (Life Care Complexes) and § 255-90.1 (Senior Assisted Living Residence), subject to the regulations set forth at § 255-87 through § 255-91, as applicable to such use.

B. Historic Preservation Mixed Residential Community, by conditional use, subject to the provisions set forth in this article.

C. "Historic Preservation Mixed Residential Community," as used in this section, shall mean a planned development comprised of a mix of uses, which mix of uses may include:

1. Single Family Detached Dwelling.

2. Twin Dwelling.

3. Townhouse Dwelling.

4. Apartment Building (with condominium ownership governed by Uniform Condominium Act).

5. Senior Independent Living Campus.

6. Office.

D. "Senior Independent Living Campus," as used in this section, shall mean a residential facility which consists of private Dwelling Units to be occupied by persons at least one of which is age 55 or over, with accessory uses, supportive social residential services such as dining facilities, housekeeping, medical and support services, security and 24-hour-monitoring, an emergency call system, recreational facilities including a fitness center with indoor pool, wellness promotion, exercise programs, local transportation, educational and special events, laundry services and social and recreational programs, together with accessory uses appropriate for allowing independent older adults to age in place, as well as accessory structures for maintenance services and equipment. If a building with historic value is to be preserved as part of the Senior Independent Living Campus, a maximum of 10% of the total residential Dwelling Units may be located within the preserved historic building, which are not subject to the minimum 55 years of age limitation, provided that no occupant of any such Dwelling Unit may be 19 years of age or under, other than a visitor whose occupancy shall not exceed 90 days in any calendar year.

§255-283. Senior Independent Living Campus Residence Regulations.

The following requirements shall apply to the Senior Independent Living Campus component of a Historic Preservation Mixed Residential Community:

A. The minimum unit size for each dwelling unit occupied by one resident shall be 500 SF. The minimum unit size for each dwelling unit occupied by two residents shall be 700 SF.

B. No more than two residents shall be permitted to reside in any dwelling unit plus a caregiver

C. Each dwelling unit shall contain a fully private bathroom (including toilet, bathtub and/or shower and vanity/sink), personal closet space, emergency call systems, lockable entry doors accessible by master key or similar system available at all times in the senior independent living campus residence and for designated staff, and pre-wiring for private telephone, internet and television reception.

D. No less than 80 square feet of floor area per dwelling unit shall be provided for community common areas for dining, active and passive recreation, circulation and socialization, exclusive of hallways and passageways and inclusive of common areas designated in the historic structures.

E. A dining area or areas shall be provided, together with a private dining room available for use by residents and their families and guests for private visitation and entertaining.

F. All residential units shall be part of a complex, similar to multifamily housing. No stand-alone units or townhouses shall be permitted.

§255-284. Development regulations.

The following area, bulk, density, area, dimensional, building height, parking and buffer regulations shall apply to the Historic Preservation Mixed Residential Community use:

A. Lot area. A lot area of not less than forty (40) acres with a minimum width of 800 feet at the existing legal right-of-way of at least one bordering roadway.

B. Use and Dwelling Unit mix.

1. The community shall contain a minimum of three of the permitted residential uses identified in § 255-282 C. hereinabove, one of which shall be the Senior Independent Living Campus.

2. A minimum of 50% and a maximum of 80% of the units within the community shall be Senior Independent Living Campus units. For each other residential use to be included within the community, there shall be a minimum of 5% of the total units within the community comprised of each such use.

3. Office use accessory to the Senior Independent Living Campus.

C. Density.

1. The Senior Independent Living Campus component shall have a maximum density of 14 units per acre for its portion of the overall lot area within the community, not more than 60% of the units

shall be available for double occupancy. The acreage of the lot area associated therewith shall be subtracted from the community's overall lot area and the density for the remaining lot area shall not exceed 5 units per acre.

2. Where townhouses are part of the community, the maximum number of units in each building shall be five (5) and the maximum building length shall be 160 feet.

D. Impervious surface coverage. A maximum impervious surface coverage of 40% of total lot area shall be permitted. The definition of Impervious Surface contained at §255-7 shall apply except that the horizontal surface area of a water feature such as a lake or pond, whether or not the water feature serves as part of the stormwater management system, shall not be considered an impervious surface.

E. Perimeter setbacks.

1. The following minimum setbacks shall be observed from the property line, unless the applicable setback is adjacent to a street in which case the setback shall be provided from the legal right-of-way line.

Perimeter Setback	**Abutting Institutional or Non-Residential Use**	**Abutting Residential Use**	**Abutting State Road or Arterial Road**	**Abutting Township Road**
Front	100 feet	100 feet	60 feet	60 feet
Side	100 feet	100 feet	60 feet	50 feet
Rear	100 feet	100 feet	60 feet	50 feet

2. Existing historic structures and features in the nature of perimeter walls, entrance archways and pillars and guard/gatehouses shall be exempt from these perimeter setback requirements.

3. Accessory structures to the principal building in the nature of a deck, porch, patio, Jacuzzi/spa, sitting wall or fence shall be permitted to extend a maximum of 20 feet into the applicable perimeter setback.

4. Nothing shall be placed within the 100 foot setback between existing residential property lines and apartment buildings and/or Senior Independent Living Campus buildings with the exception of an emergency driveway.

5. Internal roadways designed for single family detached, twin and/or townhouse dwelling units shall be set back a minimum of 40 feet from existing residential property lines, excepting existing internal roads which are part of historic sight lines.

6. An internal roadway may be placed within the perimeter setback along an existing State right-of-way, provided the edge of roadway is set back a minimum of 50 feet from the right-of-way and is buffered and/or bermed as viewed from the existing street.

7. An internal roadway may be placed within the perimeter setback along an existing Township right-of-way, provided the edge of roadway is set back a minimum of 20 feet from the right-of-way and is buffered and/or bermed as viewed from the existing street.

8. The minimum internal roadway setbacks specified in subsections 6 and 7 shall not apply to entrances from or exits to a State or Township road.

F. Building Height. The maximum building height, as defined in Chapter 212, the Subdivision and Land Development Ordinance, shall be 35 feet for all residential uses other than the Senior Independent Living Campus and Apartment Building. The maximum height for those uses shall be four stories, provided that any such use closer than 200 feet from any adjoining residential district shall be limited to three stories. The height of such buildings shall be compatible with the historic buildings to be preserved adjacent to or in close proximity thereto, so as to be compatible with design features of existing roof lines, inclusive of turrets, spires or similar architectural features. Otherwise, the maximum height for three stories shall be 45 feet and for four stories shall be 55 feet. Parking areas beneath a building shall not be considered a story; provided, however, the aforesaid maximum height limitations shall apply to buildings with or without such parking areas.

G. Parking shall be provided in accordance with the following standards:

1. Senior Independent Living Campus – 1.5 spaces per dwelling unit, of which 0.25 spaces per unit may be held in reserve, which spaces may include garage and driveway and designated shared or common parking spaces.

2. Townhouse– 2.5 spaces per dwelling unit, which may include garage and driveway and designated shared or common parking spaces

3. Apartment Building – 2 spaces per Dwelling Unit, which may include garage and driveway and designated shared or common parking spaces.

4. Single-Family detached and twin dwellings - 2.5 spaces per dwelling unit which may include garage and driveway.

5. Not less than 10 feet of open space shall be provided between the curb line of any common or shared parking area and the outside wall of any building. Shared or common parking with more than 12 spaces in a row shall provide a landscaped island separation of a minimum of 10 feet between further parking spaces.

H. Ownership and maintenance of interior roads and drives: Interior roads and drives shall not be dedicated, but shall be owned and maintained by an appropriate Homeowners Association, Condominium Association and/or an association of such entities working in concert for the proper use, maintenance and repair of the private roads and drives servicing the overall community.

§255-285. Building setback, spacing, buffering and screening and open space requirements.

The following building setback, spacing, buffering and screening and open space requirements shall apply to the Historic Preservation Mixed Residential Community use:

A. Lot area and width. There shall be no minimum lot size or dimension, as the required mix of residential uses will be governed by either or both Pennsylvania's Planned Community Act and/or Uniform Condominium Act.

B. The minimum setback for buildings along a private street shall be 20 feet from back of curb or back of sidewalk.

C. The minimum distance between buildings (not including decks, patios and accessory structures) shall be 20 feet regardless of the orientation of the buildings.

D. Buildings within the Senior Independent Living Campus may be interconnected by climate controlled and sprinklered walkways, either at ground level or elevated, appropriate for access between buildings within the campus. Such interconnection shall not be deemed to violate the minimum distance between buildings as set forth hereinabove.

E. Buffer and screening requirements. The buffer and screening provisions of § 255-90 G. shall apply; provided, these buffer and screening

requirements shall apply solely to the perimeter of the development property and do not establish any requirement for screening or buffering internally between the various uses proposed. Where portions of the development property are not proposed for development in proximity to existing adjoining residential development, these buffer and screening requirements shall not apply if the development property has existing woodlands, wetlands and natural features that provide comparable buffer and screening for those areas.

