

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
100	06/1954	Reduces side and rear yards adjacent to a railroad right-of-way
101	05/1954	Ratifies Sanitary Sewer Agreement with Abington Township for Sandy Run drainage area
102	05/1954	Condemns land for pumping station near Mill Road
103B	02/1955	Levies taxes for 1955
104	07/1955	Creates Parks & Recreation Board of Commissioners
105	12/1954	Rezones land at Pennsylvania Avenue and Mill Road to "I" Business District
106	02/1955	Rezones area at Pennsylvania Avenue near Spring Avenue LIM – Limited Industrial
107	02/1955	Adopt Budget 1955
108	04/1955	Rezones land near Susquehanna & Fitzwatertown Roads "U" Residential
109	04/1955	Increases sewer charge from \$15 to \$50
110	04/1955	Provides for minimum habitable floor areas for dwellings and apartment units
111	04/1955	Amends Ordinance No. 3, increases fines
112	04/1955	Construction of sanitary sewers in North Hills Avenue
113	06/1955	Refuse collection systems and disposal methods
114	06/1955	General Obligation Bonds: Fire House construction & equipment
115	06/1955	Paving & curbing of Walnut Lane, Logan Avenue, Linden Avenue, Chelsea Avenue
116	07/1955	Cleaning of cesspools
117	06/1955	Redesignation of zoning districts, set back in lots, off-street parking and loading

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<u>No.</u>	<u>Date</u>	<u>Description</u>
118	09/1955	Designates rate of speed on Butler Avenue
119	10/1955	Subdivision Ordinance
120	10/1956	Organization and regulation of Fire Company
121	11/1955	Amendment to zoning ordinance & zoning map
122	04/1956	Vacates Harrison Avenue, etc.
123	07/1956	Amends Ordinance No. 3
124	02/1956	Acquires land for public parks
125	02/1956	Deed of dedication to accept roads
126	12/1955	Reenacts Ordinance No. 103B
127	12/1955	Amends Zoning Code
128	10/1956	Changes name of Off Welsh Road
129	12/1955	Relocates a portion of Camp Hill Road
130	12/1955	Lays out a portion of Spring Avenue
131	01/1956	Designates land adjacent to Limekiln Pike and Twining Road as "A" Residential
132	02/1956	1956 Annual Budget
133	04/1956	Amends Ord. No. 124, public parks
134	06/1956	Sewer Rentals
135	06/1956	Designates land adjacent to Fitzwatertown Rd & Susquehanna Rd as "B" Residential
136	06/1956	Private garages opening into dwellings
137	06/1956	Construction of sewers on Bannockburn Avenue

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
138	07/1956	Lays out and opens certain roads
139	09/1956	Establishes Commerce Drive
140	08/1956	Zoning Ordinance
141	09/1956	Amends Ordinance No. 3
142	09/1956	Sanitary Sewers on Church Road, etc.
143	12/1956	Amends Ordinance No. 3
144	12/1956	Real Estate Transfer Tax
145	12/1956	Appropriation for police protection, fire protection, street lighting, sanitary sewers
146	02/1957	Amends zoning ordinance
147	02/1957	Amends zoning ordinance
148	02/1957	Individual sewage disposal system
149	02/1957	Annual budget for 1957
150	03/1957	“No Parking” on Pennsylvania Avenue
151	04/1957	Dog ordinance re: running at large
152	04/1957	Increase in debt to provide improvements
153	04/1957	Laying out of Harris Road
154	05/1957	Laying out of Belmont Avenue
155	05/1957	Vacates Belmont Avenue
156	08/1957	Hunting Ordinance
157	09/1957	Compensation to Township Treasurer & Tax Collector
158	09/1957	Amends Zoning Ordinance

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
159	10/1957	Swimming Pools and artificial bodies of water
160	12/1957	Police Pension Fund
161	11/1957	General Obligation Bonds
162	12/1957	Provides additional revenue
163	12/1957	Changes certain appropriations
164	01/1958	Amends zoning ordinance
165	02/1958	Annual budget for 1958
166	03/1958	Establishes grad and cartway of Kimball Avenue
167	03/1958	Sanitary sewers in Kimball Avenue
168	03/1958	Lays out Alba Road
169	04/1958	Outfall sewer contribution
170	05/1958	Paving and curbing for Alba Road
171	07/1958	Lays out Woodland Avenue
172	07/1958	Woodland Avenue improvements
173	07/1958	Sanitary sewer connections at North Hills & Apel Avenues
174	07/1958	Bethlehem Pike speed limit
175	08/1958	Sewer Rentals
176	08/1958	No Parking regulations
177	09/1958	Fire prevention code
178	12/1958	Provides additional revenue
179	12/1958	Changes certain appropriations

UPPER DUBLIN TOWNSHIP ORDINANCES

<u>No.</u>	<u>Date</u>	<u>Description</u>
180	01/1959	Amends Zoning Ordinance
181	02/1959	Fixes tax rate for 1959
182	03/1959	Establishes Revolving Fund
183	03/1959	Sanitary sewer contributions
184	06/1959	Concrete requirement for streets & curbs
185	08/1959	Sewer system
186	07/1959	Sanitary sewers on Pennsylvania Avenue
187	07/1959	Fitzwatertown sewer area
188	07/1959	Sewer rentals
189	08/1959	Amending Ordinance 187
190	11/1959	Regulates Installation of Oil Burning & Gas Fired Equipments
191	11/1959	Taking property for sewer pumping station Kimball Avenue
192	11/1959	Taking property for sewer system Fitzwatertown sewer area
193	11/1959	Amending ordinance 140 Zoning extending Commercial District (CR)
194	12/1959	Tax rate for 1960
195	12/1959	Increasing sewer rates
196	12/1959	Transfer of funds from Land Purchase to Zoning and Trash
197	12/1959	Regulates solicitors, peddlers, hawkers and itinerant merchants
198	01/1960	Establishes dates of regular meetings
199	01/1960	Amends zoning ordinance by redefining agricultural uses

ORDINANCE NO. 100

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING SUB-SECTION 4 OF SECTION 803 OF ORDINANCE NO. 86 ADOPTED FEBRUARY 9, 1954, BY REDUCING THE SIDE AND REAR YARDS ADJACENT TO A RAILROAD RIGHT OF WAY.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Upper Dublin and it is hereby enacted by authority of the same:

Section 1. Amend Section 803 of Ordinance No. 86 adopted February 9, 1954 by adding Section 4-a which will read as follows:

"4-a. Exceptions for Yards Adjoining Railroads. Notwithstanding the provisions of Paragraphs 2, 3, 5 and 6 above, where a side yard or rear yard adjoins a railroad, buildings may be erected in any portion thereof, and any portion thereof may be used for parking or loading purposes, subject to Paragraph 4 above."

ORDAINED and ENACTED this 8th day of June, 1954,
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 101

AN ORDINANCE RATIFYING AN AGREEMENT BETWEEN THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AND THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, DATED JULY 1, 1950, COVERING THE RIGHTS AND OBLIGATIONS OF THE CONTRACTING PARTIES IN THE SANITARY SEWER SYSTEM WITHIN THE SANDY RUN DRAINAGE AREA.

WHEREAS, the Township of Abington and the Township of Upper Dublin, both of the County of Montgomery and Commonwealth of Pennsylvania, entered into a written agreement dated July 1, 1950 covering the rights and obligations of the respective contracting parties in the sanitary sewer system within the so-called Sandy Run Drainage Area situate partly in the Township of Abington and partly in the Township of Upper Dublin, and

WHEREAS, it is the desire to approve and ratify the aforesaid agreements by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania:

Section 1. That the agreement entered into between the Township of Abington and the Township of Upper Dublin and dated the 1st day of July, 1950 in connection with the rights and obligations of the respective townships in the construction, operation and maintenance of a sanitary sewer system within the Sandy Run Drainage Area partly within Abington Township and partly within Upper Dublin Township, and as is more particularly set forth in the aforesaid agreement, a copy of which is on file with the Secretaries of the respective townships, be and the same is hereby approved and ratified.

ORDAINED and ENACTED this 11th day of May, 1954.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Nathan P. Bauman, Vice President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 102

AN ORDINANCE TAKING, ACQUIRING AND APPROPRIATING CERTAIN REAL PROPERTY, INCLUDING ANY IMPROVEMENTS THEREON, LOCATED IN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, FOR THE PURPOSE OF CONSTRUCTION, OPERATING AND MAINTAINING A SEWER PUMPING STATION IN CONNECTION WITH THE SEWAGE SYSTEM BEING INSTALLED BY THE UPPER DUBLIN TOWNSHIP AUTHORITY, WHICH PROPERTY IS LOCATED ON PENNSYLVANIA AVENUE NEAR MILL ROAD, UPPER DUBLIN TOWNSHIP, BEING THE PROPERTY NOW ON LOTS OF WILLIAM A. BIGGERSTAFF.

WHEREAS, the Township of Upper Dublin, Montgomery County, Pennsylvania, a public body existing in accordance with the laws of the Commonwealth of Pennsylvania desires to acquire a site for the construction, operation and maintenance of a sewage pumping station in connection with the sewer system being installed by the Upper Dublin Township Authority in the East Oreland District of Upper Dublin Township, and

WHEREAS, the hereinafter described real property, including improvements and fixtures, is situate within the site selected by the Upper Dublin Township Authority with the approval of the Township of Upper Dublin, and

WHEREAS, the owners and reputed owners of the real property have been unable to agree upon a price or consideration for the said property.

NOW THEREFORE, BE IT ORDAINED by the Commissioners of Upper Dublin Township in the County of Montgomery and Commonwealth of Pennsylvania and it is hereby enacted and ordained by authority of the same.

Section 1. That the hereinafter described real property, including any improvements and fixtures, is required and is necessary for the construction, operation and maintenance of a sewage pumping station in connection with the sewer system being installed by the Upper Dublin Township Authority in the East Oreland Sewer District of the Township of Upper Dublin; and that the said Township of Upper Dublin, by virtue of its powers in the Act of General Assembly of the Commonwealth of Pennsylvania, hereinbefore set out, hereby takes, acquires and appropriates for the purpose of the construction, operation and maintenance of a sewage pumping station in connection with the sanitary sewer system being constructed in the East Oreland District of Upper Dublin Township by the Upper Dublin Township Authority, All that certain piece of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, belonging to now or late William A. Biggerstaff as recorded in the Office for the Recording of Deeds for the County of Montgomery in Deed Book 395, page 270 and as shown on a plan prepared by Albright & Friel, Inc., Consulting Engineers, Philadelphia, Pennsylvania, dated March 29, 1954, attached and made a part hereto, bounded and described as follows:

BEGINNING at a point in the Northeasterly side line of Pennsylvania Avenue (fifty feet wide) said point being located a distance of one hundred sixteen and seventy-eight one-hundredths feet measured Southeasterly along the Northeasterly side line of Pennsylvania Avenue (fifty feet wide) from the intersection of the Southeasterly side line of Mill Road (fifty feet wide) said point also being in the line dividing lands now or late of William A. Biggerstaff and North Hills Homes, Inc.,

THENCE extending along the line dividing lands of now or late William A. Biggerstaff and North Hills Homes, Inc., North forty-three degrees twenty-eight minutes East a distance of one hundred fourteen and eighty-four one-hundredths feet to a point in line of lands of Fay and Ray Dorman.

THENCE extending along the line dividing lands of now or late William A. Biggerstaff and Fay and Ray Dorman South forty-six degrees thirty-two minutes East a distance of twenty-five feet to a point.

THENCE extending along the line dividing the lands of now or late William A. Biggerstaff and Fay and Ray Dorman and being parallel to and twenty-five feet Southeasterly from the first described course, South forty-three degrees twenty-eight minutes West, a distance of one hundred fourteen and eighty-six one-hundredths feet to a point in the Northeasterly side line of Pennsylvania Avenue (fifty feet wide).

ORDINANCE NO. 102

(continued)

THENCE extending along the Northerly side line of the said Pennsylvania Avenue, curving to the right in a Northwesterly direction with a radius of nine hundred fifty-two and six one-hundredths feet an arc distance of twenty-five and ten one-hundredths feet to a point and place of beginning.

CONTAINING .0659 Acres of land to be the same more or less.

Section 2. The Solicitor of the Township of Upper Dublin is hereby authorized and directed to take such other and further steps in Court or elsewhere as may be necessary to carry out the provisions of this ordinance.

APPROVED by the Commissioners and enacted into an ordinance this 11th day of May, 1954.

COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP

By: /s/ Nathan P. Bauman
Vice President

Attest: /s/ E. Roger Stevens

G. M. Deck & Co.
John H. Glenn

Turpentine
Loader

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Meeting recessed.

Nathan P. Bauman *Elmer Stevens*
 _____ Secretary

see minutes of 6/8/54

June 3, 1954.

The Commissioners of Upper Dublin Township met on this date to hold a public hearing on the petitions of Herbert Barness for a re-zoning of part of the McNany Farm - 86 acres - bounded by North Hills Avenue, Old Welsh Road, Welsh Road and Twining Road, from "D" Residential to "U" Residential (it is presently zoned "U" on the North Hills Avenue front for a depth of 500 feet); also the petition of McClatchy Building Corporation for a re-zoning of part of the Wunderle property, Fitzwatertown Road and Susquehanna Road, and adjoining the Burn Brae Country Club from "D" Residential to "U" Residential (part of this fronting on Fitzwatertown Road, and extending approximately 500' in depth, is now zoned "U" Residential.

In addition to the above there was on the agenda for a public hearing the proposed amendment to Ordinance No. 85 - the Real Estate Transfer Tax.

In attendance: Nathan P. Bauman, Raymond Jenkins, Horace C. Shuman, and Harry T. Wentz, Commissioners; Elmer L. Menges, Solicitor; Joseph A. Green, Engineer; E. R. Stevens, Secretary.

Meeting called to order at 8 o'clock P. M., the Vice President presiding.

Petition of Herbert Barness for re-zoning of ground, referred to above, was presented by Mr. Barness. Transcription of hearing on file with application and copies mailed to Commissioners.

Petition of McClatchy Building Corporation for re-zoning of ground bordering on Fitzwatertown Road, Susquehanna Road and Twining Road, presented by Harry T. Rosenheim, Attorney. Transcription of hearing on file with application and copies mailed to Commissioners.

ORDINANCE NO. 103

To amend and supplement Ordinance No. 85, entitled "To provide for general revenue for Township purposes by imposing, assessing and levying a tax upon documents which transfer and convey lands, tenements or hereditaments, or any interest therein, situate wholly or partly within the Township, imposing duties and conferring powers upon the Township Treasurer, providing for the payment of the tax by the grantor, prescribing the method and

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manner of collecting the tax, providing certain exemptions, and imposing penalties" was adopted on motion of Shuman and Wentz.

The Public Hearing was adjourned and the recessed meeting of May 11th was then called on for business.

There was some discussion of the extent of the non-conforming use of his property by Warren Self, and the Building Inspector was instructed to check and, if the expansion of this business exceeded that permitted under the Code, to prosecute for violation thereof. Also to investigate conditions under which Edmund Berry and Woodrow Shepherd may be operating at their homes on Ft. Washington Ave., and advise if there is any apparent violation of the Zoning Code, on motion of Shuman and Jenkins.