F. Open Space. At least 20% of the tract area shall be preserved as open space to allow for the protection of sensitive natural features, scenic views and other unique features. Portions of the open space shall allow for public access by trails or other means, while other areas may be restricted to the residents of the development. The definition of Open Space contained at §212-5 of the Subdivision and Land Development Ordinance shall apply.

§255-286. Application and review requirements.

A. Application requirements. Before a Historic Preservation Mixed Residential Community can be permitted in this District, it will be necessary for the applicant to submit an application for conditional use approval to the Upper Dublin Board of Commissioners establishing:

1. The conformance of the proposed development with this chapter and compatibility with existing and proposed land uses adjacent to the site.

2. The impact on existing floodplains, waterways, heavily wooded areas, 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 police 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 how the proposed development will address the impact upon the surrounding neighborhoods.

B. Required documentation shall include the following:

1. The location and size of the site, with evidence supporting the general adequacy for development.

2. The proposed residential density of the development and the percentage mix of permitted uses.

3. Conceptual plans of proposed utility and drainage systems.

4. Plans and renderings indicating the design, utility and aesthetic relationship of building and landscaping within the proposed development.

5. Historic Resource inventory.

6. Historic Preservation Plan, which identifies at a minimum:

   (a) Exterior architectural and building elements to be renovated and preserved for each building, structure or feature consistent with the historic period represented by each building, structure or feature.

   (b) Landscape elements (e.g. mature tree groves and specimen trees) consistent with the historic period represented by the historic buildings, structures and features and the extent to which each element will be preserved and maintained.

   (c) Interior architectural and building elements to be renovated and preserved consistent with the historical period represented by each structure.

   (d) Sight lines for visibility of historic buildings and structures on-site and off-site.

   (e) Setbacks from historic buildings, structures and features.

   (f) Declaration of Covenants and Restrictions setting forth perpetual, binding requirements addressing restoration, preservation and future funding for proper maintenance of the buildings, structures and features set forth in applicant's Historic Preservation Plan.

7. Traffic Impact Statement.

8. Fiscal Impact Statement.

9. Preliminary Grading Plan.

10. Preliminary Stormwater Management Plan.

11. Tree Removal and Preservation Plan.

12. Preliminary Landscaping Plan.

13. Sketch Plans and Architectural Renderings showing at a minimum elevations and material samples for each building type.

14. Open Space Plan with walkways and provisions for public access.

15. Common areas/shared facility plan including roads, parking areas, walkways, utilities, all historic structures and natural features, including proposed cross easements.

16. 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.

C. Application review. The Upper Dublin Township Planning Commission shall review the conditional use application for compliance with the terms of this chapter, and shall submit its recommendations thereon to the Upper Dublin Township Board of Commissioners, after review by the Montgomery County Planning Commission

D. Criteria for the grant of conditional use approval. An application for conditional use shall not be granted unless the following requirements have been satisfied in addition to those set forth at § 255-194. The applicant shall have the burden of demonstrating:

1. That the property contains a significant number of historic buildings, structures, statuary and other elements of vintage, character and age to warrant the grant of conditional use approval.

2. That the proposed improvements to the historic buildings, structures, statuary and other features will preserve the distinguishing qualities and character of the historic resources and cultural landscape.

3. That the dwelling unit site layout, design and implementation of buffering, landscaping, lighting, interior circulation, access and traffic management, parking, fencing and other land development features will preserve the integrity of the historic resources.

4. That the proposed development will not have a significant adverse effect upon the surrounding neighborhoods.

E. The conditions which shall be imposed by the Board of Commissioners shall include, at a minimum, the recording of a Declaration of Covenants and Restrictions, in form and substance satisfactory to the Board of Commissioners, setting forth perpetual, binding requirements addressing restoration, preservation and future funding for proper maintenance of the buildings and features set forth in applicant's Historic Preservation Plan. Park and recreation contributions, as mandated by Township Ordinance for residential developments, shall be waived and replaced by a binding requirement, set forth in the Declaration, enforceable by the Township, requiring an amount equal thereto to be paid into a fund for proper maintenance of the aforesaid features warranting historic preservation. Existing structures suitable for and approved by the Board of Commissioners for restoration and/or renovation for residential usage, or structures in the nature of gate houses or guard houses or other similar structures appropriate for retainage or renovation into residential usage, as identified in applicant's Historic Preservation Plan, may be designated in the conditional use approval for preservation and future residential usage with allowance for siting of same on designated fee simple parcels.

F. An applicant may elect to submit a complete preliminary land development/subdivision application meeting the requirements of the Subdivision and Land Development Ordinance for processing contemporaneously with a conditional use application, provided the applicant waives, in writing, mandatory time limitations imposed upon Upper Dublin Township for action upon both the conditional use application and the preliminary land development/subdivision application to afford the Upper Dublin Township Board of Commissioners adequate time to render their decision upon both applications.

G. Internal parcel creation and designation. At the time of approval of a final land development plan for a Historic Preservation Mixed Residential Community, the Board may approve a parcel plan to be recorded in the Office for the Recording of Deeds of Montgomery County establishing separate parcels for the Senior Independent Living Campus and/or individual buildings within the campus, as well as any multi-family components to allow for independent conveyance of those parcels separate and apart from the other residential uses, as well as to allow for recording of mortgage liens and financing liens in regard to such components. As a condition to the approval of such a parcel plan, a Declaration shall be approved by Board for recording establishing requisite cross easements servicing those parcels in concert with the parcel or parcels for the development of the other residential uses as well as for requisite participation in the funding of future maintenance and repair of all common areas and shared facilities in the nature of roadways and utilities by and among all residential components within the community.

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

Section 3. The provisions as set forth herein shall supersede any conflicting provision of this Chapter 255-Zoning.

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

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of November, 2014.

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 14-1293

AN ORDINANCE Amending The Upper Dublin Township Zoning Map to Rezone Certain Lands From INST Institutional District to MRH – Mixed Use Residential – Historic District

WHEREAS, the Board of Commissioners of Upper Dublin Township has heretofore enacted the Upper Dublin Township Zoning Ordinance, Code of the Township of Upper Dublin, Chapter 255, which contains, inter alia., the Upper Dublin Township Zoning Map; and

WHEREAS, the current zoning for those lands more particularly described upon Exhibit "A", attached hereto, is INST Institutional, said lands comprising a total of 45 acres, more or less; and

WHEREAS, the Board of Commissioners for Upper Dublin Township has determined to rezone the subject lands to MRH – Mixed Use Residential – Historic District; and

WHEREAS, the Board of Commissioners deems the rezoning of the subject lands to be in the best interest of the health, safety and welfare of the residents of Upper Dublin Township.

NOW, THEREFORE, be it, and it is hereby ORDAINED by the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of same as follows:

1. The Upper Dublin Township Zoning Map is amended to rezone those lands more specifically described upon Exhibit "A" attached hereto, containing a total of 45 acres, more or less, from their current zoning classification of INST Institutional to MRH – Mixed Use Residential – Historic District. The parcel to be rezoned is located along Bethlehem Pike, as well as Lindenwold Terrace and is also known as Montgomery County Tax Map Parcels numbered:

54-00-02290-00-5 and 54-00-06163-00-2

2. All provisions of the Upper Dublin Township Zoning Ordinance and the Upper Dublin Township Zoning Map unaffected by this Ordinance are declared to be in full force and effect. All provisions of the Upper Dublin Township Zoning Ordinance and the Upper Dublin Township Zoning Map inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

3. The provisions of this Ordinance shall be effective in five (5) business days.

Enacted by the Board of Commissioners of Upper Dublin Township this 11th day of November, 2014.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

Paul A. Leonard, Secretary/Township Manager

Exhibit "A"

Nave Newell No. 2013-045.00

DESCRIPTION OF PROPERTY
TAX MAP 54 BLOCK 26 UNIT 19
LANDS N/F SISTERS OF THE HOLY FAMILY OF NAZARETH

ALL THAT CERTAIN tract or parcel of land situate in the Township of Upper Dublin, the County of Montgomery and the Commonwealth of Pennsylvania, shown on a certain plan entitled "ALTA / ACSM Land Title Survey, Lands N/F Sisters of The Holy Family of Nazareth," being more particularly bounded and described as follows:

BEGINNING at a point of intersection of the title line within the bed of Lindenwold Terrace with the easterly Right-of-Way line of Bethlehem Pike (60' wide), and from said beginning point running; thence, along said title line within the bed of Lindenwold Terrace the following two (2) courses and distances,