Secretary's Report, as follows, accepted on motion of Shuman and Wentz:

General Fund - Receipts	\$1 076.77
Expenditures	6 570.52
General Funds available -	
Ambler National Bank	\$1 392.42

Treasurer's Report, as follows, accepted on motion of Wentz and Jenkins:

General Fund -	
Balance May 1, 1954	\$41 261.96
Receipts	1 717.50
	<u>\$42 979.46</u>
Expenditures	<u>6 570.52</u>
Balance May 31, 1954	\$36 408.94
Liquid Fuel Tax -	
Balance May 31, 1954	\$ 2 060.49
Sinking Fund - Bond Series 1947 -	
Balance May 31, 1954	\$ 11.85
Sinking Fund - Bond Series 1952	
Balance May 31, 1954	\$ 112.50

On motion of Jenkins and Wentz, the following Resolution was approved:

RESOLVED that Sunnybrook, Inc., be authorized to develop Sections 3 and 4, as shown on Plan of "The Fairways", dated April 22, 1953, on condition that a bond, as provided by the terms of Ordinances No. 41 and No. 70, be executed and delivered in the sum of \$100,000.00.

ORDINANCE

AN ORDINANCE IMPOSING A TAX TO PROVIDE GENERAL REVENUE FOR THE TOWNSHIP OF UPPER DUBLIN UPON CERTAIN DOCUMENTS TRANSFERRING TITLE TO REAL PROPERTY, UPON THE PRIVILEGE OF TRANSFERRING TITLE OF REAL PROPERTY, AND UPON THE TRANSFER OF TITLE TO AND THE ACCEPTANCE OF POSSESSION OF REAL PROPERTY, SITUATE WHOLLY OR PARTLY WITHIN THE TOWNSHIP OF UPPER DUBLIN; IMPOSING THE TAX UPON THE GRANTOR, THE TRANSFEROR AND THE PARTY ACCEPTING POSSESSION; IMPOSING DUTIES AND CONFERRING POWERS UPON THE COLLECTOR; PRESCRIBING THE METHOD AND MANNER OF COLLECTING THE TAX; PROVIDING CERTAIN EXEMPTIONS; AND IMPOSING PENALTIES.

The Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, does ordain a tax for general revenue for Township purposes and that the same be and hereby is imposed, assessed and levied pursuant to the authority granted by the Act of June 25, 1947, P. L. 1145, and thereafter amended, as hereafter provided.

Section 1. This Ordinance shall be known and may be cited as the "REALTY TRANSFER TAX ORDINANCE."

Section 2. Definitions. The following words or phrases when used in this Ordinance shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) PERSON — Any individual, partnership, association or corporation. Whenever used in any clause prescribing or imposing a penalty, the term person as applied to partnerships or associations shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

(b) COLLECTOR — The person designated by the Commissioners of the Township of Upper Dublin to collect the tax imposed by this Ordinance.

(c) DOCUMENT—Any deed, instrument or writing, whether or not executed, acknowledged or delivered within the Township, hereby any lands, tenements or hereditaments within the Township, or any interest therein, shall be granted, bargained, sold or otherwise conveyed, but does not include leases, agreements of sale or purchase, wills, mortgages, transfers between husband and wife and transfers between parent and child.

(d) VALUE — The gross amount of the actual consideration for the lands, tenements or hereditaments or interest therein, and the amount of any liens or other encumbrances on the lands, tenements or hereditaments, or interest therein, granted, bargained, sold or otherwise conveyed or of which possession is taken, or a commensurate part of the liens or other encumbrances thereon where such liens or other encumbrances also encumber other lands, tenements or hereditaments; Provided, that where any document evidencing the transfer of title shall be set forth a small or nominal consideration, the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale, or in the case of a gift, from the actual monetary worth of the property, or interest therein, granted, bargained, sold or otherwise conveyed or of which possession is taken.

Section 3.

(a) Every person who makes, executed, issues or delivers any document, or in whose behalf any document is made, executed, issued or delivered, shall pay therefor and in respect thereof or for or in respect of the vellum, parchment or paper upon which such document is written or printed, a tax at the rate of one per cent (1%) of the value of the property represented by such document, which tax shall be due and payable at the time of the making, execution, issuance or delivery of such document; Provided, that (i) where a person acquires title to any lands, tenements or hereditaments as a nominee or as a straw party for the real grantee or purchaser, the transfer of such title by such nominee or straw party to the real grantee or purchaser shall be exempt from this tax; and (ii) where a person acquires title to any

the purpose of holding the same as a nominee or as a straw party for the grantor, such transfer of title to the nominee or straw party shall be exempt from this tax; Provided, further that where any lands, tenements or hereditaments situated partly within and partly without the Township are conveyed by a document, such tax so levied shall be calculated on the valuation of that portion of such lands and tenements lying within the Township.

(b) Every person who transfers title to any lands, tenements or hereditaments within the Township or interest therein, shall pay for an in respect of the privilege of making such transfer, a tax at the rate of one per cent (1%) of the value of such property, unless (i) the tax provided for or intended to be provided for in Subsection (a) of this section, shall have been paid with respect to the document evidencing such transfer, or (ii) such document or such transfer is exempt pursuant to the provisions of Section 3 or Section 13 hereof. Where the lands, tenements or hereditaments so transferred are situated partly within and partly without the Township, such tax so levied shall be calculated on the valuation of that portion thereof lying within the Township. The tax provided for by this section shall be due and payable at the time of such transfer.

(c) Every person who accepts possession of any lands, tenements or hereditaments situate within the Township or any interest therein, pursuant to or in connection with a transfer of title thereof effected by means of a document, shall pay for and in respect of the privilege of such acceptance of possession a tax at the rate of one per cent (1%) of the value of such property, unless (i) the tax provided for in Subsection (a) of this section or the tax provided for or intended to be provided for in Subsection (b) of this section shall have been paid in respect of such document, or (ii) such document or the transfer effected thereby is exempt pursuant to the provisions of Section 3 or Section 13 hereof. Where the lands, tenements or hereditaments of which possession is so accepted are situated partly within and partly without the Township, such tax so levied shall be calculated on the valuation of that portion thereof lying within the Township. Such tax shall be due and payable at the time of such acceptance of possession.

Section 4. The tax shall be paid by the person who makes, executes, issues, delivers or accepts any document, or in whose behalf any document is made, executed, issued, delivered or accepted.

Section 5. The payment of the tax imposed by this ordinance shall be evidenced by a certificate substantially in the following form:

"It is hereby certified that the Realty Transfer Tax imposed by the Township of Upper Dublin has been paid in the sum of \$

Transferor or Agent"

Said certificate shall be attached to the document when lodged with or presented to the Recorder of Deeds for recording.

Section 6. Immediately thereafter, the person or an agent on his behalf, shall file a report, in triplicate, with the Collector, on forms prescribed by the latter, setting forth the true, full, complete and actual value; the names and addresses of the principals in the transaction; the location of the land, tenement or hereditaments; and such other information as the Collector may require.

Section 7. The tax shall be paid to the Collector. The Collector shall account for the taxes collected hereunder, in the same manner as other taxes collected for the Township.

Section 8. The Collector is hereby charged with the enforcement of the provisions of this Ordinance and is hereby authorized and empowered to adopt, promulgate, and enforce rules and regulations relating to the administration and enforcement of the provisions of this

Section 9. On or before the fifteenth day of each month, the Collector shall furnish the Secretary of the Township with a list of the transfers made during the preceding month, together with a list of taxes received.

Ordinance not paid when due a clear interest thereon at the rate of one-half of one per cent (½%) per month until paid.

Section 11. All taxes imposed by this Ordinance, together with interest from the due date, shall be recovered as other debts of like character are recovered.

Section 12. The tax imposed by this ordinance, together with interest and penalty of five per cent (5%) shall become a lien upon the lands, tenements or hereditaments, or any interest therein, situate wholly or partly within the Township, which are described in or conveyed by the document which is the subject of the tax imposed under Subsection (a) of Section 3 hereof, and as to which the transfer of title is subject to the tax imposed under Subsection (b) of Section 3 hereof, and as to which the acceptance of possession is subject to the tax imposed under Subsection (c) of Section 3 hereof, the said lien to begin at the time when the tax is due and payable and continue until discharged by payment, or in accordance with the law, and the Township Solicitor is authorized to file a municipal or tax claim for said tax in the Court of Common Pleas of Montgomery County in accordance with the provisions of the Municipal Lien Act of 1923, its supplements and amendments.

Section 13. Exemptions.

(a) No tax shall be collected on transfers from agent to principal of real estate purchased for and with funds of the principal.

(b) No tax shall be collected on transfers that are merely confirmatory unless the grantor receives some consideration for the execution and delivery of such document, in which case the tax shall be based on the value of the consideration actually paid to the grantor.

(c) No tax shall be collected on transfers from trustee to the beneficiaries in discharge of the terms of the trust instrument, except in the amount of actual consideration, if any, paid by the beneficiary.

(d) No tax shall be collected on transfers in partition unless the grantee receives a share of the real estate of a greater value than that of his undivided interest, in which event a tax should be collected, based upon the additional consideration received by the grantor.

(e) A tax shall not be collected on transfers by an executor to devisees, unless consideration passes between the devisees because one of them is receiving a greater share in the real estate than to which the Will entitled him, in which event the tax shall be computed upon the value of such consideration.

(f) A tax shall not be collected on transfers of easements based upon a nominal consideration.

Section 14. Any person violating any of the provisions of this Ordinance shall be liable, upon conviction, to a fine not exceeding Three Hundred Dollars (\$300.00) for each and every offense or to imprisonment in the County Jail for a period not exceeding thirty (30) days, or both, in the discretion of the Justice of the Peace, together with the costs of prosecution in each case, and further shall be required to pay the amount of the tax, together with interest and a five per cent (5%) penalty as is otherwise provided for herein which should be paid.

All prosecution for violation of this Ordinance shall be by summary proceedings brought in the name and for the use of the Township of Upper Dublin before a Justice of the Peace in Upper Dublin Township. All fines and penalties shall be paid to the Treasurer of Upper Dublin Township to apply to general funds.

Section 15. The provisions of this Ordinance are severable, and if any portion thereof is held to be invalid, the decision of the court shall not affect or impair any of the remaining portions 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 invalid portion had not been included herein.

APPROVED by the Board of Commissioners of the Township of Upper Dublin on February 12, 1955.

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 104

AN ORDINANCE TO CREATE A PARK AND RECREATION BOARD FOR THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, the Recreation Enabling Legislation, enacted by the General Assembly of the Commonwealth of Pennsylvania, provides that

a. Every civil subdivision of the Commonwealth shall have a general plan of its parks and playgrounds;

b. Every civil subdivision may acquire lands, property, and buildings for the purpose of establishing and maintaining public parks, parkways, playgrounds, playfields, gymnasiums, public baths, swimming pools, or indoor recreation centers;

c. Every civil subdivision may provide for supervising, equipping, and maintaining public recreation areas and facilities through any existing body or through a recreation board;

d. All civil subdivisions may levy and collect such special taxes (not to exceed 2 mills) as they may deem necessary to finance the operation and maintenance of their recreation system, and they may make direct appropriations for same;

e. Any city, borough, county or school district may perform the above public service jointly with any combination of civil subdivisions; and

WHEREAS, it is the considered judgment of the Commissioners that adequate public recreation programs and facilities of the Township of Upper Dublin can best be advanced by placing the recreation system under the supervision and direction of a legally constituted recreation board or commission authorized by the Recreation Enabling Legislation of Pennsylvania; therefore, be it

ORDAINED, by the Commissioners of Upper Dublin Township:

Section 1. That there is hereby created a recreation board known as the "Upper Dublin Township Park and Recreation Board".

Section 2. The board shall be composed of seven members, two of whom shall be appointed by the School Board of Upper Dublin Township, and five shall be appointed by the Commissioners. The Park and Recreation Board shall possess all the powers and be subject to all the responsibilities of the Commissioners by virtue of the Recreation Enabling Legislation. It shall have the power to provide, conduct and maintain public recreation areas, facilities and centers.

The Park and Recreation Board members shall serve for terms of five (5) years, and until their successors are appointed, except that the members first appointed shall be so appointed that the terms shall expire as follows: one member on the first Monday of January, 1955; two members, of whom one must be an appointee of the School Board, on the first Monday of January, 1956; one member on the first Monday of January 1957; two members, one of whom must be an appointee of the School Board on the first Monday of January 1958; and one member on the first Monday of January 1959. Vacancies shall be filled in the same manner as original appointments, and for the unexpired term. Members shall serve without pay.

Section 3. That the recreation board shall appoint from its membership a chairman and such other officers as it

may deem necessary for the orderly procedure of its business, and may adopt by-laws, rules, and regulations covering its procedure not inconsistent with the provisions of the State laws. The recreation board shall, from time to time, make rules governing the operation and conduct of the recreational facilities operated by the board. The board shall hold regular meetings at such times and places as it may designate.

Section 4. That the recreation board shall maintain, operate, and supervise the public parks, playfields, and all outdoor and indoor recreation areas and facilities owned or controlled by the Township of Upper Dublin.

Section 5. That the recreation board may accept any grant, gift, bequest, or donation of services, equipment, real estate or money from any individual or group, to be used as specified by the donor, or by the terms of acceptance. The recreation board shall have no authority to enter into any contract or incur any obligation binding upon the Township, other than current obligations or contracts to be fully executed within the then current fiscal year, and all within the budget appropriations made by the governing body of the Township.

Section 6. That the recreation board shall have the power to appoint an executive director or superintendent of recreation, who possesses the necessary qualifications and who has demonstrated by actual work his ability to organize and direct a community recreation system, and supervise the activities of such other personnel as may be deemed necessary in carrying out the program.

Section 7. That funds appropriated by the governing body of the Township and budgeted to the recreation board, shall be disbursed by the fiscal disbursing officer of the Township, upon vouchers issued by the recreation board and within the budget appropriations made. Funds received by the recreation board from sources other than budget appropriations shall be deposited by the Township to the credit and for the use of the said board, and disbursed as the above budget funds are disbursed, except that funds received by gift, bequest, or otherwise shall be disbursed in accordance with the terms of such gift or bequest, or the terms of the acceptance thereof.

Section 8. That the recreation board shall make full and complete reports to the governing body at such times as may be designated or requested by the governing body. The fiscal year of said recreation board shall conform to that of the Township.

Section 9. That such powers as are now or may hereafter be provided by statute of the Commonwealth of Pennsylvania, or by ordinances of the Township relating to the development and operation of recreation systems, public parks, and playgrounds, are hereby vested in the recreation board, to be exercised by it subject to any and all restrictions contained in such powers and ordinances.

Section 10. That all Ordinances of the Township in conflict herewith are repealed.

Section 11. That this Ordinance shall be in full force and effect ten (10) days after its advertising as provided by Law.

ADOPTED this 13th day of July, 1954.
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

Henry Lee Willet, Pres.
Attest: E. Roger Stevens, Secy

ORDINANCE NO. 196 105

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED THE 11TH DAY OF MARCH, 1947, DESIGNATED AS NO. 19 AND KNOWN AS THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946 AND THE MAP THEREOF, SO AS TO PROVIDE THAT CERTAIN TERRITORY ADJACENT TO PENNSYLVANIA AVENUE AND MILL ROAD AND SHOWN ON SAID MAP AS "L" BUSINESS DISTRICT BE CHANGED TO "I" BUSINESS DISTRICT.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. That the Zoning Map adopted and approved as a part of the Amended Upper Dublin Zoning Ordinance of 1946, as amended, be further amended as follows:

(a) That the territory hereinafter described be changed from "L" Business District to "I" Business District:

Beginning at a point on the Northeast side of Pennsylvania Avenue at the distance of 20 feet Northwest from the intersection of said side of Pennsylvania Avenue with the Northwest side of Mill Road; thence from said point of beginning, along said side of Pennsylvania Avenue, North 45 degrees, 27 minutes, 30 seconds West 130 feet to a point; thence leaving said Avenue North 44 degrees, 32 minutes, 30 seconds East 143.25 feet to a point; thence South 47 degrees, 6 minutes East 160.21 feet to a point on said side of Mill Road; thence along the same Southwestwardly on a line curving to the left with a radius of 770 feet an arc distance of 125.12 feet to a point of tangent; thence South 44 degrees, 32 minutes, 30 seconds West 3.27 feet to a point of curve; thence Westwardly on a line curving to the right with a radius of 20 feet an arc distance of 31.41 feet to the first mentioned point and place of beginning.

ORDAINED AND ENACTED this 28th day of December, 1954.
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 19-106

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED THE 11TH DAY OF MARCH, 1947, DESIGNATED AS ORDINANCE NO. 19 AND KNOWN AS THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946 AND THE MAP THEREOF, SO AS TO PROVIDE THAT CERTAIN TERRITORY ADJACENT TO PENNSYLVANIA AVENUE, LAND OF FRANK A. PEIRCE, ETC., AND SHOWN ON SAID MAP AS "U" RESIDENTIAL, BE CHANGED TO "R" — RESTRICTED INDUSTRIAL.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same.

Section 1. The Zoning Map adopted and approved as a part of the Amended Upper Dublin Zoning Ordinance of 1946, as amended, be further amended as follows:

(a) The territory hereinafter described be changed from "U" Residential to "R" — Restricted or Limited Industrial District:

ALL THAT CERTAIN tract of ground situate and bounded as follows:

BEGINNING at a point formed by the intersection of the center line of Pennsylvania Avenue and a prolongation of the Westerly right of way line of proposed express highway designated L. R. No. 782; thence extending North westerly along the center line of Pennsylvania Avenue at or near the Township Line between Upper Dublin and Whitmarsh Township, Northwesterly to a corner of land now or late of Frank A. Peirce; thence along the same and along land now or late of George Bodenstein and crossing Spring Avenue and along lands of the Fort Washington Heights subdivision North-easterly to the Westerly right of way line of the proposed highway designated No. 782; thence along the same in a general Southerly and Southwesterly direction crossing Spring Avenue and the various courses and distances to the point and place of beginning.

ORDAINED and ENACTED this 12th day of February A. D. 1955.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. R. Stevens, Secretary

Annual Budget for the Township of Upper Dublin

For The Year 1955

ORDINANCE NO. 107

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY and the Commonwealth of Pennsylvania, fixing the tax rate for the year 1955 and appropriating specific sums estimated to be required for the specific purposes of the Township government, hereinafter set forth, during the current fiscal year.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for Township purposes for the fiscal year 1955, as follows:

Tax rate for general Township purposes, the sum of eleven and one-quarter (11¼) mills on each dollar of assessed valuation, or the sum of one hundred twelve & one-half (112½) cents on each one hundred dollars of assessed valuation.

For Fire House Bldg. purposes, the sum of One (1) mill on each dollar of assessed valuation, or the sum of Ten (10) cents on each one hundred dollars of assessed valuation.

Purpose	Mills on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Township Purposes	11¼	\$1.12½
Tax Rate for Fire House Building	1	.10
Total	12¼	\$1.22½

SECTION 2. That for the expenses of the Township for the fiscal year 1955 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 — Schedule B:

**GENERAL OPERATING FUNDS
SUMMARY OF ESTIMATED RECEIPTS**

Cash and securities for Appropriation	\$ 30,768.66
Receipts from Current Tax Levy	88,879.50
Receipts from Taxes of Prior Years	2,050.00
Other Revenue Receipts	52,290.00
Miscellaneous non-revenue Receipts	15,150.00
Total Estimated Receipts and Cash	\$189,138.16

SUMMARY OF APPROPRIATIONS

	Operation & Maintenance	Capital Outlay	Total
General Government:			
Administration	\$12,117.50		
Treasurer and Tax Collector	1,600.00		
Township Buildings	3,825.00		
Total	\$17,542.50		\$ 17,542.50
Protection to Persons and Property:			
Police	\$49,909.00	\$ 3,750.00	\$ 53,659.00
Fire	7,250.00	500.00	7,750.00
Building Regulation and Zoning	5,100.00		5,100.00
Total	\$62,259.00	\$ 4,250.00	\$ 66,509.00
Health and Sanitation:			
Health Bureau	\$ 3,750.00		\$ 3,750.00
Garbage Collection and Disposal	5,560.00		5,560.00
Ash and Rubbish Collection and Disposal	12,200.00		12,200.00
Sanitary Sewers	3,700.00	7,966.56	\$ 11,666.56
Total	\$25,210.00	\$ 7,966.56	\$ 33,176.56
Highways:			
Streets and Bridges	\$22,713.15	\$10,584.45	\$ 33,297.60
Street Lighting	2,500.00		2,500.00
Total	\$25,213.15	\$10,584.45	\$ 35,797.60
Library:			
Total	\$ 300.00		\$ 300.00
Recreation:			
Parks and Playgrounds	\$ 2,100.00		\$ 2,100.00
Total	\$ 2,100.00		\$ 2,100.00
Miscellaneous:			
Insurance & Pension	\$ 3,925.00		\$ 3,925.00
Total	\$ 3,925.00		\$ 3,925.00

Total for Operation, Maintenance and Capital Outlay\$159,350.66

Asn and Rubbish Collection and Disposal	12,200.00		12,200.00
Sanitary Sewers	3,700.00	966.56	\$ 11,666.56
Total	\$25,210.00	\$ 36.56	\$ 33,176.56
Highways:			
Streets and Bridges	\$22,713.15	\$10,584.45	\$ 33,297.60
Street Lighting	2,500.00		2,500.00
Total	\$25,213.15	\$10,584.45	\$ 35,797.60
Library:			
Total	\$ 300.00		\$ 300.00
Recreation:			
Parks and Playgrounds	\$ 2,100.00		\$ 2,100.00
Total	\$ 2,100.00		\$ 2,100.00
Miscellaneous:			
Insurance & Pension	\$ 3,925.00		\$ 3,925.00
Total	\$ 3,925.00		\$ 3,925.00
Total for Operation, Maintenance and Capital Outlay			
			\$159,350.66
Debt Service:			
Interest		\$ 175.00	
Principal		15,000.00	
Transfers to Sinking Fund		14,612.50	
Total Debt Service		29,787.50	
Total Appropriations from General Operating Funds			\$189,138.16

**SEWER FUND
SUMMARY OF ESTIMATED RECEIPTS**

Cash Balance for Appropriation	\$ 1,987.88
Receipts from Sewer Rents	5,145.00
Receipts from Non-Revenue Sources	14,000.00
Total Estimated Receipts and Cash	\$ 21,132.00

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	\$ 4,830.00
Total Appropriations from Sewer Fund	\$ 4,830.00

**SINKING FUND
SUMMARY OF ESTIMATED RECEIPTS**

Cash and Securities from Previous Year	\$ 5,281.85
Receipts from Current Tax Levy	7,820.40
Transfers from General Fund	14,612.50
Total Estimated Receipts, Cash and Securities	\$ 27,714.75

SUMMARY OF APPROPRIATIONS

Interest to be Paid	\$ 4,545.40
Bonds to be Paid	23,000.00
Total Appropriations from Sinking Fund	\$ 27,545.40

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective Departments is on file in the office of the Secretary of the Township, 1111 Bethlehem Pike, Pennsylvania.

SECTION 4. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted this 12th day of February, A. D. 1955.

President of the Board of Township Commissioners
HENRY LEE WILLET,

CERTIFICATION

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 107 enacted by the Commissioners of the Township of Upper Dublin on February 12th, 1955.

E. ROGER STEVENS, Secretary

NOTICE

ORDINANCE NO. 108
AN ORDINANCE TO AMEND AN ORDINANCE APPROVED THE 11TH DAY OF MARCH, 1947, DESIGNATED AS NO. 19 AND KNOWN AS THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946 AND THE ZONING MAP THEREOF, TO CHANGE AN AREA ADJACENT TO SUSQUEHANNA ROAD AND FITZWATERTOWN ROAD FROM RESIDENTIAL "D" TO RESIDENTIAL "U".

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by authority of the same.

Section 1. That the Zoning Map adopted and approved as a part of the Amended Upper Dublin Zoning Ordinance of 1946 shall be amended as follows:

(a) That the territory hereinafter described be changed from "D" Residential to "U" Residential:

Beginning at a point a corner formed by the intersection of the Southerly side of Susquehanna Street Road (33 feet wide) and the Southeastwardly side of Fitzwattown Road (33 feet wide); thence along the Southwestwardly side of Susquehanna Street Road South 44 degrees 58 minutes 30 seconds East 153.04 feet to a point a corner; thence through lands of Dublin Building Corporation on a line parallel to Fitzwattown Road at a distance of 150 feet measured Southeastwardly at right angle therefrom South 56 degrees 27 minutes 30 seconds West 899.62 feet to a point a corner in line of lands of Marion Dannenburg; thence along the same North 68 degrees 16 minutes West 182.51 feet to a point a corner on the Southeastwardly side of Fitzwattown Road aforesaid; thence along the same North 56 degrees 27 minutes 30 seconds East 973.24 feet to the first mentioned point and place of beginning.

ORDAINED and ENACTED this 12th day of April, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: E. Roger Stevens, Secretary

NOTICE

ORDINANCE NO. 103
AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE NO. 49 ADOPTED AUGUST 8, 1950 TO INCREASE THE CHARGE OR FEE FROM \$15.00 TO \$50.00.

NOW BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by the authority of the same:

Section 1. That Section 3 of Ordinance No. 49 adopted August 8, 1950 be amended so as to increase the charge or fee from \$15.00 to \$50.00.

ORDAINED AND ENACTED this 12th day of April, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: E. Roger Stevens, Secretary

ORDINANCE NO. 110
AN ORDINANCE AMENDING ARTICLE I AND ARTICLE VII OF THE UPPER DUBLIN BUILDING CODE OF 1940, APPROVED MARCH 21, 1940, AS AMENDED, TO PROVIDE MINIMUM HABITABLE FLOOR AREAS FOR DWELLINGS AND APARTMENT UNITS.

The Board of Township Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, does hereby enact and ordain:

Section 1. That Article I, Definitions, shall be amended to provide:

"Apartment — A room or suite of two or more rooms which is or are occupied as a home for one or more persons and having a minimum habitable floor area of at least 500 square feet."

"Dwelling — A dwelling is a building having, exclusively for residence purposes, a minimum habitable floor area within outside walls, exclusive of areas above the second floor, basement or cellar, garages, open porches, and accessory buildings, of 1000 square feet for the first floor, and a combined area of 1300 square feet for buildings having more than the first floor."

Section 2. That Article VII, Regulations Depending upon Occupancy and Use, shall be amended to provide:

"Section 715. Minimum Habitable Floor Area.

All dwellings and apartment dwellings hereafter erected, or converted pursuant to the provisions of the Zoning Ordinance of the Township of Upper Dublin, as amended, shall have the minimum habitable floor area within outside walls, exclusive of areas above the second floor, basement, garages, open porches, and accessory buildings, as follows:

Dwelling:

One story — 1000 square feet
More than One story — 1300 square feet

Apartment:

Each dwelling unit — 500 square feet"

ENACTED AND ORDAINED this 12th day of April A.D. 1953.
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

NOTICE

ORDINANCE NO. 111
AN ORDINANCE TO AMEND SECTION 19 OF ORDINANCE NO. 3 ADOPTED MARCH 12, 1946 SO AS TO INCREASE THE FINE OR PENALTY OF NOT LESS THAN \$5.00 NOR MORE THAN \$25.00 FOR EACH AND EVERY OFFENSE TO \$50.00 FOR EACH AND EVERY OFFENSE.

NOW BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by authority of the same: Section 1. That Section 19 of Ordinance No. 3 adopted March 12, 1946, be amended by increasing the "fine or penalty of not less than \$5.00 nor more than \$25.00 for each and every offense" to \$50.00 for each and every offense.

ORDAINED AND ENACTED this 12th day of April, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: E. Roger Stevens, Secretary

ORDINANCE NO. 112

PROVIDING FOR THE CONSTRUCTION OF SANITARY SEWERS IN NORTH HILLS AVENUE AND APEL AVENUE, IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND ASSESSING THE ASSESSABLE COST THEREOF UPON THE PROPERTIES ADJOINING OR ADJACENT THERETO IN PROPORTION TO THE FRONTAGE THEREON, AND PRESCRIBING THE METHOD OF COLLECTING SAME. The Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, does hereby enact and ordain:

Section 1. That the Township construct or cause to be constructed the following Sanitary Sewers:

A. North Hills Avenue

Beginning at the intersection of Spear Avenue and North Hills Avenue and thence in the bed of North Hills Avenue in a Southwesterly direction 1630 feet to a manhole approximately 100 feet Northeast of the middle of Jenkintown Road.

B. Apel Avenue

Beginning at a manhole situate on the Northwesterly side of Pennsylvania Avenue at the intersection of Apel Avenue; thence continuing in the bed of Apel Avenue in a Southeasterly direction 557 feet, which point of ending is approximately 534 feet from the Southeasterly side of Pennsylvania Avenue.

Section 2. That the said sanitary sewers shall be constructed in accordance with plans, drawings and specifications prepared by the Sewer Engineer and approved by the Township, and in accordance with the approval of the Pennsylvania Department of Health.

Section 3. Advertisements shall be duly made for proposals for the construction and laying of the said sanitary sewers in accordance with law, and the contracts for the construction thereof shall be awarded to the lowest responsible bidders. The Board of Commissioners of Upper Dublin Township reserves the right to reject the bids submitted and to readvertise.

Section 4. It shall be the duty of the Sewer Engineer and the Township Engineer to supervise the construction and laying of the said sanitary sewers and the performance of the said contracts, and to see that the same are fully performed, and that the said sanitary sewers are constructed in accordance with the said plans, drawings, specifications and contracts, and permit.

Section 5. The sanitary sewers when constructed shall form part of the Township Sewer System constructed under the ordinances of the Township regulating connections with the Township sanitary sewers, establishing a schedule of rates for the use thereof and providing penalties for breach thereof, and the sanitary sewer regulations established thereunder.

Section 6. The costs and expenses of the construction of said sewers, including engineering, legal, advertising and similar expenses, as is legally chargeable upon the properties accommodated or benefited thereby, shall be, and is hereby assessed and charged upon the said properties by an assessment per front foot upon the frontage of each said property abutting on said sewer; provided that any lot situated at a corner of two or more streets or roads in which sewers are laid, shall be charged for the sewer upon the street or road upon which the said lot fronts, and for so much of the sewer on the other street or road as exceeds 100 feet.

When an owner has two or more lots against which there is an assessment, all of such lots shall be em-

braced in one claim.

Section 7. The Township shall cause calculations of said charges or assessments to be made and a schedule thereof to be prepared giving: (a) the total length of the said sewer in feet and the total cost thereof; (b) The frontage of each lot abutting on the said sewer; and (c) the amount of assessment charged thereon and the name of the owner or owners of such lot.