1. South 86°36'30" East, a distance of 970.46 feet to an angle point; thence,
2. North 38°01'30" East, a distance of 136.44 feet to the point at the intersection with the line common with the southern line of St. Mary's Villa Northern and the lands herein described; thence, along said common line the following four (4) courses and distances,
3. South 51°58'30" East, a distance of 230.00 feet to a point; thence,
4. North 87°39'12" East, a distance of 723.39 feet to a point; thence,
5. South 55°01'35" East, a distance of 99.45 feet to a point; thence,
6. North 37°56'23" East, a distance of 332.41 feet to a point on the title line in the bed of Loch Alsh Avenue (50' wide); thence, along the title line in the bed of Loch Alsh Avenue,
7. South 52°03'37" East, a distance of 338.06 feet to a point at the intersection with the extended northeasterly line of Unit 24; thence, along the said line of Unit 24, and continuing

along the lines of Units 26, 27 and 42,

8. South 49°58'25" West, a distance of 447.09 feet to a point for corner common with Unit 27; thence, along Unit 27 and continuing along Units 28, 29 and 30,
9. South 74°40'59" West, a distance of 410.62 feet to the point for corner common with Unit 30; thence, along the line of Unit 30, and continuing along the line of Units 1, 3 and 4,
10. South 20°44'22" West, a distance of 525.80 feet to the point for corner common with Unit 4; thence, along the line common with Unit 4,
11. South 55°27'08" East, a distance of 62.20 feet to the point on the northeasterly Right-of-Way line of Farm Lane (60' wide); thence, along said line of Farm Lane,
12. South 34°32'52" West, a distance of 87.74 feet to the point at the intersection with the northerly line of St. Mary's Villa Southern; thence, along said line the following two (2) courses and distances,
13. South 86°14'10" West, a distance of 563.56 feet to an angle point; thence,
14. South 75°23'30" West, a distance of 798.01 feet to a point on the aforesaid easterly Right-of-Way line of Bethlehem Pike; thence, along said Right-of-Way line the following three (3) courses and distances,
15. North 07°51' West, a distance of 246.76 feet to an angle point; thence,
16. North 14°29' West, a distance of 716.28 feet to an angle point; thence,
17. North 06°08'09" West, a distance of 362.36 feet to the point and place of beginning.

SAID ABOVE DESCRIBED tract of land containing within said bounds 45.635 acres more or less.

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ORDINANCE NO. 14-1294

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 2015

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 2015.

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 2015 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the budget form.

SUMMARY OF ALL ESTIMATED RECEIPTS

Receipts from Current Tax Levy	20,538,893
Receipts from Taxes of Prior Years	72,500
Other Revenues and Receipts	6,005,029
TOTAL ESTMATED RECEIPTS AND CASH	**26,616,422**

SUMMARY OF ALL APPROPRIATIONS

GENERAL GOVERNMENT		
Administration and Finance		2,390,540
Treasurer and Tax Collector		22,895
Library		1,143,426
Municipal Buildings		448,316
Economic Development		160,837
	TOTAL	**4,166,014**
PROTECTION TO PERSON AND PROPERTY		
Police		7,109,978
Fire		729,014
Emergency Services		285,106
	TOTAL	**8,124,098**

SANITATION		2,408,097
CODE ENFORCEMENT		711,454
HIGHWAY AND ENGINEERING		3,859,280
PARKS AND RECREATION		2,097,995
DEBT SERVICE		2,540,010
NON EXPENDABLE TRUSTS		800
CAPITAL PROJECTS		
General Capital		1,263,533
Stormwater Management Projects		1,339,590
Fire Capital		18,000
Open Space		74,300
	TOTAL	**2,695,423**
COMMUNITY CONTRIBUTIONS		13,250
TOTAL APPROPRIATIONS		**26,616,422**

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

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

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

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

SECTION 6: This Ordinance shall take effect and be in force from and after January 1, 2015.

ENACTED AND ORDAINED THIS 9th day of December 2014.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 14-1295

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2015 FOR GENERAL PURPOSES, THE TAX RATE FOR THE YEAR 2015 FOR DEBT SERVICE, THE TAX RATE FOR THE YEAR 2015 FOR FIRE PROTECTION, THE TAX RATE FOR THE YEAR 2015 FOR PARKS AND RECREATION, THE TAX RATE FOR THE YEAR 2015 FOR VOTER APPROVED OPEN SPACE DEBT, THE TAX RATE FOR THE YEAR 2015 FOR LIBRARY SERVICES, THE TAX RATE FOR THE YEAR 2015 FOR OFFICE PARK, ECONOMIC DEVELOPMENT AND ESTABLISHING DISCOUNTS AND PENALTIES THEREFOR.

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

SECTION 1: Tax Rate for General Purposes
That a tax be and the same is hereby levied on all property and occupation within the said municipality subject to taxation for the fiscal year 2015, as follows:

Tax rate for General Purposes, the sum of 2.696 mils
on each dollar of assessed valuation, or the sum of 26.960 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	2.696	26.960

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 2015, as follows:

Tax rate for Debt Service, the sum of 0.922 mils
on each dollar of assessed valuation, or the sum of 9.220 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Debt Service	.922	9.220

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 2015, as follows:

Tax rate for Fire Protection, the sum of 0.571 mils
on each dollar of assessed valuation, or the sum of 5.710 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Fire Protection	.571	5.710

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 2015, as follows:

Tax rate for Parks and Recreation the sum of 0.710 mils
on each dollar of assessed valuation, or the sum of 7.100 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Parks and Recreation	.710	7.100

SECTION 5: Tax Rate for Voter Approved Open Space Debt

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 2015, as follows:

Tax rate for Voter Approved Open Space Debt, the sum of 0.092 mils
on each dollar of assessed valuation, or the sum of 0.920 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Voter Approved Open Space Debt	.092	0.920

SECTION 6: Tax Rate for Library Services

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 2015, as follows:

Tax rate for Library Services, the sum of 0.479 mils
on each dollar of assessed valuation, or the sum of 4.790 cents
on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Library Services	.479	4.790

SECTION 7: Tax Rate for Office Park, Economic Development
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 2015, as follows:

Tax rate for Office Park Economic, Development, the sum of	0.055 mils
on each dollar of assessed valuation, or the sum of	0.550 cents
on each one hundred dollars of assessed valuation.	

The same being summarized in tabular form as follows:

	Mils on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for Office Park, Economic Development	.055	0.550

SECTION 8: Discounts and Penalties
All taxpayers shall be entitled to a discount of two per centum (2%) from the amou[illegible] levied upon property, upon making payment of amount of such tax within sixty (60) days of the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes charged against them within one hundred twenty (120) days of the date of the tax notice, shall be charged a penalty of ten per centum (10%) of the amount of the tax, which penalty shall be added to the taxes by the tax collector and collected as provided by law.

SECTION 9: Nothing in this Ordinance shall be construed to affect any suit or processing in any Court, any rights acquired or liability incurred, any permit issued, or any causes of action existing prior to the adoption of this amendment.

SECTION 10: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 11: This Ordinance shall take effect and be in force from and after January 1, 2015.

ENACTED AND ORDAINED THIS 9th day of December 2014.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

BY: _____
Ira S. Tackel, President

ATTEST: _____
Paul A. Leonard, Secretary

ORDINANCE NO. 15-1296

AN ORDINANCE Of Upper Dublin Township, Montgomery County, Pennsylvania, Establishing The Dates Of The Regular Meetings Of The Commissioners Of The Township Of Upper Dublin During The Year 2015.

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

SECTION 1. The regular stated monthly meetings of the Commissioners of the Township of Upper Dublin for the year 2015 shall be held on the second Tuesday of each month unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 PM, local time, and, as needed, on the fourth Tuesday of the month, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 7:00 P.M. local time.

SECTION 2. The Economic Development and Finance Committee meetings of the Township of Upper Dublin for the year 2015 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election day, in which case the meeting will be held on the next regular business day following, at 6:30 PM, local time.

SECTION 3. The Public Safety, Works and Services Committee meetings of the Township of Upper Dublin for the year 2015 shall be held on the first Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, immediately following the Economic Development and Finance Committee meeting at 6:30 PM., local time.

SECTION 4. The Planning Commission meetings of the Township of Upper Dublin for the year 2015 shall be held on the third Tuesday of each month at 7:00 PM, local time.

SECTION 5. The Planning, Parks and Library Committee meetings for the year 2015 shall be held on the fourth Tuesday of February, April, June, August, October, December, unless the same shall be a legal holiday or election Day, in which case the meeting will be held on the next regular business day following, at 6:30 PM., local time.

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

SECTION 7. Persons with disabilities who wish to attend any public meeting and require auxiliary aid, service or other accommodations to participate in the proceedings

may contact the Township Manager's Office to discuss how the Township may best accommodate an individual's needs.

SECTION 8. All meetings will be effective January 13, 2015 and held in the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

ENACTED AND ORDAINED this 13th day of January, 2015.