Section 8. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the work of constructing the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days' written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he may be found within the Township, or if he can not be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent or party in possession, it may be posted on the most public part of the assessed premises.

Ten (10) days' notice of the time and place of making the assessments shall be given by advertising in a local newspaper and by serving notice personally upon the owner, if he can be found in the Township or on an adult person residing on each of the properties to be affected by said assessments, and in case personal service can not be made upon the owner, or an adult person can not be found residing on the property, said notice shall be tacked or posted conspicuously on the premises.

Section 9. All said assessments shall be payable to the Township Treasurer, for the use of the sinking fund created to discharge Township bonds which may be issued to finance the cost and expense of the constructing and laying of the said sewers. A copy of the schedule of the assessments shall be delivered to the Township Treasurer, and on receipt of any payment on account thereof the Township Treasurer shall note the same on his copy of the schedule, and notify the Secretary of the Board of Township Commissioners thereof, who shall also note the same on his copy of the schedule.

Section 10. If anyone shall fail to pay the assessment as hereinabove provided, there shall be imposed a penalty of five per centum for failure to pay within the time provided. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

Section 11. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement. The certificate of the Sewer Engineer supervising the construction of the said sewers, filed with the Secretary of the Board of Township Commissioners in the office of the said Commissioners, shall be conclusive of the time of the completion thereof.

Section 12. No connection between any property and any Township sewer shall be permitted or made under any circumstances unless and until the terms of this ordinance providing for the payment of assessments shall have been complied with.

Section 13. Assessments herein authorized together with penalty and interest, when collected, shall be deposited only in the sinking fund of the Township and applied towards reimbursement of the cost of construction of said sewers as provided in Section 6 hereof.

Section 14. All connections of properties with said sewer shall be made only upon application or permit in prescribed form and shall be made in

accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set out at length in this ordinance.

Section 15. Provision shall be made by the Board of Commissioners for the connection by private lateral or otherwise in the street or road in which the sewer line is laid or heretofore provided, at the expense of the property owners applying for such connection. A connection fee of One Hundred Dollars (\$100.00), as provided in Ordinance No. 89 adopted May 11, 1954, shall be paid before a permit shall be issued.

Section 16. It shall be unlawful for any owner of property connecting with the said sewer, to make any attachment thereto, or to the house drainage system, or open any cellar drain, whereby rain water or surface or sub-soil water shall be permitted to pass into said sewer.

Section 17. The Township reserves the right to establish and impose upon each property located within the service area served by the above sewer system and having the use thereof such annual sewer rental as it may hereafter ordain.

Section 18. The funds received by the Township from the collection of the connection charges or from sewer rentals and all penalties thereon as herein provided for and any fines collected by the Township in connection with the sewer system shall be segregated and kept separate and apart from all other funds of the Township and shall be used only for the purpose of defraying the expenses of the Township in the operation, maintenance, repair, alteration, inspection, depreciation or other expenses in relation to such sewer system and for and toward any payments due under any agreement with Abington Township or Springfield Township for the treatment of sewage from the sewer system and for such payments as the Township may be required to make under any agreement it may enter into for and of, or in connection with, said sewer system.

Section 19. The Township reserves the right to, and may from time to time, adopt, revise, amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of the sewer system, and all such rules and regulations shall be and become a part of this ordinance.

Section 20. This ordinance and the rules and regulations hereunder shall become effective at once and shall be applicable to the properties serviced by the sewers along the streets as aforesaid as soon as they become connected with and have the right to use the sewer system. The Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial and to amend this ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

Section 21. If any of the provisions, sections, sentences, clauses or parts of this ordinance or the application of any provision thereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

ENACTED by the Board of Township Commissioners of Upper Dublin Township this 12th day of April, 1955.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 113

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE ESTABLISHMENT, MAINTENANCE, OPERATION, AND FINANCING OF REFUSE COLLECTION SYSTEMS AND REFUSE DISPOSAL METHODS AND SITES; THE STORAGE, COLLECTION, AND DISPOSAL OF REFUSE; THE ESTABLISHMENT AND ENFORCEMENT OF NECESSARY AND PROPER REGULATIONS FOR THE STORAGE, COLLECTION, AND DISPOSAL OF REFUSE; THE FIXING AND LEVYING OF REFUSE SERVICE CHARGES, AND FIXING PENALTIES.

WHEREAS, in the Township of Upper Dublin there are, or may in the future be, refuse - storage, collection, or disposal practices which are so unsafe, dangerous, unhygienic, or unsanitary as to constitute a menace to the health and safety of the people of the Township of Upper Dublin.

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

Section 1. Definitions. For the purposes of this ordinance, the following words and phrases shall have the meanings ascribed to them in this section:

Person shall mean any institution, public or private corporation, individual, partnership, or other entity.

Premises shall mean land, buildings, or other structures, vehicles, or parts thereof, upon or in which refuse is stored.

Refuse shall mean all solid wastes of a community, including garbage, ashes, rubbish, bottles, cans, and solid market wastes, but not including body wastes.

Responsible Authority shall mean the legally designated authority of the Township of Upper Dublin who shall be authorized and directed to implement and enforce the provisions of this ordinance, or its authorized representative.

Section 2. Functions of the Department of Public Health.

The Department of Public Health of the Township of Upper Dublin, in order to protect the health and safety of the people of the Township is authorized and directed, by implementing and enforcing the provisions of this ordinance, to control the storage, collection, and disposal of refuse within the Township, to provide a public refuse collection and refuse disposal service from premises within the Township, so that the type and usual quantity of refuse can be safely and expeditiously handled by such public refuse collection and refuse disposal service, and/or to approve and regulate the establishment, maintenance, and operation of private refuse collection and refuse disposal methods and sites.

Section 3. Funds, Appropriation, Borrowing, Other Means.

(a) The Board of Township Commissioners of the Township of Upper Dublin is authorized to make funds available by appropriation, by borrowing, or by other means, in accordance with the laws and procedures of the Township, for equipment for the collection or disposal of refuse, and for the establishment, maintenance, and operation of refuse collection systems and refuse disposal methods and sites.

(b) Refuse disposal charges within the Township are hereby levied in accordance with the following schedule:

(1) The rate of charges to each institution, business, or industrial establishment for disposal of refuse shall be in accordance with the following schedule:

1 - 500 pounds	\$1.00
1 ton or fractional part thereof	\$2.00

Section 4. Permits.

(a) It shall be unlawful for any person who does not possess an unrevoked permit from the Department of Public Health to engage in the business of refuse collection or refuse disposal for compensation in the Township. Township Secretary shall issue permits for such applicants. Provided, That such permits shall be limited to persons having proper equipment and personnel to collect and dispose of refuse in accordance with the provisions of this ordinance, and provided further, That the method of disposal used is in accordance with the requirements of this ordinance and regulations promulgated thereunder.

(b) Every person desiring to engage in the collection and/or disposal of refuse shall make written application to the Department, setting forth the name of such person, the residence address thereof, or the address of the place of business, a description of the place of disposal, and the method of disposal to be practiced. Upon approval of such application, the Department shall issue a permit to the applicant. The permit fee shall be \$25.00, payable in advance to the Department of Public Health.

(c) Any person whose application for a permit has been denied may request,

and shall be granted, a hearing before the Department of Public Health, under the procedure provided by section 6 of this ordinance.

(d) A permit issued under this ordinance shall expire on the 31st day of December of each year. Permits shall be renewable annually, in the same manner and upon payment of the same annual fee as provided in subsection (a) of this section.

(e) Applicant for a permit shall be required to standardize color of trucks (aluminize) and shall file with the Township certificates covering workmen's compensation and public liability, collision, and property damage insurance.

Section 5. Prohibitions: private responsibility.

(a) The Owner or his agent, or the occupant, of any premises within the Township shall be responsible for the sanitary condition of the premises occupied by him, and it shall be unlawful for any person to place, deposit, or allow to be placed or deposited on his premises any refuse, except as designated by the terms of this ordinance.

(b) Any person responsible for (1) refuse on premises not served by the refuse collection system of the Township, or for (2) refuse not acceptable for collection by the Township, shall make arrangements for the collection and disposal of such refuse with a refuse collector who holds a valid registration certificate issued by the Department.

Section 6. Enforcement: Service of Notices and Orders: Hearings.

(a) Whenever the Department determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance, or any regulation adopted pursuant thereto, it shall give notice of such alleged violation to the person or persons responsible therefor as hereinafter provided. Such notice shall:

- (1) Be put into writing;
- (2) Include a statement of the reasons why it is being issued.
- (3) Allow a reasonable time for the performance of any act it requires;
- (4) Be served upon the holder of a permit issued under this ordinance, or upon the owner or his agent or the occupant of any premises within the Township; Provided, That such notice shall be deemed to have been properly served when a copy thereof has been served personally, or in accordance with any other method authorized or required under the laws of this State.

Such notice may:

- (5) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance;
- (6) State that, unless conditions or practices described in such notice which violate this ordinance are corrected within the reasonable time specified in such notice, a permit which has been issued pursuant to this ordinance may be suspended or revoked.

(b) Any person who is affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance, or of any regulation adopted pursuant thereto, may request, and shall be granted, a hearing on the matter before the Department. Provided, That such person shall file, in the office of the Department, a written petition requesting such hearing and setting forth a brief statement of the ground therefor, within 10 days after the day the notice was served. Upon receipt of such petition, the Department shall set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard. The hearing shall be commenced not later than 10 days after the day on which the petition was filed. Provided, That upon application of the petitioner, the Department may postpone the date of the hearing for a reasonable time beyond such 10-day period when, in its judgment, the petitioner has submitted a good and sufficient reason for such postponement.

(c) After such hearing, the Department shall sustain, modify, or withdraw the notice, depending upon its finding based on such hearing as to whether or not the provisions of this ordinance and of the regulations adopted pursuant thereto have been complied with. If the Department sustains or modifies such notice, it shall be deemed to be an order. Any notice shall automatically become an order if a written petition for a hearing has not been filed in the office of the Department within 10 days after such notice was served. In the case of any notice which states that a permit required by this ordinance may be suspended or revoked, the Department may suspend or revoke such permit if an order is issued and corrective action has not been taken within the time specified in the notice.

(d) The proceedings at such hearing including the findings and decision of the Department, shall be summarized, put into writing, and entered as a

matter of public record in the office of the Department. Such record shall include, also, a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Department may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this State.

(e) Whenever the Department finds that an emergency exists involving a serious health hazard which requires immediate action to protect the public health, it may, without notice or hearing, issue a written order citing the existence of such an emergency and the conditions violating this ordinance which require corrective action to remove such health hazard. If such corrective action has not been taken, the Department may take such action as may be necessary to protect the public health, including stoppage or processing operations. Notwithstanding other provisions of this ordinance, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Department shall be afforded a hearing as soon as possible, but in any case not later than 3 days after the petition was filed. After such hearing, depending upon its finding as to whether or not the provisions of this ordinance and of the regulations adopted pursuant thereto have been complied with, the Department shall continue such order in effect, or modify it, or revoke it.

Section 7. Inspection. The Department of Public Health shall have the power to enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of the provisions of this ordinance.

Section 8. Refuse Acceptable for Collection.

The following refuse shall be considered to be acceptable for collection by the Township:

- (a) Garbage: Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and/or consumption of foods.
- (b) Ashes: The residue from the burning of wood, coal, coke, or other combustible materials.
- (c) Rubbish: Nonputrescible solid wastes, excluding ashes, consisting of paper, cardboard, tin cans, wood, glass, bedding, crockery, metals, and similar materials.

Section 9. Refuse not Acceptable for Collection.

The following refuse shall be considered to be not acceptable for collection by the Township:

- (a) Materials or substances, such as poisons, acids, caustics, infected materials, and explosives.
- (b) Materials resulting from the repair, excavation, or construction of buildings or structures, such as earth, plaster, mortar, or roofing material.
- (c) Materials which have not been prepared for collection in accordance with the regulations.
- (d) The solid wastes resulting from industrial processes.

Section 10. Regulations. The Department of Public Health is hereby authorized and directed to adopt such written regulations as may be necessary for the implementation and enforcement of the provisions of this ordinance. The Department shall file a certified copy of all regulations which it may adopt with the Township Secretary and such regulations shall be made available for the inspection of the public on request. Such regulations shall have the same force and effect as the provisions of this ordinance, and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this ordinance, as hereafter provided. The Township of Upper Dublin Department of Public Health regulations governing the storage, collection and disposal of refuse in the Township shall be those approved by the Board of Township Commissioners on the 9th day of June, 1955, and/or as may be modified or changed by the Department and further approved by the Board of Township Commissioners.

Section 11. Penalties. Any person who shall violate any provision of this ordinance, or any regulation adopted thereunder, upon conviction, shall be punished by a fine of not more than \$10.00, and each day's failure to comply with any such provision shall constitute a separate violation.

Section 12. Repeal and Date of Effect. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect upon its adoption and publication as provided by law.

Section 13. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of such ordinance shall not be affected thereby. Enacted into an Ordinance this 9th day of June, A. D., 1955.

TOWNSHIP OF UPPER DUBLIN
Nathan F. Bauman
President

Attest: E. Roger Stevens
Secretary

ORDINANCE NO. 114

NOTICE is hereby given that there was enacted by the Board of Township Commissioners of Upper Dublin Township, Montgomery County, Pa., on June 9, 1955, an Ordinance entitled:

"AN ORDINANCE

TO AUTHORIZE AND DIRECT THE ISSUANCE OF GENERAL OBLIGATION BONDS OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, IN THE MAXIMUM AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARD THE CONSTRUCTION AND EQUIPMENT OF A FIRE HOUSE; PROVIDING FOR THE RATE OF INTEREST ON SAID BONDS AND FIXING THE MATURITY DATES THEREOF; STATING THE ESTIMATED PERIOD OF USEFULNESS OF THE IMPROVEMENTS FOR WHICH SAID BONDS ARE TO BE ISSUED; APPROVING THE FORM OF BOND AND COUPON; PROVIDING FOR THE ASSESSMENT LEVY AND COLLECTION OF A TAX TO PAY THE INTEREST COVENANTED TO BE PAID THEREON AND THE PRINCIPAL THEREOF AT MATURITY; ESTABLISHING A SINKING FUND; DIRECTING THE PRESIDENT AND THE SECRETARY OF THE BOARD OF TOWNSHIP COMMISSIONERS TO PREPARE, VERIFY AND FILE THE REQUIRED STATEMENT; AND AUTHORIZING AND DIRECTING THE SECRETARY TO CERTIFY AND TO FILE WITH THE DEPARTMENT OF INTERNAL AFFAIRS CERTIFIED COPIES OF THE NECESSARY PROCEEDINGS."

The following is a summary of said ordinance:

The preamble recited the fact that the net electoral and non-electoral debt of the Township, including the debt to be incurred, did not exceed the constitutional limits.

Section 1 authorized the issuance of the bonds in the amount of \$100,000 for the purpose of providing funds for and toward the construction and equipment of a fire house. Section 2 described the type of bond to be issued, the denomination, numbers, date and interest rate. Section 3 described the maturities of said bonds. Section 4 recited the period of usefulness of the improvements for which said bonds are to be issued free of present or future State tax. Section 6 provided for the method of execution of the bonds. Section 7 provided for the form of bond, the form of coupon and the form of endorsement. Section 8 provided for the pledge of the full faith and credit of the Township for the payment of the principal of the bonds and the interest and taxes accruing thereon. Section 9 provided for the levy of a tax sufficient to pay the principal of said bonds and the interest thereon, and made an appropriation from the general fund of the Township to meet the interest for six months pending the collection of the tax. Section 10 provided for the establishment of a sinking fund. Section 11 provided for the filing of a financial statement in the Court of Quarter Sessions. Section 12 provided for the certification and filing of the proceedings relating to the bond issue with the Department of Internal Affairs. Section 13 repealed all ordinances inconsistent with said ordinance.

E. ROGER STEVENS
Township Secretary

ORDINANCE NO. 115

AUTHORIZING AND DIRECTING THE PAVING AND CURBING OF:

PAVING

WALNUT AVENUE BETWEEN LOGAN AVENUE AND CHELSEA AVENUE; LOGAN AVENUE FOR A DISTANCE OF 350 FEET FROM WALNUT AVENUE; LINDEN AVENUE FOR A DISTANCE OF 350 FEET FROM WALNUT AVENUE; CHELSEA AVENUE FOR A DISTANCE OF 250 FEET FROM WALNUT AVENUE.

CURBING

ADJACENT TO LOTS 490, 519, 680, 709, 720, 721, 722 AND 723, EDGE HILL LAND ASSOCIATION.

WHEREAS the Commissioners of Upper Dublin Township have classified the following streets for paving and the extension of the curbing on Linden Avenue and the assessing and collecting of the whole cost thereof from the owners of real estate abutting on the streets by an equal assessment on the foot front, including the expense of necessary drainage, and appropriate petitions or requests from the adjoining property owners have been properly submitted to the Township authorities.

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

Section 1. The following designated streets are hereby directed to be paved with bituminous paving material in accordance with Township specifications, including necessary grading and construction of drainage or drainage facilities, storm sewers, curbing or other requisite work, the work to be done by contract awarded to the lowest responsible bidder, all under the supervision and specifications of the Township Engineer and the general plan for paving and curbs in the vicinity of North Hills Homes prepared by William T. Weir, Registered Professional Engineer of Ambler, Pennsylvania under date of April 9, 1955, consisting of three sheets designated as Sheet No. 1 of Three, Sheet No. 2 of Three and Sheet No. 3 of Three, viz:

WALNUT AVENUE

Beginning at a point the intersection of the center line of Walnut Avenue, as laid out 50 feet wide, with the Southeasterly edge of the existing paving on Logan Avenue, which is approximately 8 feet measured in a Southeasterly direction from a point the intersection of the center line of Walnut Avenue and Logan Avenue; thence in a Southeasterly direction from a point the intersection of the center lines of Walnut Avenue and Logan Avenue; thence in a Southeasterly direction approximately 52¹/₂ feet to a point the intersection of the center line of Walnut Avenue as aforesaid with the Northwesterly edge of the existing paving which is approximately 8 feet measured in a Northwesterly direction from a point the intersection of the center lines of Walnut Avenue and Chelsea Avenue laid out 50 feet wide.

LOGAN AVENUE

Beginning at a point on the Southeasterly edge of the existing paving of Logan Avenue on line of the Northeasterly side line of Walnut Avenue, laid out 50 feet wide, which point is approximately 8 feet measured in a Southeasterly direction from the center line of Logan Avenue; thence extending in Logan Avenue in a Northeasterly direction for a distance of 350 feet to the point of termination of proposed work.

LINDEN AVENUE

Beginning at a point at the intersection of the center line of Linden Avenue with the Northeasterly side line of Walnut Avenue, both of which are laid out 50 feet wide; thence extending in a Northeasterly direction for a distance of 350 feet to a point of termination of proposed work.

CHELSEA AVENUE

Beginning at a point on the Northwesterly edge of the existing paving of Chelsea Avenue on line of the Northeasterly side line of Walnut Avenue laid out 50 feet wide, which point is approximately 8 feet measured in a Northwesterly direction from the center line of Chelsea Avenue; thence extending in Chelsea Avenue in a Northeasterly direction for a distance of 250 feet to the point of termination of proposed work.

Section 2. The Township Engineer shall be and is hereby designated as the person in charge of said work, with full power to act for the Township in all things in connection with said work, and to estimate assessments.

Section 3. Any trees, pipes or other materials or substances interfering with the free and full construction of said work are hereby declared to be nuisances and may be removed or changed by or under the direction of the Township Engineer.

Section 4. The cost and expenses of the entire work, including construction of drainage, storm sewers, or any other drainage or draining necessary to properly carry off the flow of surface waters, shall be paid as follows:

The whole cost by the owners of real estate fronting, abutting or bounding on the several streets, in accordance with the provisions in the First Class Township Code of 1949, May 27, P. L. 1955, Section 45, as amended by the Act of 1953, May 27, P. L. 220, Section 3, and any and all other appropriate provisions of the First Class Township Code, its supplements and amendments.

Section 5. Whatever curbing may be necessary to make a complete job, to wit, curbing along Lots 490, 519, 680, 709, 720, 721, 722 and 723 of the Edge Hill Land Association fronting on Walnut Avenue and Linden Avenue, shall be constructed and the entire cost of such curbing and incidental grading in connection therewith shall be assessed against and collected from the abutting properties and property owners on the foot front rule as the sole cost of the property owners.

Section 6. Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township who shall cause thirty days' notice of the assessment of costs to be given to each party assessed, either by service on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and the Acts of Assembly in such case made and provided.

Section 7. If any assessment shall remain unpaid at the expiration of the notice, it shall be promptly reported and certified to the Township Solicitor, together with all pertinent information in connection therewith, who shall forthwith lien the land adjoining said unpaid owners for the cost assessed against the same, together with interest at six per cent from the time of completion and a penalty of five per cent, as provided by law, the same to be collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

Section 8. All ordinances or resolutions, or parts thereof, inconsistent herewith be and the same are hereby repealed.

ENACTED into an ordinance this 14th day of June A. D. 1955.

TOWNSHIP OF UPPER DUBLIN

By: Henry Lee Willet, President

Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 116

AN ORDINANCE AMENDING ORDINANCE NO. 9, ADOPTED JULY 25, 1946, BY PROVIDING FOR PERMITS PRELIMINARY TO THE CLEANING OF CESSPOOLS, ETC., AND AMENDING THE PENALTY CLAUSE SO AS TO INCREASE THE FINE AND PERIOD OF IMPRISONMENT.

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

"Section 8-a. No privy vault or cesspool shall be cleaned or emptied without a permit from the Board of Health, for which a fee of One Dollar (\$1.00) shall be paid to the Secretary of the Board, excepting in cases declared by the Board to be a nuisance, when in said cases, the fee shall be Two Dollars (\$2.00), and such cleaning shall be made in an in offensive manner and in a method which shall not be prejudicial to the public health."

Section 2. Amend Section 1 of Article VIII of Ordinance No. 9, adopted July 25, 1946, so that when amended said section shall read as follows:

"Section 1. Any person violating any of the provisions of this ordinance shall be liable, upon conviction, to a fine not exceeding Three Hundred Dollars (\$300.00) for each and every offense or to imprisonment in the County Jail for a period not exceeding thirty (30) days, or both, in the discretion of the Justice of the Peace, together with costs of prosecution in each case.

All prosecutions for violation of this ordinance shall be by summary proceedings brought in the name and for the use of the Township of Upper Dublin before a Justice of the Peace in Upper Dublin Township. All fines shall be paid to the Treasurer of Upper Dublin Township to apply to general funds."

APPROVED by the Board of Commissioners of the Township of Upper Dublin on June 14, 1955.

By: Henry Lee Willet, President

Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 117

AN ORDINANCE AMENDING THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946, AS AMENDED, BY PROVIDING A RE-DESIGNATION OF THE ZONING DISTRICTS; LIMITING THE USES, AREAS, PERCENTAGES AND SET-BACKS IN LOTS; PROVIDING RULES AND REGULATIONS FOR OFF-STREET PARKING AND LOADING.

The Board of Township Commissioners of the Township of Upper Dublin, Montgomery County Pennsylvania, do hereby enact and ordain the following amendments to the Amended Upper Dublin Zoning Ordinance of 1946, adopted March 11, 1947, and as amended, and the Zoning Map:

Section 1. Amend Section 200 of Article II, so that when amended it will read as follows:

"Section 200. For the purpose of this ordinance, the Township of Upper Dublin is hereby divided into Districts, designated as follows:

- A Residence
- B Residence
- C Residence
- D Residence
- L Commercial
- I Commercial
- R Industrial
- S Industrial

Section 2. Amend Article III so that when amended it shall be designated as "A Residence District" instead of "D Residence District."

Section 3. Amend Section 303 of Article III to correct and change the reference to Article IX therein instead of Article XI.

Section 4. Delete Sections 304, 305, 306, 307, 308, 309 and 310 of Article III in their entirety and thereafter substitute and add the following:

"Section 304. In "A Residence District" the following area, width and height regulations shall apply:

A. In areas which are neither served with sanitary sewers nor with public water supply, lots shall have a minimum area of 45,000 square feet, and minimum width at the building line of one hundred fifty feet (150').

B. In lots of size designated in Paragraph A, above, there shall be the following minimum set-backs, heights and maximum building coverage regulations:

Front yard 60 feet
Side yard each 40 feet
Rear yard 60 feet
Height

Principal Building 35 feet
Accessory Use 20 feet
Building Coverage

20 per cent of total lot area

C. In areas which are either served with sanitary sewers or a public water supply, but not both, lots shall have a minimum area of 30,000 square feet, and a minimum width at the building line of one hundred twenty-five feet (125'). Lots served with capped sanitary sewer lines not connected to a sewage disposal plant shall not be considered as being served with public sewer.

D. In lots of size designated in Paragraph C, above, there shall be the following minimum set-backs and maximum building coverage regulations:

Front yard 50 feet
Side yard Each 30 feet
Rear yard 50 feet
Height

Principal Building ... 35 feet
Accessory Use 20 feet
Building Coverage

15 per cent of total lot area

E. In areas which are served with sanitary sewers, and a public water supply, lots shall have a minimum area of 20,000 square feet, and a minimum width at the building line of one hundred feet (100'). Lots served with capped sanitary sewer lines not connected

to a sewage disposal plant shall not be considered as being served with public sewer.

F. In lots of size designated in Paragraph E, above, there shall be the following minimum set-backs, heights and maximum building coverage regulations:

Front yard 40 feet
Side yard Each 20 feet
Rear yard 40 feet
Height

Principal Building ... 35 feet
Accessory Use 20 feet
Building Coverage

15 per cent of total lot area

Section 5. Amend Article IV, so that when amended it shall be designated as "B Residence District."

Section 6. Amend Article V, so that when amended, it shall be designated as "C Residence District."

Section 7. Amend the Amended Upper Dublin Zoning Ordinance of 1946 by changing the designated "D Residence District" wherever the same appears in the Zoning Ordinance and the Amendments, to "A Residence District."

Section 8. Amend the Amended Upper Dublin Zoning Ordinance of 1946 by changing the designated "U Residence District" wherever the same appears in the Zoning Ordinance and the Amendments, to "B Residence District."

Section 9. Amend the Amended Upper Dublin Zoning Ordinance of 1946 by changing the designated "B Residence District" wherever the same appears in the Zoning Ordinance and the Amendments, to "C Residence District."

Section 10. Amend the Amended Upper Dublin Zoning Ordinance of 1946 by changing the designated "B-1 Residence District" wherever the same appears in the Zoning Ordinance and the Amendments, to "D Residence District."

Section 11. Add Section 1308-A to Article XIII, as follows:

"Section 1308-A. No accessory building or private garage which may be erected in a rear or side yard, shall be built less than ten (10) feet from the side lines and rear line of said lot, which ten feet shall remain unbuild upon and unobstructed at all times."

Section 12. The Zoning Map of the Amended Upper Dublin Zoning Ordinance of 1946, as revised and amended, is further revised and amended, and the properties bounded by Tennis Avenue, Welsh Road, the Pennsylvania Turnpike Right of Way, Highland Avenue, including the projection of Highland Avenue to a point of intersection with the Pennsylvania Turnpike Right of Way, and Bethlehem Pike, public highways of the Commonwealth of Pennsylvania, heretofore classified as indicated on the Zoning Map, are hereby re-classified and made part of "A Residence District."

Section 13. Add Section 1316 to Article XIII of the Amended Upper Dublin Zoning Ordinance of 1946, as follows:

"Section 1316. Automobile Parking Space. At the time of the erection of any main building or structure, or whenever any main building or a structure is enlarged or increased in capacity, the following minimum off-street parking space, with adequate means of ingress and egress by standard size automobiles in all districts, where applicable, shall be provided:

1. For each dwelling unit in a one-family or two-family dwelling, there shall be provided at least one parking stall in a garage on the same lot, in any district where dwelling units are permitted.

2. In a district where multiple family dwellings are permitted, there shall be provided at least one perm-

anently maintained parking stall in a garage on the same lot with the main building for each two dwelling units. There shall also be provided, in addition to the required parking stalls in a garage provided above, a permanently maintained off-street parking stall on the same lot with the main building, for each two dwelling units. The additional parking stall may be but need not be in a garage.

3. In all districts, for buildings other than dwelling structures, permanent off-street parking space shall be provided on the premises or on land adjacent thereto as follows:

(a) Church — one parking stall for every ten people.

(b) High School or Public Auditorium — One parking stall for every ten people.

(c) Elementary School, Public Assembly or Meeting Room — One parking stall for every ten people.

(d) Stadium and other similar places of assembly — One parking stall for every five people.

(e) Hospital — One parking stall for every four beds.

(f) Community Center, Library and Museum — One parking stall for every 800 square feet of floor area in public use.

(g) Institutional Home — One parking stall for every ten guests.

(h) For Residence Clubs — One permanently maintained parking stall in a garage on the same lot with the main building for every two guests. In addition to the required parking stalls in a garage, there shall be provided ten permanently maintained parking stalls that need not be enclosed on the same lot with the main building for every 1000 square feet of ground floor area in public use.

4. House trailers and commercial vehicles shall not be parked in any parking space in a residence district.

5. Any parking area or space in access driveways shall be evenly graded, curbed and hard-surfaced, and any required yard or reservation adjoining on the same lot shall be graded and screened.

6. In districts other than residential where the hereinafter uses are permitted, the following provisions for off-street parking are required:

(a) For stores, at least two square feet of parking space for each square foot of store sales floor space.

(b) For theaters, at least one parking stall for each five seats.

(c) For any other permitted use, also permitted in a residence district, parking requirements the same as prescribed for said use."

Section 14. Ordinance No. 64 adopted January 8, 1953 is hereby repealed.

Section 15. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance, as a whole, or of any other part thereof.

Section 16. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare of the Township of Upper Dublin. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township, provided that where this ordinance imposes a greater restriction upon the premises than are imposed by such other rules, regulations or ordinances, the provisions of this ordinance shall control.

APPROVED by the Board on the 14th day of June, 1955.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Roger Stevens, Secretary

Communication from David Groshens, in behalf of his client, Paul Kautz, referring particularly to Bodenstein Drive was brought to the attention of the Commissioners. Action on this was deferred to the next stated meeting.

Appeal of Anthony Ferraro for permission to continue exercising the privilege of using the ground on the Meehan property was granted for a period not to exceed one year providing he conforms to the Rules and Regulations of the Township Board of Health.

Adjourned.

Ed. Stanton

President
Secretary

Approved: *L. P. Willet*

Secretary
President

September 13, 1955.