BOARD OF COMMISSIONERS
UPPER DUBLIN TOWNSHIP

Ronald P. Feldman, Vice President

Attest:
Paul A. Leonard, Secretary

AN ORDINANCE

NO. 15-1297

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 171, Peddling And Soliciting, To Provide For Peddling And Soliciting Licenses To Be Issued By The Chief Of Police, Or His Designee Upon The Payment Of A Fee, To Require That The Applicant Submit A Current Criminal Background Check Issued By The Pennsylvania State Police And To Limit The Hours Within Which Peddling And Soliciting Will Be Permitted In The Township.

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

Section 1. The Code of the Township of Upper Dublin, Chapter 171, Peddling and Soliciting, shall be restated in its entirety to provide as follows:

Chapter 171, PEDDLING AND SOLICITING

§ 171-1. Word usage; definitions.

A. Word usage. The singular number includes the plural, and the masculine includes the feminine and the neuter.

B. Terms defined. The following words shall be construed to have the meanings set forth below:

PEDDLING AND SOLICITING — The taking of orders for goods, wares or merchandise, including but not limited to subscriptions for magazines or other printed matter, the obtaining of contracts for home and building devices, repairs and improvements, and the securing of contributions to various causes and organizations, upon a residential premises or upon any street, sidewalk or publicly owned recreational property in the Township.

PERSON — Any natural person, association, partnership, firm or corporation.

§ 171-2. Registration and identification card required.

No person shall engage in peddling and soliciting in the township without first having registered with the Police Department and obtained an identification card from the Chief of Police, or his designee, unless such person is subject to one of the exemptions provided

herein.

§ 171-3. Exemptions.

This chapter shall not apply to boys or girls under 16 years of age who take orders for and deliver newspapers, greeting cards, candy and the like, or who represent the Boy Scouts and Girl Scouts or similar organizations and take orders for and deliver cookies and the like, nor to any person who works for an organization which has registered with the Pennsylvania Department of State, as required by that statute known as the "Solicitation of Funds For Charitable Purposes Act," as amended from time to time, or which is exempt from such registration.

§ 171-4. Application procedure; issuance of identification card; conditions of issuance.

A. Any person desiring to engage in peddling and soliciting and who is not subject to one of the exemptions provided herein shall submit a written application to the Police Department on a form to be furnished by the Township, accompanied by the license fee set forth in Chapter A163A and accompanied by two photographs of himself, 2½ inches by three inches in size, taken within six months prior to the date of the application.

B. The applicant shall state his name, age, sex, home address, business address, name and address of employer, if any, what he desires to canvass and solicit for, the length of time he wishes to engage in this work, the make and type of vehicle, if any, he will use, its registration number and whether he has ever been convicted of a felony, misdemeanor or a crime of any kind involving moral turpitude.

C. The applicant shall provide with the application a certified copy of a Pennsylvania State Police Criminal History check conducted within thirty days of the application.

D. The Chief of Police, or his designee, will issue to the applicant, within 10 business days from the date of filing of the application, an identification card to which one of the applicant's photographs will be affixed.

E. An identification card will not be issued to any person who has been convicted of a felony or misdemeanor or a crime of any kind involving moral turpitude, or who has been found guilty of violating a peddling and soliciting ordinance within the prior 5 years, and such person shall not be allowed to engage in canvassing and soliciting in the Township.

E. An identification card will be valid for a period of three months. Such card may not be transferred from one person to another.

§ 171-5. Standards of conduct.

Every person to whom an identification card has been issued shall, in the conduct of his activities, comply with the following standards of conduct:

A. He shall carry his identification card at all times and exhibit it to any person on whom he shall call or with whom he shall talk, and, upon request, to any police officer.

B. He shall not permit any person to have possession of his identification card and shall immediately report its loss to the Police Department. He shall not cause or permit his identification card to be altered or defaced in any way.

C. He shall not enter or attempt to enter any dwelling without the invitation or permission of the occupant, and shall immediately leave any premises upon request of the occupant.

D. He shall not enter upon any premises where the owner or occupant has requested that solicitation not be permitted either by posting the premises or by registering that fact with the Upper Dublin Township Police Department. Upon issuance of an identification card each solicitor will be given a list of such registered premises.

E. He shall not engage in peddling and soliciting between 9:00 P.M. and 9:00 A.M. nor after dark.

F. He shall not be guilty of any false pretense or misrepresentation, and, particularly, he shall not represent his identification card to be an endorsement of himself, his goods or services or the goods or services of his employer.

G. He shall immediately surrender his identification card to the Police Department upon revocation thereof.

§ 171-6. Revocation of identification card.

Any identification card may be revoked by the Chief of Police or his designee if the holder fails to comply with the standards of conduct contained in § 171-5 hereof, or any of them, or upon ascertainment by the Police Department that the holder has made a false statement in his application.

Section 2. The Code of the Township of Upper Dublin, Chapter 110, Fees, §110-6, shall be revised to provide as follows:

Chapter 110 – Fees.

§110-6. The application fee for a peddling and soliciting license shall be $100.00.

Section 3. Nothing in this Ordinance or in Chapter 171 or Chapter 110 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 171 or Chapter 110 prior to the adoption of this amendment.

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

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

Approved by the Board this 13th day of January, 2015.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ronald P. Feldman, Vice President

ATTEST:

Paul A. Leonard, Township Manager/Secretary

AN ORDINANCE

NO. 15-1298

AN ORDINANCE To Amend The Code Of Upper Dublin Township, Chapter 69, Brush, Grass And Weeds, To Regulate The Planting, Growing And/or Maintenance Of Running Bamboo.

The Board of Commissioners of Upper Dublin Township hereby ordains:

Section 1. The Code of the Upper Dublin Township, Chapter 69 thereof, entitled Brush, Grass and Weeds, §69-1, Definitions, shall be amended by the addition of definitions for Bamboo and Bamboo Owner, to provide as follows:

§69-1. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

(a) BAMBOO - any monopodial (running) bamboo of the tribe "bambuseae", including, but not limited to, the genus Phyllostachys, and Pseudosasa as well as the Common Bamboo, Golden Bamboo, and Arrow Bamboo.

BAMBOO OWNER – any property owner or resident who has planted and/or grows Bamboo, or maintains Bamboo on his property, or permits Bamboo to grow or remain on the property even if the Bamboo has spread from an adjoining property. Any owner of or resident at property on which Bamboo is found will be considered a Bamboo owner, except any property owner or resident who:

(b) Did not plant or grow or cause Bamboo to be planted or grown on his property, and

(c) Has provided satisfactory proof to the Township that, within a reasonable amount of time after discovering the encroachment of Bamboo onto the property from an adjoining neighbor, he advised the owner of such property of his objection to the encroachment of Bamboo, and

(d) Has initiated steps for the removal of the Bamboo from his property.

* * * * * * *

Section 2. The Code of the Upper Dublin Township, Chapter 69 thereof, entitled Brush, Grass and Weeds, §69-2, Prohibited Acts, shall be amended by the addition of a new paragraph D, to provide as follows:

§69.2. Prohibited Acts.

It is hereby declared to be unlawful for any person, firm or corporation, being an owner of any improved or unimproved lot, to permit or allow any of the following to occur on such lot, each of the following acts hereby being declared a public nuisance:

* * * * * *

D. Permit Bamboo to be planted or grown on the lot, or to spread to an adjoining lot, it being the intent to prohibit Bamboo within the Township, except as provided herein. Bamboo found growing on a property shall constitute presumptive evidence that Bamboo was planted and/or grown by and/or with the consent of the Bamboo Owner.

Section 3. The Code of the Upper Dublin Township, Chapter 69 thereof, entitled Brush, Grass and Weeds, shall be amended by the addition of a new §69-2.1, Regulation of Bamboo, to provide as follows:

§69.2.1. Regulation of Bamboo.

The following special regulations pertain to the planting and maintenance of Bamboo.

A. Any Bamboo that has been planted or otherwise permitted to grow on any lot within the Township prior to the effective date of this Section may remain on such property subject to compliance with this Section.

(1) Bamboo shall not be planted, maintained, or otherwise permitted to exist within 40 feet of the edge of the pavement or traveled portion of a public road in the Township, within 40 feet of the property line of any Township/public property, or within 25 feet of the property line of an adjoining or neighboring property, and

(2) Each Bamboo Owner shall be required to take such measures as are reasonably expected to prevent such Bamboo from invading the setbacks set forth in (1) above. Such measures shall include but are not limited to, installation of sheathing comprised of metal or

other material impenetrable by Bamboo at a sufficient depth within the property line or lines where the running Bamboo is planted or is growing to prevent such growth or encroachment prohibited herein.

B. Removal.

(1) In the event that Bamboo growing on a Bamboo Owner's property invades or grows on adjoining or neighboring property that is owned or held on behalf of the Township, the Township will notify the Bamboo Owner in writing that the Bamboo has invaded the Township Property and that the Bamboo Owner is responsible for the removal of such running Bamboo from the Township property. This notice shall be sent via certified mail, return receipt requested and by regular mail to the latest address of the Bamboo Owner on file with the Township and a copy of the notice shall also be posted at the Bamboo Owner's property.

(2) In the event that the Bamboo Owner does not remove or contract for the removal of the Bamboo from the Township Property, or does not make an arrangement agreeable to the Township for removal of such Bamboo within sixty (60) days from the date the Township first provided notice pursuant to the above, the Township, at its discretion, may remove or arrange for the removal of such Bamboo from the Township property. The Bamboo Owner shall be liable and responsible to the Township for the cost incurred for removal of the Bamboo from the Township Property. Such costs may be assessed against the property of the Bamboo Owner.

C. Replanting prohibited. Any Bamboo either planted or caused to be planted or existing on a property prior to the effective date of this Section may not be replanted or replaced once such running bamboo is or has become, for any reason, dead, destroyed, uprooted, or otherwise removed.

Section 4. The Code of the Upper Dublin Township, Chapter 69 thereof, entitled Brush, Grass and Weeds, §69.7 thereof, Abatement by township. Shall be amended to provide as follows:

§69.7. Abatement by township.

In the event that any person shall refuse or neglect to abate such nuisance within the time set forth in § 69-6 above, the township may cause such Grass, Weeds, Noxious Plants or

Bamboo to be cut or removed and bill the owner for the cost thereof, plus an administrative fee of 10%.

Section 5. Nothing in this Ordinance or in Chapter 69 of the Code Upper Dublin Township, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 69 prior to the adoption of this amendment.

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

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

Approved by the Board this 10th day of February, 2015.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, Secretary/Township Manager

AN ORDINANCE

NO. 15-1299

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin By Revising Chapter 9, Electoral Districts In Order To Reapportion The Seven Wards Of The Township Of Upper Dublin, Montgomery County, Pennsylvania By Revising The Boundary Lines Thereof Based On The 2010 Federal Census In Order To Make The Populations In Each Ward As Nearly Equal As Practicable.

WHEREAS, Article IX, Section 11, of the Constitution of the Commonwealth of Pennsylvania, and the Municipal Reapportionment Act, require the Board of Commissioners of the Township of Upper Dublin (the "Board of Commissioners") to reapportion the Township within the year following the year in which the Federal decennial census is officially reported as required by Federal Law, and at such other times as the Board shall deem necessary; and

WHEREAS, the results of the 2010 Federal Census were reported to the President of the United States in December 2010 as required by Federal Law and made available on the census block level shortly thereafter in 2011 by the United States Census Bureau; and

WHEREAS, Section 536 of the Pennsylvania Election Code, as amended, prohibits the establishment, abolishment, or alteration of any election district until all judicial appeals to the 2012 Congressional Reapportionment Plan have been resolved, whichever occurs later; and

WHEREAS, the Board of Commissioners now has the authority to reapportion the Township under the Pennsylvania Election Code;

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

Section 1. The Code of the Township of Upper Dublin, Chapter 9 thereof, entitled Electoral Districts, is hereby amended to provide as follows:

Chapter 9

ELECTORAL DISTRICTS

§9-1. Reapportionment of wards.

There shall continue to be seven (7) wards in the Township of Upper Dublin, which wards are hereby reapportioned to be as nearly equal in population as practicable based on the official statistics of the 2000 Federal Census conducted by the United States Census Bureau.

§9-2. Retention in office and new elections.

The commissioners in office at the time of this reapportionment shall retain their offices and continue to represent their respective wards until the end of their respective terms. The election

of commissioners under the reapportionment shall be held in accordance with the First Class Township Code, 53 P.S. § 55101 *et seq*, and the Pennsylvania Election Code, 25 P.S. § 2600 *et seq*.

§9-3. Boundaries of the First Ward, Ward One.

The boundaries of the First Ward shall be as shown on the Electoral District Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward One (1), situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the north by the Borough of Ambler and the Township of Lower Gwynedd; to the west by the Township of Whitpain; and to the south by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, at the intersection of the center line of Susquehanna Road and the center line of Tennis Avenue; THENCE from said point of beginning, along the center line of Susquehanna Road, in a southeasterly direction, crossing the north and south Branch of the Rose Valley Creek, to the center line of Butler Pike; THENCE leaving Susquehanna Road, extending in a northerly direction along the center line of Butler Pike to the center line of the Route 309 Expressway; THENCE leaving Butler Pike, extending in a southerly direction along the center line of the Route 309 Expressway to the center line of Susquehanna Road; THENCE leaving the Route 309 Expressway, extending in a northwesterly direction along the center line of Susquehanna Road to the center line of Cedar Road; THENCE leaving Susquehanna Road, extending along the center line of Cedar Road in a southwesterly direction, crossing the beds of Hoffman Road, Forest Creek Drive, Meadowbrook Avenue, Booth Lane and Argyle Avenue to the center line of Loch Alsh Avenue; THENCE leaving Cedar Road, extending along the center line of Loch Alsh Avenue in a southeasterly direction, crossing the beds of Hoffman Road, Lake Drive, the Honey Run Creek and Farm Lane to the center line of the Route 309 Expressway; THENCE leaving Loch Alsh Avenue, extending along the center line of the Route 309 Expressway in a southerly direction, crossing the bed of Highland Avenue to the center line of Fort Washington Avenue; THENCE leaving the Route 309 Expressway, extending along the center line of Fort Washington Avenue in a southwesterly direction, crossing the beds of Creek Drive, Prospect Avenue and Spring Avenue to the center line of Montgomery Avenue; THENCE leaving Fort Washington Avenue, extending along the center line of Montgomery Avenue to the center line of Washington Lane; THENCE leaving Montgomery Avenue, extending along the center line of Washington Lane in a westerly direction to the center line of Bethlehem Pike; THENCE leaving Washington Lane, extending along the center line of Bethlehem Pike, southerly to the center line of Pennsylvania Avenue, the line dividing the Township of Upper Dublin from the Township of Whitemarsh; THENCE along said township line, northwesterly (this line being the extended center lines of Pennsylvania Avenue and Morris Road in this area) crossing the beds of the SEPTA Railroad, the Wissahickon Creek and entering the bed of Morris Road crossing the beds of Carey Drive and Butler Pike, to a point on the line between the Township of Upper Dublin and the Township of Whitpain; THENCE leaving the

extended center line bed of Morris Road, extending along the aforementioned Whitpain Township Line in a northeasterly direction, crossing the beds of Morris Road, the Wissahickon Creek, Maple Avenue and the SEPTA Railroad to a point on the borough line of the Borough of Ambler, a common point of said borough line with the Whitpain and Upper Dublin Township Lines; THENCE extending along the said borough line, in a counter-clockwise manner, around the Borough of Ambler, the following twelve (12) courses:

(1) Southwesterly, crossing Maple Avenue,
(2) Still southwesterly to an angle point;
(3) Southerly crossing Butler Pike to an angle point,
(4) Southeasterly, paralleling Wissahickon Creek and Morris Road to an angle point, in line of Church Street,
(5) Northeasterly, crossing the SEPTA Railroad to the center line of Church/Main Street,
(6) Southerly, along the center line of Main Street to the center line of Randolph Avenue,
(7) Leaving Main Street, easterly along the center line of Randolph Avenue to a point,
(8) Then perpendicular in a northerly direction, leaving Randolph Avenue to an angle point,
(9) Northeasterly, paralleling Church Street to the center line of Ambler Road,
(10) Along the center line of Ambler Road, northerly, to the center line of Church Street,
(11) Along the center line of Church Street, northeasterly, crossing Southern Avenue, Highland Avenue, Trinity Avenue, and Rosemary Avenue to the center line of Bethlehem Pike,
(12) Leaving Church Street, along the center line of Bethlehem Pike in a northerly direction, crossing the beds of Lindenwold Terrace, Ardross Avenue, Loch Alsh Avenue, Argyle Avenue, Homestead Lane, Butler Pike, East Fairview, Hagues Mill Road, the south branch of the Rose Valley Creek to the center line of Tennis Avenue;

THENCE leaving Bethlehem Pike, extending in a northeasterly direction along the center line of Tennis Avenue to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the First Ward.

§9-4. Boundaries of the Second Ward, Ward Two.