The stated meeting of the Commissioners of Upper Dublin Township was held in the Township Building on the above date.

In attendance: Nathan P. Bauman, Vice President; Raymond Jenkins, Horace C. Shuman and Harry T. Wentz, Commissioners; M. Louise Funk, Treasurer; Elmer L. Menges, Solicitor; William T. Weir, Engineer; and E. R. Stevens, Secretary.

Meeting called to order at 8:15 o'clock P. M., D.S.T., by the Vice President.

Reading of minutes of previous meetings dispensed with, on motion of Shuman and Wentz.

Prior to proceeding with the regular order of business the meeting was declared open to any who wished to present problems for attention of the Commissioners.

Ed. Williams again called attention to the operation of a so-called junk yard on Pennsylvania Avenue, North Hills. This was referred to the Board of Health, and Secretary Kepler advised that the party would be prosecuted.

Messrs. Stanton and Giampa and Mrs. Giampa complained about the cesspool conditions on their properties, and their remarks led to a general discussion of sanitary sewers for the balance of Bannockburn Avenue. The residents are by no means unanimous regarding

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the need. The Secretary was instructed to refer this condition to Municipal Authority, on motion of Shuman and Wentz, for their consideration. Details involved in planning, financing, and the time element involved were explained. The State Board of Health has been pressing for the correction of unsanitary conditions in local communities. If installed, this would serve the balance of homes on Bannockburn Avenue.

Secretary Kepler, of the Board of Health, reported that the Health Officer had completed his re-check of low standard homes in North Hills, that the findings had been checked with the Plumbing Inspector but that the Building Inspector had not yet finished his assignment. Considerable progress had been made but two properties were still in bad shape and must come down. Others were of a doubtful status. Incidentally, it was reported that one well had been constructed at a cost of \$900.00, but the water had been condemned. This had been reported and remedial measures were receiving consideration.

Mrs. Mallozzi inquired regarding the rights and responsibilities of property owners adjacent to that portion of Trinity Place, extending from the turn to Renfrew Avenue to Bannockburn Avenue. She was referred to Messrs. Jenkins and Weir.

Clarence Herder, Logan Avenue, North Hills, complained about the condition of the streets in his area which are unpaved.

Representatives of the Fire Company were present and expressed concern over a lease to the Company and the ultimate disposition of the building. They also reported on the yeoman service rendered by the company to the Ambler Water Company, assisting the latter in its efforts to maintain service which had been curtailed during the recent storm due to a break in the bank at the Whitmarsh Pumping Station.

Solicitor submitted ORDINANCE NO. 118 to limit the speed on that portion of Butler Pike in Upper Dublin Township, between the Whitmarsh Township line and the Borough of Ambler, to 35 MPH. This was adopted on motion of Shuman and Jenkins, as listed in the Ordinance Book.

Ordinance amending Ordinance No. 41 was held over for further study.

On motion of Shuman and Wentz, it was agreed to hold a public hearing October 11th, the next stated meeting, on the re-zoning of areas in Dresher, Jarrettown, Maple Glen and Bethlehem Pike and Butler Pike, both corners, south to Ardross Avenue, and the Solicitor was instructed to prepare the necessary Ordinance to provide 40' setbacks and the uses to be permitted.

Letter from David Groshens, representing Paul Kautz, referring to the status of Bodenstein and Chestnut Lanes was presented, and a hearing on this was scheduled for the same date, on motion of Shuman and Jenkins.

The hearing on the elimination of streets necessitated by the development of Commerce Drive will also be on the agenda for this date. This will include provision for establishing a break in Spring Avenue to provide for a cul-de-sac at the intersection of Commerce Drive and Spring Avenue, on motion of Shuman and Jenkins.

NOTICE
ORDINANCE NO. 119

AMENDMENT TO LAND SUBDIVISION ORDINANCE NO. 41 ADOPTED JULY 27, 1949.

The Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do ordain:

Section 1. Amend Section 3, Subsection (b), so that when amended, said section will read as follows:

"b. Sale of lots, issuance of building permits, or erection of building. No lot in a subdivision may be sold; no permit to erect, alter, or repair any building upon land in a subdivision may be issued; and no building may be erected in a subdivision, unless and until a subdivision plan has been approved and recorded; and until the improvements required by the Board of Township Commissioners in connection therewith have either been constructed or the Township has been assured by means of a proper agreement, accompanied by a proper completion guarantee in the form of a bond, or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the Township Engineer, that the improvements will subsequently be installed. The agreement shall be that of the owner of the property, but prepared by the Township Solicitor, at the owner's expense, and shall contain, *inter alia*, that he will lay out and improve the roads, streets, lanes, or alleys and construct all of the improvements including necessary grading, paving, curbs, gutters, and other street improvements including sidewalks, streets lights, fire hydrants, water mains, street signs, storm sewers, and sanitary sewers when considered practicable by the Board of Commissioners to be installed for future connection with any proposed Township sewer system. The agreement shall also provide the time within which the improvements must be completed, which time may, in their sole discretion, be extended by the Board of Commissioners. The agreement, and the guarantee of maintenance, shall contain a provision guaranteeing the proper drainage of waters from the property covered by the plan of subdivision so as to eliminate and prevent the accumulation of surface waters thereon.

The applicant shall furnish a bond in such amount, under such conditions, and form and with surety as shall be approved by the Board of Township Commissioners, to guarantee the performance of said contract and to secure the completion of the said improvements within the time therein specified, and upon acceptance of said street or improvements, the applicant shall provide a maintenance bond in such amount, under such conditions, and form, and with surety as shall be approved by the Board of Township Commissioners to guarantee the maintenance of the roads, streets, lanes, or alleys including grading, paving, curbs, gutters, sidewalks, street lights, street signs, storm sewers, and sanitary sewers for a period of not less than two years from the date of acceptance of the said roads, streets, or improvements by the Township. In lieu of a bond the applicant may deposit cash or securities with the Township or a bank or trust company to guarantee performance of said contract and to secure completion of the improvements upon an escrow agreement to be prepared by the Township Solicitor and approved by the Board of Township Commissioners. The escrow agent for the deposit of such cash or securities shall be designated and selected by the Board of Township Commissioners.

Where lots of a subdivision plan about only on an existing improved street of sufficient width, or where, owing to special conditions, a literal enforcement of this requirement would result in unnecessary hardship, such reasonable exceptions thereto may be made as will not be contrary to the public interest, and the sale of the lot, issuance of the permit, or erection of the building may be permitted, subject to the conditions necessary to assure adequate streets and other public improvements.

Where lots of a subdivision plan about only on an existing improved street of sufficient width, the plan of subdivision shall be subject to the approval or rejection by the Township Engineer and a committee appointed by the Board of Commissioners at its first regular meeting in each fiscal year. The subdivision by an owner of the land abutting only on an existing improved street, and not including the remainder of his property, shall not be permitted

within the meaning of this paragraph. Plans of subdivisions, wherein the lots abut on an existing improved street of insufficient width shall be considered in the same category as streets proposed to be laid out through unimproved land.

If any of the provisions, sections, sentences, clauses or parts of this ordinance or the application of any provisions thereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect."

Section 2. That Section 4, headed "Subdivision Regulations", as set forth in Land Subdivision Ordinance No. 41 adopted July 27, 1949, be amended so that when amended it will read as follows:

"Section 4. Subdivision Regulations.

The subdivision regulations adopted hereunder to carry out the intent and purpose of this ordinance shall include definitions; design standards for streets, alleys, sidewalks; blocks, lots, recreational area and community assets, monuments, storm-drains, culverts, bridges, street lights, fire hydrants, water mains, streets signs, and sanitary sewers; plan requirements and processing procedures for the tentative sketch, preliminary plan, improvement construction requirements; and conditions of acceptance by the Township of sanitary sewers, storm sewers, streets, and other improvements. Such regulations shall be prepared by the Planning Committee and approved by resolution of this Board, and when so approved shall have the same force and effect as the provisions of this ordinance. The said regulations may be amended, modified, or repealed by resolution of the Board of Commissioners.

Provisions shall be made for sanitary sewers where any connection with any present or proposed Township sewer system is practical."

Section 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

ENACTED by the Board of Township Commissioners of Upper Dublin Township this 11th day of October, 1955.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: E. Rodger Stevens, Secretary

ORDINANCE NO. 120

PROVIDING FOR THE ORGANIZATION AND REGULATION OF THE FIRE DEPARTMENT OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PA.: THE APPOINTMENT OF A FIRE MARSHALL AND THE CREATION OF A FIRE BOARD, AND FURTHER PROVIDING FOR RULES AND REGULATIONS FOR THE PREVENTION OF FIRES AND PROVIDING PENALTIES FOR VIOLATIONS.

The Board of Commissioners of Upper Dublin Township, Montgomery County, Pa., in regular meeting assembled, do hereby enact and ordain:

SECTION 1. The Fire Department of Upper Dublin Township shall consist of the Fort Washington Fire Company No. 1 and any additional companies as the Board of Commissioners may from time to time receive into the Department.

SECTION 2. The Township Commissioners shall appoint an officer to be known as the "FIRE MARSHALL OF UPPER DUBLIN TOWNSHIP", whose duties shall be as hereinafter described. He shall be selected by the Fire Board on the basis of experience and ability and the Fire Board may require a written examination to fill a vacancy.

SECTION 3. There shall be constituted a "FIRE BOARD" which shall consist of a member of the Board of Commissioners, the Fire Marshall, the Chief of Police, The Fire Chief of each of the fire companies, and one resident appointed by Board of Commissioners.

The Fire Board shall adopt rules and regulations and from time to time amend and revise the same, but no such rules or regulations or any amendment or revision thereof shall be effective until first approved by the Board of Township Commissioners. The Fire Board shall hold monthly meetings at a place and time of their selection, and choose a chairman and secretary from their own number, and a monthly report shall be rendered by the said secretary to the Board of Township Commissioners.

The Fire Board shall perform all acts and duties reasonably considered to fall within the jurisdiction of a Board established for the purpose of safeguarding the lives and property of residents of Upper Dublin Township from fire.

SECTION 4. The Township Commissioners may appropriate annually to each fire company which is a member of the Fire Department, such sum or sums as may be in the judgment of the Commissioners considered proper.

SECTION 5. The Fire Board shall adopt rules and regulations covering

the following matters and submit same to the Board of Commissioners for approval:

- Prevention of fires;
- Storage and use of explosives and inflammables;
- Installation and maintenance of fire alarm systems;
- Inspection and regulation of fire escapes and exits from all buildings where a number of persons work or congregate;
- The investigation of the cause, origin or circumstances of fires;
- The establishment of fire drills in educational or other establishments;
- The burning of leaves or trash;
- Determining number and location of fire hydrants;
- The inspection of all fire fighting equipment;
- The institution of classes in fire fighting; and
- Elimination of fire hazards.

SECTION 6. It shall be the duty of the Fire Marshall to:

- Act as the operating agent for the Fire Board;
- Enforce all laws, ordinances and regulations pertaining to fires;
- Render a monthly report to the Fire Board;
- Make periodic inspections as required by the Fire Board;
- Serve notices required by the Fire Board regulations; and
- Issue permits as may be required by the Fire Board regulations.

SECTION 7. Any and all persons, firms or corporations which shall violate any of the provisions of this ordinance or fail to comply with any order or regulations made thereunder, shall upon conviction therefor before a Justice of the Peace be sentenced to pay the costs of prosecution and to pay a fine not exceeding Twenty-five Dollars. The imposition of one fine for any violation of this ordinance shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense. The application of the fine, however, shall not be held to prevent the enforced removal or prohibited conditions.

Any ordinance or part of any ordinance inconsistent with the provisions of this ordinance is hereby repealed.

ADOPTED and ORDAINED this 11th day of October A.D., 1956.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: HENRY LEE WILLET, President
Attest: E. Roger Stevens, Secretary

ICE

An Ordinance to Amend the Zoning Ordinance and Zoning Map, a part of the Amended Upper Dublin Zoning Ordinance of 1946, adopted March 11, 1947, and designated as Ordinance No. 19.

Section 1.

ORDINANCE 121

That the territory hereinafter described be changed from Residential A to "L Business".

Beginning at a point at the Southernly side of Welsh Road at the distance of 400 feet measured northerly westerly from Limekiln Pike and extending along Welsh Road in a southeasterly direction crossing Limekiln Pike and Norristown Road to a point approximately 400 feet Southeast of the Norristown Road; thence at a point opposite the last mentioned point and approximately 300 feet Southwesterly from Welsh Road and parallel to Welsh Road and Norristown Road to a point approximately 300 feet measured Westerly along Norristown Road from Limekiln Pike; thence extending in a line in a Northerly and Northwesterly direction parallel to Limekiln Pike and Welsh Road to a point 300 feet opposite the first mentioned point and place of beginning.

Section 2.

That the territory hereinafter described be changed from "Residential A" to "I Business".

That territory bounded by Susquehanna Road, Peg Street and Limekiln Pike.

Section 3.

That the territory (excepting the portion described in Section 2, above) hereinafter described be changed from "Residential A" to "L Business".

Beginning at a point on the Northernly side line of the Pennsylvania Turnpike Right of Way at the distance of approximately 200 feet measured Westerly along the said Turnpike Right of Way; thence extending in a line parallel to Susquehanna Road and crossing Dreshertown Road to a point approximately 550 feet from the intersection of the center lines of Dreshertown Road with Susquehanna Road; thence at right angles to the aforesaid line and crossing Susquehanna Road and Limekiln Pike to a point the intersection of the Easterly side line of Limekiln Pike and a line forming the Southernly boundary of property now or late of H. H. Ruch; thence extending in a Southeasterly direction along line dividing the land now or late of H. H. Ruch and the line of land of Loretta Restituta to a point approximately 200 feet; thence along the line parallel to Limekiln Pike and located on the Easterly side thereof for a uniform depth of 200 feet to a point on the Northernly side of Pennsylvania Turnpike as aforesaid.

Section 4.

That the territory hereinafter described be changed from "Residential A" to "L Business".

Beginning at a point on the southeasterly sideline of Bethlehem Pike, 60' wide, at a distance of 150', measured at a right angle, from the northwesterly sideline of Butler Pike, 45', thence N 37°-59' E 257.94' to a point; S 52°-01' E 150.0' to a point in the aforesaid northwesterly sideline of Butler Pike; thence S 37°-59' W 243.58' to a point in the aforesaid southeasterly sideline of Bethlehem Pike; thence along said southeasterly sideline of Bethlehem Pike in a northwesterly direction 150.69' to the point of beginning.

Section 5.

That the territory described hereinafter be changed from "Residential A" to "I Business".

Beginning at a point at the intersection of the northeasterly sideline of Bethlehem Pike, 60' wide, with the southeasterly sideline of Butler Pike, 45' wide; thence along said southeasterly sideline of Butler Pike N 37°-59' E 238.21' to a point; thence S 52°-01' E 234.98' to a point; thence S 23°-09' W 110.00' more or less to a point at a distance of 150.0' measured radially in an easterly direction from the curved easterly sideline of Bethlehem Pike; thence in a southerly direction along a curved course with a radius of 482.94' paral-

leling and a distance of 150.0' from the aforesaid easterly sideline of Bethlehem Pike to a point in the northerly sideline of Homestead Lane, 40' wide; thence along said northerly sideline of Homestead Lane in a westerly direction to a point in the aforesaid sideline of Bethlehem Pike, thence along the Bethlehem Pike in a northerly direction along a curve with radius of 332.94' for an arc distance of 177.50' more or less to a point of tangency; thence N 53°-43' W 101.36' to the point of beginning.