The boundaries of Ward Two shall be as shown on the Electoral District Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Two, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southwest corner of the Township, being bordered to the southwest by the Township of Whitemarsh, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Cedar Road; THENCE along the Susquehanna Road center line, in a southeasterly direction, to the center line of the Route 309 Expressway; THENCE leaving Susquehanna Road, extending along the Route 309 Expressway center line in a northerly direction to the center line of the Tannery Run Creek; THENCE along the bed of the Tannery Run Creek, in an easterly direction, crossing the access road to the Woods Apartments to the center line of Meetinghouse Road; THENCE leaving the Tannery Run Creek, extending along the center line of Meetinghouse Road in a southeasterly direction, crossing Joel Drive to the center line of Fort Washington Avenue; THENCE leaving Meetinghouse Road, extending along the center line of Fort Washington Avenue, in a northeasterly direction to the center line of Limekiln Pike; THENCE leaving Fort Washington Avenue, extending along the Limekiln Pike center line in a southerly direction, crossing the beds of Fulton Drive, Dillon Road and Broad Street to the center line of Mundock Road; THENCE leaving Limekiln Pike, extending in a westerly direction along the center line of Mundock Road to the center line of Susquehanna Road; THENCE leaving Mundock Road, extending in a northwesterly direction along the center line of Susquehanna Road, crossing the beds of Cinnamon Drive/ Cinnamon Circle, Crosby Road, Pinetown Road, and Broad Street to the center line of Dillon Road; THENCE leaving Susquehanna Road, extending along the Dillon Road center line in a southwesterly direction, crossing the bed of Crosby Drive to the center line of Wentz Drive; THENCE leaving Dillon Road, extending along the center line of Wentz Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Wentz Drive, extending along the Goodman Drive center line in a southwesterly direction crossing Hawthorne Lane to the center line of Hazelwood Drive; THENCE leaving Goodman Drive, extending along the Hazelwood Drive center line in a northerly direction to the center line of Victor Lane; THENCE leaving Hazelwood Drive, extending along the Victor Lane center line in a westerly direction crossing Nash Drive to the center line of Barton Drive; THENCE leaving Victor Lane, extending along the Barton Drive center line in a southeasterly direction, to the center line of Hartranft Avenue; THENCE leaving Barton Drive, extending along the Hartranft Avenue center line, in a westerly direction, crossing Cory Drive to the center line of Highland Avenue; THENCE leaving Hartranft Avenue extending along the Highland Avenue center line in a southerly direction to the center line of Pinetown Road; THENCE leaving Highland Avenue, extending along the Pinetown Road center line in a southwesterly direction, crossing New Jersey Drive and Delaware Drive to the center line of Commerce Drive; THENCE changing direction ninety degrees to a northwesterly direction, extending along the Commerce Drive center line, crossing the bed of the Route 309 Expressway, changing direction ninety degrees to a southwesterly direction to the center line of Pennsylvania Avenue (said center line being the line dividing the Township of Upper Dublin from the Township of Whitemarsh); THENCE leaving Commerce Drive, extending along the Pennsylvania Avenue center line in a northwesterly direction, crossing Summit Avenue and Fort Washington Avenue to the center line of Bethlehem

Pike; THENCE leaving Pennsylvania Avenue, extending along the Bethlehem Pike center line in a northerly direction to the center line of Washington Lane; THENCE leaving Bethlehem Pike extending along the Washington Lane center line in an easterly direction to the center line of Montgomery Avenue; THENCE extending along the Montgomery Avenue center line, in a southeasterly direction, to the center line of Fort Washington Avenue; THENCE leaving Montgomery Avenue, extending along the Fort Washington Avenue center line in an easterly direction crossing the beds of Spring Avenue, Prospect Avenue and Creek Drive to the center line of the Route 309 Expressway; THENCE leaving Fort Washington Avenue, extending along the Route 309 Expressway center line in a northeasterly direction, crossing the bed of Highland Avenue to the center line of Loch Alsh Avenue; THENCE leaving the 309 Expressway, extending along the Loch Alsh Avenue center line in a northwesterly direction crossing the beds of Farm Lane, Lake Drive and Hoffman Road to the center line of Cedar Road; THENCE leaving Loch Alsh Avenue, extending along the Cedar Road center line in an easterly direction, crossing the beds of Argyle Avenue, Booth Lane, Meadowbrook Avenue, Forest Creek Drive, and Hoffman Road to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe the perimeter of a political block or voting district in the Township of Upper Dublin known as the Second Ward.

§9-5. Boundaries of the Third Ward, Ward Three.

The boundaries of the Third Ward shall be as shown on the Ward Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Three, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northeast corner of the Township, being bordered to the north by the Township of Horsham and the Township of Upper Moreland; to the east by the Township of Abington; and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Jarrettown Road with the center line of Welsh Road; THENCE extending along the center line of Welsh Road in a southeasterly direction, following the common line between Upper Dublin, Horsham, and Upper Moreland Townships, crossing the beds of Dreshertown Road, the Pennsylvania Turnpike, the Norfolk Southern Trenton cutoff, Twining Road and Kimball Avenue to the center line of North Hills Avenue extended (said extended center line being the common line between Upper Dublin and Abington Townships in this area); THENCE leaving Welsh Road, extending along the extended center line of North Hills Avenue in a southwesterly direction crossing Sunnycrest Road, the bed of Goenter Road, recrossing Kimball Avenue, crossing the beds of Woodlyn Avenue, Alba Avenue, Elliot Avenue, Alba Avenue, entering the bed of North Hills Avenue, Brentwood Drive and School Lane to a

point in the center lines of North Hills Avenue, Woodland Avenue and Fitzwatertown Road; THENCE leaving North Hills Avenue and extending along the center line of Fitzwatertown Road, in a southwesterly direction to the point of the line extended along the center line of Paul Avenue (extended undedicated street) at Fitzwatertown Road; THENCE leaving Fitzwatertown Road extending in a line along the center line of Paul Avenue crossing the beds of Bernard Avenue, Henry Avenue, Karl Avenue to the center line of Dundee Drive; THENCE extending along the center line of Dundee Drive in a northeasterly direction to the center line of Malcolm Drive; THENCE extending along the center line of Malcolm Drive in a northerly direction to a point, said point being the intersection of the centerline of Malcolm Drive and the southwestern property line of Tax Block 14, Unit 1; THENCE extending in a northwesterly direction along the southwestern property line of Tax Block 14, Unit 1 and continuing along the same line to the center line of Twining Road; THENCE extending in a southwesterly direction along the center line of Twining Road to a point in the Twining Road center line, said point being the extension of the northeasterly property line of Tax Block 12, Unit 15 (also known as the Dresherbrooke Townhouse Development); THENCE extending along said property line in a northwesterly direction crossing the Twining Valley Golf Course to a point in the center line of the Norfolk Southern Trenton cutoff; THENCE along the center line of the Norfolk Southern Trenton cutoff in an easterly direction to a point in the center line of same (said point being the extension of the southwest line of the Dublin Hunt Open Space parcel); THENCE leaving the Trenton cutoff, extending along said extended property line, in a northwesterly direction, crossing the beds of the Pennsylvania Turnpike and the Pine Run Creek to a point in the center line of Dreshertown Road; THENCE extending along the center line of Dreshertown Road, in an easterly direction to the center line of Kirk's Lane; THENCE extending in a northwesterly direction along the center line of Kirk's Lane crossing the beds of Glenecho Lane and Harris Road to a point in the center line intersection of Kirk's Lane and Aiman Circle; THENCE continuing in a southwesterly direction along the center line of Kirk's Lane to the center line of Limekiln Pike; THENCE leaving Kirk's Lane and extending in a northerly direction along the center line of Limekiln Pike crossing the beds of Harris Road, the second time, Candlebrook Drive, and Mundock Road, to the center line of Jarrettown Road; THENCE leaving Limekiln Pike, extending in an easterly direction along the center line of Jarrettown Road crossing the beds of Kenmare Drive, Lexington Drive, Aidenn Lair Road, Dublin Road and Heard Drive, to a point where the property line between the Dublin Open Space (Tax Block 11, Unit 3) and the The Montessori School (Tax Block 11, Unit 4) intersects with Jarrettown Road; THENCE leaving Jarrettown Road, extending in a southerly direction along the property line between Dublin Open Space and The Montessori School to the common point between Dublin Open Space, The Montessori School, and Tax Block 1 ID, Unit 3; THENCE extending in a southwesterly line from said common point along the eastern boundary of the The Montessori School and beyond to a point at the southeast corner of the Dawesfield Open Space; THENCE extending in a southeasterly direction along the southern boundary of the Dawesfield Open Space and beyond to the center line of Dreshertown Road; THENCE extending in a northeasterly direction along the center line of Dreshertown Road crossing the beds of Tuckerstown Road and Dryden Road to the center line of St. Georges Road; THENCE extending in a northwesterly direction along the center line of St. Georges Road to the center line of Devonshire Road (extended); THENCE leaving St. Georges Road extending in a north to northwesterly direction along the center line of Devonshire Road crossing the bed of Harrington Road to the center line of Tuckerstown Road; THENCE extending in a northwesterly direction along the center line of Tuckerstown Road to the center line of Jarrettown Road;

THENCE extending in a northeasterly direction along the center line of Jarrettown Road to the center line of Welsh Road the first mentioned point and place of beginning. Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Third Ward.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Third Ward.

§9-6. Boundaries of the Fourth Ward, Ward Four.

The boundaries of the Fourth Ward shall be as shown on the Electoral District Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Four, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the southeast corner of the Township, being bordered on the northeast by the Township of Abington and on the southwest by the Township of Springfield, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Susquehanna Road, said point being the point of intersection of the center line of Susquehanna Road with the center line of Dillon Road; THENCE from said point of beginning, extending along the center line of Susquehanna Road in a southeasterly direction, crossing the beds of Broad Street/Pinetown Road, Crosby Drive and Cinnamon Drive/Cinnamon Circle, and Mundock Road to the center line of Camphill Road; THENCE leaving Susquehanna Road, extending along the center line of Camphill Road, in a southwesterly direction, crossing the beds of Office Center Drive and Cinnamon Drive to a point in the center line of Camphill Road, said point being the extension of the southern property line of Tax Block 52, Unit 15 (also known as Honeywell Corporation); THENCE leaving Camphill Road and extending along said property line in a southeasterly direction to an angle point in same, proceeding in a southeasterly direction along same property line, crossing the bed of Virginia Drive, proceeding along the aforementioned property line extended in a southerly direction, crossing the bed of the Pennsylvania Turnpike, still in a southerly direction along the extension of an interior tract line of Tax Block 52, Unit 7, changing direction from southerly to southwesterly, crossing the Norfolk Southern Trenton cutoff to a point, a common corner of Taxblock 53A, Unit 26 and Taxblock 53a, Unit 1; THENCE extending along the property line of Tax Block 53A, Unit 1, in a southeasterly direction to a point in the center line of Dreshertown Road, said point being the point of intersection of said property line extended with the Dreshertown Road center line; THENCE along the center line of Dreshertown Road, in a southwesterly direction, crossing the beds of Applewood Drive and Bluebird Lane to a point in the center line of Dreshertown Road, said point being the extension of the southern property line of Tax Block 54, Unit 13 (also known as Manufacturers Country Club); THENCE along said southern property line to an angle point in same, changing direction from an easterly to a southerly direction along same perimeter to its point of intersection with the Sandy Run Creek; THENCE along the Sandy Run Creek in an easterly direction to the center line of Twining Road;

THENCE leaving the Sandy Run Creek, extending along the center line of Twining Road in a southwesterly direction to a point in the center line of Twining Road, said point being the extension of the center line of Beechwood Avenue (not open); THENCE leaving Twining Road, extending along the unopened center line of Beechwood Avenue in a southeasterly direction crossing the bed of Limekiln Pike to the center line of Ruscombe Avenue extended (not open); THENCE along the center line of the unopened Ruscombe Avenue in a southwesterly direction to the center line of Summit Avenue extended (not open); THENCE extending along the center line of the unopened Summit Avenue in a southwesterly direction, crossing the bed of Limekiln Pike to the open portion of Summit Avenue, along said center line to the center line of Chelsea Avenue; THENCE leaving Summit Avenue and extending along Chelsea Avenue in a southwesterly direction, crossing Walnut Avenue, Chestnut Avenue and Mount Carmel Avenue to a point on the northwest line of the SEPTA Railroad; THENCE along said line in a southeasterly direction to an angle point; THENCE changing direction ninety degrees to the southwest, crossing the SEPTA Railroad to a point on the southeast side of the SEPTA Railroad, said point also being a common point in line of Springfield Township; THENCE along the same line in a northwest direction, recrossing the SEPTA Railroad to a point in the center line of Pennsylvania Avenue, said point being the extension of the common rear property line of those properties facing on Mill Road and Jackson Avenues; THENCE extending along the center line of Pennsylvania Avenue, in a northwesterly direction, crossing the beds of Mill Road, Garden Road, Twining Road, Apel Avenue, Bala Avenue, Weldy Avenue, Lafayette Avenue, Rech Avenue (after which this line becomes the center line of Pennsylvania Avenue extended), then continuing along said extended center line, still in a northwesterly direction, crossing the beds of Sandy Run Creek, Camphill Road, the Norfolk Southern Trenton cutoff, the Pennsylvania Turnpike and the Route 309 Expressway, and Indiana Avenue to the center line of Commerce Drive; THENCE leaving the bed of Pennsylvania Avenue (this previous course had reentered the bed of Pennsylvania Avenue at the Indiana Avenue intersection) along the center line of Commerce Drive, in a northeasterly direction, crossing the Bodenstein Creek to an angle point (at which point Commerce Drive turns ninety degrees to the right), continuing along same in a southeasterly direction, crossing the Route 309 Expressway to a point in the center line of Pinetown Road; THENCE leaving Commerce Drive, changing direction ninety degrees to a northeasterly direction along the center line of Pinetown Road, crossing the beds of Delaware Drive and New Jersey Drive to the center line of Highland Avenue; THENCE leaving Pinetown Road, along the center line of Highland Avenue in a northwesterly direction, to the center line of Hartranft Avenue; THENCE leaving Highland Avenue, along the center line of Hartranft Avenue in a northeasterly direction, crossing Cory Drive to the center line of Barton Drive; THENCE leaving Hartranft Avenue, extending along the center line of Barton Drive in a northerly direction to the center line of Victor Lane; THENCE leaving Barton Drive, along the center line of Victor Lane, in a northeasterly direction, crossing the bed of Nash Drive to a point in the center line of Hazelwood Drive; THENCE leaving Victor Lane along the center line of Hazelwood Drive in a southerly direction to the center line of Goodman Drive; THENCE leaving Hazelwood Drive, extending along the center line of Goodman Drive, in a northeasterly direction, crossing the bed of Hawthorne Lane to the center line of Wentz Drive; THENCE leaving Goodman Drive, along the center line of Wentz Drive, in a northerly direction to the center line of Dillon Road; THENCE leaving Wentz Drive, extending along the center line of Dillon Road in a northeasterly direction, crossing the Mondauk waters and Crosby Drive, to the center line of Susquehanna Road, the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fourth Ward.

§9-7. Boundaries of the Fifth Ward, Ward Five.

The boundaries of Ward Five shall be as shown on the Electoral District Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Five, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located between the center of the Township and the southeast line of the Township being border by the Township of Abington, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Limekiln Pike, said point being the point of intersection of the center line of Limekiln Pike and the center line of Mundock Road; THENCE from said point of beginning, extending along the center line of Limekiln Pike in a southerly direction, crossing the beds of Candlebrook Drive and Harris Road to the center line of Kirks Lane; THENCE leaving Limekiln Pike and extending along the center line of Kirks Lane in a northeasterly direction, crossing the bed of Aiman Circle and continuing along said center line and crossing the beds of Harris Road and Glenecho Lane to the center line of Dreshertown Road; THENCE leaving Kirks Lane and extending along the center line of Dreshertown Road in a southwesterly direction to a point in the center line of Dreshertown Road, said point being the extension of the southern property line of the Dublin Hunt Open Space parcel; THENCE along said line in a southeasterly direction, along the aforementioned Open Space parcel and crossing Tax Block 12, Unit 12, and Tax Block 12, Unit 13, and crossing the Pennsylvania Turnpike to the center line of the Norfolk Southern Trenton cutoff; THENCE leaving said line and extending along the center line of the Trenton cutoff in a southwesterly direction to a point, said point being the intersection of the center line with the property line of the Dresherbrooke townhouse project; THENCE extending along said line in a southeasterly direction through the lands of the Twining Valley Golf Course to a point in the center line of Twining Road; THENCE extending along the center line of Twining Road in a northeasterly direction to a point, said point being the intersection of the center line of Twining Road and a line extended from the southwestern property line of Tax Block 14, Unit 1; THENCE leaving Twining Road extending in a southeasterly direction along the extended line of the southwestern property line of Tax Block 14, Unit 1 to the center line of Malcolm Drive; THENCE extending in a southerly direction along the center line of Malcolm Drive to the centerline of Dundee Drive; THENCE extending along the center line of Dundee Drive in a southwesterly direction to the extended center line of Paul Avenue (extended undedicated street); THENCE leaving Dundee Drive extending southeast along the center line of Paul Avenue to the center line of Fitzwatertown Road; THENCE extending in a southwesterly direction along the center line of Fitzwatertown Road crossing the beds of Burn Brae Drive and Alpin Drive to the center line of Anzac Avenue; THENCE leaving