Section 6.

That the territory described hereinafter be changed from "Residential A" to "L Business".

(a) All that portion between Homestead Lane, 40' wide, and Argyle Avenue, 40' wide, and extending eastwardly from the easterly sideline of Bethlehem Pike, 60' wide, for a depth of 150.0'.

(b) Beginning at the intersection of the easterly sideline of Bethlehem Pike, 60' wide, with the southerly sideline of Argyle Avenue, 40' wide; thence S 86°-40'-30" E 312.50' more or less to a point; thence S 3°-19'-30" W 135.90' to a point; thence N 86°-38'-30" W 87.56' to a point; thence S 69°-34' W 56' more or less to a point at a distance of 150.0', measured at right angle, from the aforesaid easterly sideline of Bethlehem Pike; thence along a course paralleling and at a distance of 150.0' from the said sideline of Bethlehem Pike in a southerly direction to a point in the northerly sideline of Loch Alsh Avenue, 50' wide; thence along said northerly sideline of Loch Alsh Avenue in a westwardly direction to a point in the aforesaid easterly sideline of Bethlehem Pike; thence along said easterly sideline of Bethlehem Pike in a northerly direction to the point of beginning.

(c) Beginning at the intersection of the easterly sideline of Bethlehem Pike, 60' wide, with the southerly sideline of Loch Alsh Avenue, 50' wide; thence along said southerly sideline of Loch Alsh Avenue S 86°-38'-30" E 138.27' to a point; thence S 4°-09' E 176.54' to a point; thence S 3°-47' E 123.92' to a point in the northerly sideline of Ardross Avenue, 50' wide; thence along said sideline of Ardross Avenue N 86°-38'-30" W 137.33' to a point in the aforesaid easterly sideline of Bethlehem Pike; thence along said easterly sideline of Bethlehem Pike N 3°-47' W 302.42' to the point of beginning.

Section 7. Amend Section 607 of Article VI of the Amended Upper Dublin Zoning Ordinance of 1946, being Ordinance No. 19, adopted March 11, 1947, and as further amended, so that when amended it will read as follows:

"Section 607. There shall be a front yard, the depth of which shall be at least forty (40) feet. In case of a corner lot a front yard shall be required on each street on which the lot abuts unless a special exception for a reduction is granted by the Board of Adjustment. If the building is over forty (40) feet high, there shall be a set-back of five (5) feet for each twelve (12) feet or portion thereof, by which the building exceeds forty (40) feet in height.

Section 8.

Amend Section 706 of Article VII of the Amended Upper Dublin Zoning Ordinance of 1946, being Ordinance No. 19, adopted March 11, 1947, and as further amended, so that when amended it will read as follows:

"Section 706. There shall be a front yard, the depth of which shall be at least forty (40) feet. In case of a corner lot a front yard shall be required on each street on which the lot abuts unless a special exception for a reduction is granted by the Board of Adjustment. If the building is over forty (40) feet high, there shall be a set-back of five (5) feet for each twelve (12) feet or portion thereof, by which the building exceeds forty (40) feet in height."

Approved by the Board and enacted into an ordinance this 7th day of November, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet, President
E. Roger Stevens, Secretary

NOTICE

AN ORDINANCE VACATING HARRISON AVENUE BETWEEN WALNUT LANE AND BODENSTEIN LANE; WALNUT LANE BETWEEN HARRISON AVENUE AND A POINT APPROXIMATELY SIX HUNDRED EIGHTY FEET SOUTHEAST OF THE CENTERLINE OF SUMMIT AVENUE; MONTGOMERY AVENUE BETWEEN HARRISON AVENUE AND A POINT APPROXIMATELY THREE HUNDRED FIFTY-FIVE FEET SOUTHEAST OF THE CENTERLINE OF MADISON AVENUE; BODENSTEIN LANE BETWEEN HARRISON AVENUE AND MADISON AVENUE; AND SPRING AVENUE BEGINNING AT A POINT ON THE CENTERLINE OF SPRING AVENUE, FIFTY FEET WIDE, AT A DISTANCE OF EIGHT HUNDRED NINETEEN AND THIRTY-EIGHT ONE-HUNDREDTHS FEET MEASURED IN A SOUTHEASTERLY DIRECTION FROM THE INTERSECTION OF THE AFORESAID CENTERLINE OF SPRING AVENUE WITH THE CENTERLINE OF MADISON AVENUE, FIFTY FEET WIDE; THENCE SOUTH FIFTY-TWO DEGREES, THIRTY MINUTES EAST TWO HUNDRED FIFTY-FIVE FEET, MORE OR LESS, ALONG SAID CENTERLINE OF SPRING AVENUE TO THE POINT OF TERMINATION OF PORTION BEING VACATED, SAID PORTION BEING FIFTY FEET WIDE, TWENTY-FIVE FEET EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE; ALL PUBLIC ROADS WITHIN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND STATE OF PENNSYLVANIA.

ORDINANCE NO. 122

WHEREAS, in the opinion of the Commissioners of said Township the aforesaid public roads would not be necessary to or useful for the convenience of the public; and

WHEREAS, the Township has been requested to vacate the hereinafter described roads; a public hearing has been held on the question of the vacation of the hereinafter described roads in conformity with Section 2207 of the amended act of 1949, May 27, PL 1955 Section 43; and

WHEREAS, in the judgement of the Board of Commissioners the following roads to wit:

Harrison Avenue between land of Charles E. Henkels, et ux and land of George Bodenstein Estate, a distance of approximately seven hundred feet and having a uniform width of thirty-six feet.

Walnut Lane between the aforesaid Harrison Avenue and a point approximately six hundred eighty feet Southeast of the centerline of Summit Avenue a distance of approximately five hundred seventy-five feet and having a uniform width of twenty-five feet.

Montgomery Avenue between the aforesaid Harrison Avenue and a point approximately three hundred fifty-five feet Southeast of the centerline of Madison Avenue a distance of approximately four hundred thirty feet having a uniform width of fifty feet.

Bodenstein Lane between the aforesaid Harrison Avenue and a point approximately three hundred thirty feet southeast of the centerline of Madison Avenue, a distance of approximately four hundred thirty feet and having a uniform width of fifty feet.

Spring Avenue, beginning at a point on the centerline of Spring Avenue, fifty feet wide, at a distance of eight hundred nineteen and thirty-eight one-hundredths feet measured in a Southeasterly direction from the intersection of the afore-

said centerline of Spring Avenue with the centerline of Madison Avenue fifty feet wide; thence South fifty-two degrees, thirty minutes East two hundred fifty-five feet, more or less, along said centerline of Spring Avenue to the point of termination of portion being vacated, said portion being fifty feet wide, twenty-five feet each side of the above described centerline. Serves no useful public purpose or convenience.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby enact and ordain:

SECTION I. Harrison Avenue between land of Charles E. Henkels, et ux and land of George Bodenstein Estate, a distance of approximately seven hundred feet having a uniform width of thirty-six feet.

Walnut Lane between the aforesaid Harrison Avenue and a point approximately six hundred eighty feet Southeast of the centerline of Summit Avenue a distance of approximately five hundred seventy-five feet and having a uniform width of twenty-five feet.

Montgomery Avenue between the aforesaid Harrison Avenue and a point approximately three hundred fifty-five feet Southeast of the centerline of Madison Avenue a distance of approximately four hundred thirty feet having a uniform width of fifty feet.

Bodenstein Lane between the aforesaid Harrison Avenue and a point on line of land of Paul Kautz et ux, said point being measured from the centerline of Madison Avenue, fifty feet wide, South fifty-two degrees, thirty minutes East three hundred fifty-five feet, for a distance of four hundred thirty feet and having a uniform width of fifty feet.

Spring Avenue, beginning at a point on the centerline of Spring Avenue, fifty feet wide, at a distance of eight hundred nineteen and thirty-eight one-hundredths feet measured in a Southeasterly direction from the intersection of the aforesaid centerline of Spring Avenue with the centerline of Madison Avenue fifty feet wide; thence South fifty-two degrees, thirty minutes East two hundred fifty-five feet, more or less, along said centerline of Spring Avenue to the point of termination of portion being vacated, said portion being fifty feet wide, twenty-five feet each side of the above described centerline. Being vacated as public highways and that all the right, title and interest of the Township of Upper Dublin therein are hereby divested.

SECTION II. That the proper officers of the Township are authorized and directed to make a written report together with a draft or survey of the aforesaid public highways and the names of the owners of property abutting thereon and file the same on behalf of the Township in the Office of the Clerk of the Court of Quarter Sessions of the Peace in and for the County of Montgomery.

SECTION III. That within ten days after the passage of this Ordinance, the proper Officers of the Township are authorized and directed to give notice of the passage and approval of this Ordinance by having handbills posted in conspicuous places along the line of the proposed vacation.

Approved by the Board and enacted into an Ordinance this 16th day of April, A. D., 1956.

BY THE BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, V. President
Attest: Richard M. Brown, Secretary

ORDINANCE NO. 123

AN ORDINANCE TO AMEND ORDINANCE NO. 3 OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, ADOPTED MARCH 12, 1946, SO THAT WHEN AMENDED, THE FOLLOWING CHANGES AND ADDITIONS WILL BE MADE OR ADDED:

Section 1. Amend Section 3 of Ordinance No. 3 so that the Bond as required shall be in the amount of One Thousand Dollars (\$1,000.00) rather than Five Hundred Dollars (\$500.00).

Section 2. Amend Section 3 so that when amended, the amount of liability insurance shall be Twenty-five Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00) rather than Ten Thousand Dollars (\$10,000.00) and Twenty Thousand Dollars (\$20,000.00).

Section 3. Amend Section 4 by adding thereto Paragraph (f), as follows:

"The fees provided in Section 4 of Ordinance No. 3 adopted March 12, 1946, may be waived in part or in toto by the Commissioners when the work is to be undertaken by or under the direction of a municipality or public utility, provided the conditions as required in Section 4 hereinafter are met."

Section 4. Amend Section 8 of Ordinance No. 3 by amending the last sentence of the paragraph so that when amended, said sentence and that part of section 8 will read as follows:

"The work of replacing the surface of the highway shall be done by the Township except the Commissioners may waive such requirements when the work is to be undertaken by or under the direction of a municipality or public utility and provided a satisfactory guarantee is furnished in writing guaranteeing (1) the restoration of the highway in accordance with the requirements of the Department of Highways of the Township; and (2) the municipality or public utility agrees in writing with the Township of Upper Dublin that the restoration of the highway, including the replacing of the surface, will be done in accordance with the provisions of Ordinance No. 3, as amended by this ordinance, and maintained for a period of one year from the date of completion of permanent restoration. The restoration and maintenance shall be to the satisfaction of the Department of Highways.

ORDAINED and ENACTED this 5th day of July, 1956, A.D., 1956.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy

ORDINANCE NO. 124

AN ORDINANCE TAKING, ACQUIRING AND APPROPRIATING CERTAIN REAL PROPERTY, INCLUDING ANY IMPROVEMENTS THEREON, LOCATED IN THE TOWNSHIP OF UPPER DUBLIN COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, FOR THE PURPOSE OF MAKING ENLARGING AND MAINTAINING PUBLIC PARKS, RECREATION AREAS AND FACILITIES.

WHEREAS, the Township of Upper Dublin is a public body and a body corporate and politic created and organized in accordance with the laws of the General Assembly of the Commonwealth of Pennsylvania;

WHEREAS, the Township of Upper Dublin, by virtue of the provisions of the act of General Assembly of the Commonwealth of Pennsylvania, is authorized to acquire private property for the purpose of making, enlarging and maintaining public parks, recreation areas and facilities, and

WHEREAS, the Township of Upper Dublin is desirous of acquiring land for the purpose of making and maintaining a recreation area and facilities in the area bounded by Logan Avenue, Summit Avenue and Linden Avenue, being Lots Nos. 535 to 548 and Lots Nos. 565 to 577, both inclusive, as shown on Plan of Edge Hill Land Association and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania in Deed Book No. 360, page 426, and

WHEREAS, the owners or reputed owners of the real property, including improvements and fixtures, are as follows:

Lots Nos. 538 and 539—Morris Hayman and Madeline, his wife, by Deed from Minna A. C. Epting, Widow, dated June 6, 1938 and recorded June 8, 1938 in Deed Book No. 1262, page 184, and the County Commissioners of Montgomery County by reason of purchase from the Treasurer of Montgomery County on December 8, 1941 for non-payment of 1938 taxes.

Lots Nos. 540 and 541—The heirs of William C. Irvin, Deceased, who was grantee of a Treasurer's Deed dated August 1, 1925 and recorded February 4, 1927 in Deed Book No. 1022, page 129 and page 128, and by virtue of Action to Quiet Title in June Term, 1948, No. 364, Court of Common Pleas of Montgomery County, Pennsylvania, and the Commissioners of Montgomery County by reason of purchase from Treasurer of Montgomery County on February 1, 1940 for non-payment of 1929 and 1930 taxes.

Lot No. 542—Horace Geiger, by virtue of Deed from Edge Hill Land Association, dated May 1, 1891 and recorded May 7, 1891 in Deed Book No. 358, page 170, and the Commissioners of Montgomery County by reason of purchase from the Treasurer of Montgomery County on April 26, 1951 for non-payment of 1946 taxes.

Lots Nos. 543, 544, 545, 546, 547, 548, 576 and 577—Max B. Shubin, by virtue of Deed from William J. Geertz, et ux, dated January 12, 1928 and recorded January 14, 1928 in Deed Book No. 1038, page 461.

Lots Nos. 574 and 575—William Ruch, by virtue of Deed from Edge Hill Land Association, dated February 13, 1891 and recorded February 19, 1891 in Deed Book No. 353, page 412, and the Commissioners of Montgomery County by virtue of purchase from the Treasurer of Montgomery County on November 12, 1940 for non-payment of 1938 taxes.

Lot No. 573—Frederick W. Ebeling, by virtue of Deed from Edge Hill Land Association, dated August 20, 1891 and recorded August 25, 1891 in Deed Book No. 360, page 344.

Lots Nos. 569, 570, 571 and 572—Florence M. Binder, by virtue of Deed from William C. Binder, et al, dated March 13, 1953 and recorded March 24, 1953 in Deed Book No. 2357, page 25, and by virtue of the intestacy of William Binder, Jr., and the Commissioners of Montgomery County by virtue of purchase from Treasurer of

Montgomery County on December 8, 1941 for non-payment of 1935 taxes.

Lots Nos. 565, 566, 567 and 568—Lewis E. Weiss and Suki, his wife, by virtue of proceedings in the Court of Common Pleas as of April Term, 1955, No. 13, upon the petition of the County Commissioners of Montgomery County for leave to sell the aforesaid lots and the same were ordered sold on June 10, 1955 to Lewis E. Weiss and Suki, his wife; also the outstanding interest, as to Lots Nos. 567 and 568, in Blanche Poss by virtue of Deed from Edward Butsch, et ux, dated May 25, 1955 and recorded June 3, 1955 in Deed Book No. 2578, page 375; also the interest of the heirs at law of Margaretha Butsch, grantee in Deed Book No. 353, page 39, also known as Margaretha Butsch Hund, and as to the identity of said heirs with Edward Butsch and Hannah, his wife, grantors in Deed Book No. 2578, page 375; also the interest of the heirs at law of Joseph Hund, one of the heirs at law of Margaretha Butsch Hund, Deceased, and as to the identity of said heirs with Edward Butsch and Hannah, his wife, grantors in Deed Book No. 2578, page 375; also the interest of the Commissioners of Montgomery County by virtue of purchase from Treasurer's Sale on December 8, 1941 for non-payment of 1935 taxes; also the outstanding of Lots Nos. 565 and 566 in John Francis and Mary, his wife, by virtue of Deed recorded in Deed Book No. 368, page 164, and the Commissioners of the County of Montgomery by virtue of Treasurer's Sale on December 8, 1941 for non-payment of 1935 taxes.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Township of Upper Dublin in the County of Montgomery and Commonwealth of Pennsylvania, and it is hereby enacted and ordained by authority of the same.