Fitzwatertown Road extending in a southeasterly direction along the center line Anzac Avenue to the center line of Clemens Avenue; THENCE leaving Anzac Avenue extending in a southwesterly direction along the center line of Clemens Avenue to the center line of Susquehanna Road; THENCE leaving Clemens Avenue extending in a southeasterly direction along Susquehanna Road to a point, said point being the point of intersection of the rear property line of Tax Block 78, Unit 19 extended; THENCE along said line in a southwesterly direction, along the rear property line of Tax Block 78, Units 19 through 24, and continuing along said line extended and crossing the beds of Madison Avenue, Jefferson Avenue, Lincoln Avenue, Spear Avenue and Woodrow Avenue to the center line of Jenkintown Road; THENCE extending along the center line of Jenkintown Road in a northerly direction to the center line of North Hills Avenue; THENCE along the center line of North Hills Avenue in a southwesterly direction to a point in the center line of North Hills Avenue, said point being the extension of the Beechwood Avenue center line (not open) ; THENCE leaving North Hills Avenue and extending along the unopened Beechwood Avenue center line in a northwesterly direction to the center line of Twining Road; THENCE extending along the Twining Road center line in a northerly direction to a point in the center line of the Sandy Run Creek; THENCE along the Sandy Run Creek in a southwesterly direction to a point, the point of intersection of the center line of the Sandy Run Creek and the westerly property line of Tax Block 54, Unit 13, Lands of Manufacturers Country Club; THENCE along said westerly property line, in a northerly direction to an angle point in the perimeter line of said parcel, thence along same perimeter line in a northwesterly direction to the center line of Dreshertown Road; THENCE along the center line of Dreshertown Road, in a northeasterly direction crossing the beds of Bluebird Lane and Applewood Drive to a point in the center line of Dreshertown Road, said point being the extension of the northern property line of Tax Block 53A, Unit 1; THENCE along said property line in a northwesterly direction to a point, a common corner of Tax Block 53A, Unit 1 and Tax Block 53A, Unit 26; THENCE extending in a northeasterly direction along an interior tract line of Tax Block 52, Unit 7 crossing the Norfolk Southern Trenton cutoff to a point, said point being an intersection of said interior tract line and the northerly property line of Tax Block 52, Unit 15 (Honeywell Corporation) extended; THENCE extending along the said extension of the northerly property line of Block 52, Unit 15, (Honeywell Corporation) in a northerly direction, crossing the beds of the Pennsylvania Turnpike, Virginia Drive and past the terminus of the West Office Center Drive cul-de-sac to an angle point in the said Honeywell property line, extending along same, in a northwesterly direction to the center line of Camphill Road; THENCE leaving Honeywell property line and extending along the center line of Camphill Road, in a northeasterly direction crossing the beds of Cinnamon Drive and Office Center Drive to the center line of Susquehanna Road; THENCE leaving Camphill Road and extending along the center line of Susquehanna Road, in a northwesterly direction, to the centerline of Mundock Road; THENCE leaving Susquehanna Road extending along the center line of Mundock Road in a northeasterly direction to the center line of Limekiln Pike the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Fifth Ward.

§9-8. Boundaries of the Sixth Ward, Ward Six

The boundaries of Ward Six shall be as shown on the Ward Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Six, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located along the northwest line of the Township, being bordered by the Township of Horsham, and being bound and described as follows, to wit:

BEGINNING at a point in the center line of Welsh Road, said point being the point of intersection of the center line of Welsh Road with the center line of Limekiln Pike, said point also being a point in the common line between the Township of Upper Dublin and the Township of Horsham; THENCE from said point of beginning extending along the center line of Welsh Road in a southeasterly direction crossing the beds of Norristown Road, Howe Lane, Terrace Drive, Farmview Road, Fort Washington Avenue, Dillon Road, Purdie Lane, Spring Hill Drive, Brittany Drive to the center line of Jarrettown Road (extended); THENCE leaving the bed of Welsh Road and extending along the center line of Jarrettown Road in a southwesterly direction crossing the bed of Holly Hill Lane to the center line of Tuckerstown Road (extended); THENCE leaving the bed of Jarrettown Road and extending southeasterly direction along the center line of Tuckerstown Road to the center line of Devonshire Road (extended); THENCE leaving the bed of Tuckerstown Road and extending along the centerline Devonshire Road in a southeast to southerly direction to the center line of St. Georges Road; THENCE in a southeasterly direction along the center line of St. Georges Road to the center line of Dreshertown Road; THENCE extending along the center line of Dreshertown Road in a southwesterly direction and crossing the bed of Dryden Road and Tuckerstown Road to a point where the extended property line along the southern border of the Dawesfield Open Space intersects with the center line of Dreshertown Road; THENCE, from said point of intersection extending along the extended southern property line of the Dawesfield Open Space in a northwesterly direction to a point at the southwest corner of the Dawesfield Open Space; THENCE from said point at the southwest corner of the Dawesfield Open Space extending in a northeasterly direction along the extended property line of the eastern boundary of The Montessori School to the common point between the Dublin Open Space, The Montessori School, and Tax Block 1 ID, Unit 3; THENCE, from said common point extending in a northerly direction along the property line between the Dublin Open Space and The Montessori School to a point where the said property line intersects with the center line of Jarrettown Road.; THENCE in a westerly direction along the center line of Jarrettown Road crossing the beds of Heard Drive, Dublin Road, Aiden Lair Road, Lexington Drive, Kenmare Drive to the center line of Limekiln Pike; THENCE leaving Jarrettown Road and extending along the center line of Limekiln Pike in a northerly direction, crossing the beds of Broad Street, Dillon Road, Fulton Drive, Fort Washington Avenue, Shepard Drive, Bell Lane, Howe Lane, Wright Drive, Thornbury Drive, and Norristown Road to the center line of Welsh Road, said center line being the first mentioned point and place of beginning. Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Sixth Ward.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Sixth Ward.

§9-9. Boundaries of the Seventh Ward, Ward Seven.

The boundaries of Ward Seven shall be as shown on the Electoral District Map, dated October 30, 2014 and prepared by Metz Engineers, which is on file and is available for public inspection in the office of the Township Secretary, the legal description thereof being as follows:

ALL THAT CERTAIN political block or voting district known as Ward Seven, situate in the political subdivision known as the Township of Upper Dublin, County of Montgomery, Commonwealth of Pennsylvania, said Ward being located in the northwest corner of the Township, being bordered by the Townships of Lower Gwynedd and Horsham, and being bound and described as follows, to wit:

BEGINNING at a point, said point being located at the intersection of the center lines of Welsh Road and Tennis Avenue, said point also being a common corner of Upper Dublin Township and Lower Gwynedd Township and also a point in the southeast line of Horsham Township, thence from said point of beginning, extending along the center line of Welsh Road in a southeasterly direction and crossing the beds of Webster Lane, Daisy Lane and Butler Pike to the center line of Limekiln Pike; THENCE leaving Welsh Road, extending in a southerly direction along the center line of Limekiln Pike crossing the beds of Norristown Road, Thornbury Drive, Wright Drive, Howe Lane, Bell Lane, Shepherd Drive to a point in the center line of Fort Washington Avenue; THENCE leaving Limekiln Pike and extending along the center line of Fort Washington Avenue in a southwesterly direction to the center line of Meetinghouse Road; THENCE leaving Fort Washington Avenue and extending along the center line of Meetinghouse Road in a northwesterly direction, crossing the bed of Joel Drive to the center line of the Tannery Run Creek; THENCE leaving Meetinghouse Road and extending along the center line of the Tannery Run Creek in a westerly direction along lands now or late of the Tannery Woods Homeowner's Association and crossing the access drive to the Woods Apartments to the center line of the Route 309 Expressway; THENCE leaving the Tannery Run Creek and extending along the Route 309 Expressway in a northerly direction to the center line of Butler Pike; THENCE leaving the Route 309 Expressway extending along the center line of Butler Pike in a westerly direction to the center line of Susquehanna Road; THENCE leaving Butler Pike, extending in a northwesterly direction along the center line of Susquehanna Road and crossing the north branch of the Rose Valley Creek, the bed of Arrowhead Trail, and Willow Avenue to the center line of Tennis Avenue; THENCE leaving Susquehanna Road and extending along the center line of Tennis Avenue in a northeasterly direction (said center line being the common line between the Townships of Upper Dublin and Lower Gwynedd in this area) crossing the beds of Arrowhead Trail, the Route 309 Expressway, Cheston Lane, Gift Circle, Stout Road, Norristown Road, Executive Drive, Jem Drive and Annasmead Road to the intersection of the center lines of Tennis Avenue and Welsh Road, the first mentioned point and place of beginning.

Intending to describe a political block or voting district situate in the Township of Upper Dublin known as the Seventh Ward.

Section 2. Nothing in this Ordinance or in the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing under the Code of the Township of Upper Dublin prior to this amendment; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

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

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

ENACTED AND ORDAINED this 10th day of February, 2015.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN

Ira S. Tackel, President

ATTEST:

Paul A. Leonard, SECRETARY