Section 1. The hereinafter described real property, including any improvements and fixtures, is required and is necessary for the purpose of making and maintaining a recreation area and facility for the Township of Upper Dublin, Montgomery County, Pennsylvania; that the said Township of Upper Dublin, by virtue of its powers and the acts of General Assembly of the Commonwealth of Pennsylvania, hereinbefore set out, hereby takes, acquires and appropriates for the purposes of making and maintaining a public recreation area and facility ALL THOSE CERTAIN lots or parcels of land, with the improvements and fixtures thereon, said lots being as shown on Plan of Edge Hill Land Association and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania, in Deed Book No. 360, page 426, and reputed to be the private property as hereinbefore set forth and are described as follows:

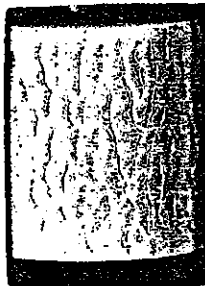
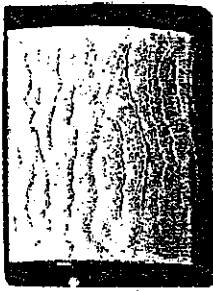
Lots Nos. 538 and 539

ALL THOSE TWO CERTAIN lots or pieces of ground, being Lots Nos. 538 and 539 in the revised plan of lots of the Edge Hill Land Association, situate on the Southeasterly side of Logan Avenue at the distance of 450 feet Northeastwardly from the Northeastery side of Walnut Avenue in the Township of Upper Dublin, County of Montgomery, State of Pennsylvania, containing in front or breadth on the said Logan Avenue 50 feet, (each lot 25 feet) and extending of that width in length or depth Southeastwardly between parallel lines at right angles to said Logan Avenue 110 feet.

BEING the same premises which Minna A. C. Epting, Widow, by Deed dated June 6, 1938 and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pa., in Deed Book No. 1262, page 184, granted and conveyed unto Morris Hayman and Madeline, his wife.

Lots Nos. 540 and 541

ALL THOSE TWO CERTAIN lots or pieces of land situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, being Lots Nos. 540



541, Edge Hill Land Association.
BEING the same premises which Frank
prop. Treasurer of Montgomery County,
Deed dated August 1, 1925 and recorded
the Office for the Recording of Deeds
and for the County of Montgomery at
Norristown, Pa., in Deed Book No. 1022,
page 128, granted and conveyed unto
William C. Irvin.

Lot No. 542
ALL THAT CERTAIN lot or piece of
ground being Lot No. 542 on the revised
plan of the lots of said Edge Hill Land
Association, situate on the Southeasterly
side of Logan Avenue at the distance of
600 feet Northeastwardly from the North-
westerly side of Walnut Avenue in the
Township of Upper Dublin, County of
Montgomery, State of Pennsylvania, con-
taining in front or breadth on the said
Logan Avenue 25 feet and extending in
length or depth Southeastwardly between
parallel lines at right angles to said Logan
Avenue 110 feet.

BEING the same premises which Edge
Hill Land Association, a Pennsylvania Cor-
poration, by Deed dated May 1, 1891 and
recorded in the Office for the Recording
of Deeds in and for the County of Mont-
gomery at Norristown, Pa., in Deed Book
No. 353, page 170, granted and conveyed
unto Horace Geizer.

Lots Nos. 543, 544, 545, 546, 547, 548,
576 and 577

ALL THAT CERTAIN lot or piece of
ground being Lot No. 548 on the revised
plan of lots of Edge Hill Land Association,
situate at the intersection of the South-
westerly side of Logan Avenue and the
Southwesterly side of Summit Avenue in
the Township of Upper Dublin, County of
Montgomery and State of Pennsylvania,
containing in front or breadth on the said
Logan Avenue 25 feet and extending in
length or depth Southwestwardly between
parallel lines at right angles to said Logan
Avenue and along the Southwestwardly side of
said Summit Avenue 110 feet.

ALSO ALL THOSE FIVE CERTAIN
lots or pieces of ground being Lots Nos.
543, 545, 544 and 543 on said plan.
Situate on the Southeasterly side of Logan
Avenue at the distance of 25 feet South-
westwardly from the Southwest side of
said Summit Avenue in the said Township
containing in front or breadth on the said
Logan Avenue 125 feet (each lot 25 feet)
and extending in length or depth Southeast-
wardly between parallel lines at right
angles to said Logan Avenue 110 feet.

ALSO ALL THAT CERTAIN lot or piece
of ground being Lot No. 577 on said plan,
situate at the intersection of the North-
westerly side of Linden Avenue and the
Southwesterly side of said Summit Avenue,
in the said Township, containing in front
or breadth on the said Linden Avenue 25
feet and extending in length or depth,
Northwestwardly between parallel lines at
right angles to said Linden Avenue and
along the Southwestwardly side of said Summit
Avenue 110 feet.

ALSO ALL THAT CERTAIN lot or piece
of ground being Lot No. 576 on said plan,
situate on the Northwesterly side of said
Linden Avenue at the distance of 25 feet
Southwestwardly from the Southwest side
of said Summit Avenue in the said
Township, containing in front or breadth
on said Linden Avenue 25 feet and extend-
ing in length or depth Northwestwardly
between parallel lines at right angles to
said Linden Avenue 110 feet.

BEING the same premises which William
Gezgis, et ux, by Deed dated January
2, 1928 and recorded in the Office for the
Recording of Deeds in and for the County
of Montgomery at Norristown, Pa., in Deed
Book No. 1038, page 461, granted and
conveyed unto Max B. Shubin.

Lots Nos. 574 and 575

ALL THOSE TWO CERTAIN lots or
pieces of ground being Lots Nos. 574 and
575 on the revised plan of lots of said Edge
Hill Land Association, situate on the North-
westerly side of Linden Avenue at the dis-
tance of 625 feet Northeastwardly from the
Northeasterly side of Walnut Avenue in

the Township of Upper Dublin, County of
Montgomery, State of Pennsylvania, con-
taining in front or breadth on the said
Linden Avenue 50 feet (each lot 25 feet)
and extending in length or depth North-
westwardly between parallel lines at right
angles to said Linden Avenue 110 feet.

BEING the same premises which Edge
Hill Land Association, a Pennsylvania Cor-
poration, by Deed dated February 13, 1891
and recorded in the Office for the Record-
ing of Deeds in and for the County of
Montgomery at Norristown, Pa., in Deed
Book No. 353, page 412, granted and con-
veyed unto William Ruch.

Lot No. 573

ALL THAT CERTAIN lot or piece of
ground being Lot No. 573 on the revised
plan of the lots of said Edge Hill Land As-
sociation, situate on the Northwesterly side
of Linden Avenue at the distance of 600
feet Northeastwardly from the Northeast-
erly side of Walnut Avenue in the Town-
ship of Upper Dublin, County of Mont-
gomery and State of Pennsylvania, con-
taining in front or breadth on the said
Linden Avenue 25 feet and extending in
length or depth Northwestwardly between
parallel lines at right angles to said Linden
Avenue 110 feet.

BEING the same premises which Edge
Hill Land Association, a Pennsylvania
Corporation, by Deed dated August 20,
1891 and recorded in the Office for the
Recording of Deeds in and for the County
of Montgomery at Norristown, Pa. in
Deed Book No. 360, page 343, granted
and conveyed unto Frederick W. Ebeling.
Lots Nos. 569, 570, 571 and 572

ALL THOSE FOUR CERTAIN LOTS
or pieces of ground being Lots Nos. 569,
570, 571 and 572 on the revised plan of
the lots of the Edge Hill Land Associa-
tion, situate on the Northwesterly side
of Linden Avenue at the distance of 500
feet Northeastwardly from the North-
easterly side of Walnut Avenue in the
Township of Upper Dublin, County of
Montgomery and State of Pennsylvania,
containing in front or breadth on the
said Linden Avenue 100 feet (each lot
25 feet) and extending in length or depth
Northwestwardly between parallel lines
at right angles to said Linden Avenue
110 feet.

BEING the same premises which Wil-
liam C. Binder, et al, by Deed dated
March 13, 1953 and recorded in the office
for the Recording of Deeds in and for
the County of Montgomery at Norristown,
Pa. in Deed Book No. 2357, page 25,
granted and conveyed unto Florence M.
Binder.

Lots Nos. 567 and 568

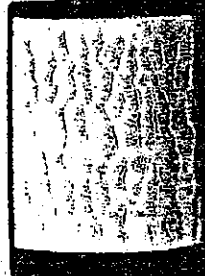
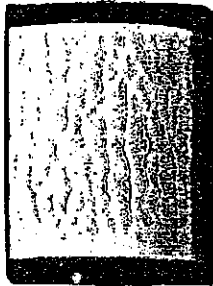
ALL THOSE TWO CERTAIN lots or
pieces of ground being Lots Nos. 567 and
568 on the revised plan of the lots of
said Edge Hill Land Association, situate
on the Northwesterly side of Linden Ave-
nue at the distance of 450 feet North-
eastwardly from the Northeasterly side
of Walnut Avenue in the Township of
Upper Dublin, County of Montgomery,
State of Pennsylvania, containing in front
or breadth on the said Linden Avenue 50
feet (each lot 25 feet) and extending in
length or depth Northwestwardly between
parallel lines at right angles to said Lin-
den Avenue 110 feet.

BEING the same premises which Edge
Hill Land Association, a Pennsylvania
corporation, by Deed dated December 19,
1890 and recorded in the Office for the
Recording of Deeds in and for the County
of Montgomery at Norristown, Pa. in
Deed Book No. 353, page 39, granted and
conveyed unto Margaretha Butsch, wife
of John Butsch.

Section 2. The Solicitor of the Town-
ship of Upper Dublin is hereby authorized
and directed to take such other and
further steps in Court, or elsewhere, as
may be necessary to carry out the pro-
visions of this ordinance.

APPROVED by the Commissioners and
enacted into an ordinance this 14th day
of February, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet, President
Attest: Richard M. Brown, Jr., Secretary
1 Mar Ita



ORDINANCE NO. 125

AN ORDINANCE TO ACCEPT BY DEED OF DEDICATION THE STREETS OF MANOR ROAD, PARK PLACE, TEE ROAD, MILL ROAD, EXTENDED (FORMERLY GOLF ROAD), VALLEY ROAD, GARDEN ROAD, FAIRWAY ROAD, AND STRIP ALONG TWINING ROAD; AND TO RE-NAME GOLF ROAD TO MILL ROAD; ALL AS SHOWN OF PLAN OF ORELAND GARDENS PREPARED BY BARTIN & MARTIN, ENGINEERS FOR SUNNYBROOK, INC. DATE APRIL 22, 1953 AND RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS IN AND FOR THE COUNTY OF MONTGOMERY ON DECEMBER 15, 1953 IN PLAN BOOK A-1 AND RECEIVE THE SAME IN THE GENERAL PLAN OF STREETS OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same, as follows:

Section 1. That the tender of a deed for the following streets: to wit: Manor Road, Park Place, Tee Road, Mill Road, extended (formerly Golf Road), Valley Road, Garden Road, and strip along Twining Road as shown on plan of the Oreland Gardens prepared by Barton & Martin, Engineers, Philadelphia, Pennsylvania, for Sunnybrook, Inc. dated April 23, 1953 be accepted.

Section 2. That the Solicitor of the Township be authorized and directed to record the same in the Office for the Recording of Deeds of Montgomery County, Pennsylvania.

Section 3. That upon recording at aforesaid the aforesaid streets shall be entered and received in the general plan of streets and accepted by the Township of Upper Dublin as, and for a public highway, all in accordance with the act of Assembly in such case made and provided.

Section 4. That the entire cost shall be at the expense of Sunnybrook, Inc.

Section 5. That hereinafter, Golf Road between Garden Road and the present juncture of Golf Road with Mill Road, 312' southeast of the centerline of Valley Road, shall be known as Mill Road.

Approved by the Board of Commissioners of Upper Dublin Township this 14th day of February, 1956.

Henry Lee Willet
President

Attest: Richard M. Brown, Jr.
Secretary

#126

Gay Plan was disapproved. The text of the Board's decision will be written by the Solicitor and signed by the Secretary.

On motion of Jenkins and Shuman it was agreed to advance the pay of Patrolman Joseph Ochotny the next step in the pay schedule.

On motion of Jenkins and Shuman the Solicitor was authorized to prepare an ordinance rezoning from "Residential" to "L" and "I" Commercial, ground presently owned by Fairways Estates, Inc., at Twining Road and Limekiln Pike as shown on plan in the "Zoning" filing in the Secretary's Office.

The Real Estate Transfer Tax as set forth in Ordinance #103 B adopted February 12th, 1955, was readopted without change, for the year 1956.

*

On motion of Wentz and Shuman the revised "Escrow" agreement submitted by Delaware Valley Properties, Inc. and executed by the Township and the Girard Trust Corn Exchange Bank providing payment of funds for the construction of Commerce Drive upon authorization by the Commissioners was approved.

Recessed.

E. Roger Stevens
Secretary

A. L. Bellet
President
Nathan P. Bauman
Vice President

Ord #126

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The stated meeting of the Commissioners of Upper Dublin Township was held on the above date in the Township Building.

In attendance Nathan P. Bauman, Vice President; Raymond Jenkins, Horace Shuman, Harry T. Wentz, Commissioners; Elmer L. Menges, Solicitor, William T. Weir, Engineer; M. Louise Funk, Treasurer; Richard M. Brown, Jr., Assistant Secretary and E. Roger Stevens, Secretary.

Meeting called on for business at 8:10 p.m. by the Vice President.

Reading of Minutes dispensed with on motion of Shuman and Wentz.

Herbert Barness reported that some of the streets of Willow Manor were ready for dedication. He was instructed to notify the Township Engineer.

On motion of Jenkins and Wentz the Solicitor was authorized to prepare the necessary ordinance rezoning the Stever property at North Hills Avenue and Moreland Road from Residential to "I" Commercial.

Reported that some minor changes had been made in the proposed Building Code at the suggestion of the Building Inspector. The Building Code, with these changes was adopted on motion of Jenkins and Wentz.

On motion of Wentz and Shuman the ordinance for the relocation of Camp Hill Road due to the bridging of the Turnpike was adopted.

The Fairways development having been started prior to the change in bond requirements, it was agreed that a maintenance bond for 1 year only would be required, that the amount of the bond be fixed at \$10,000.00. 1/10th of the \$100,000.00 bond originally filed for the entire tract, the year to date from the date of execution and to be submitted to the Solicitor prior to dedication. Provision to be made for necessary repairs within a period to be fixed at discretion of the Township Engineer and if not completed by the Developer the Township may proceed under the bond. Buffer to be planted as promised and required by the F.H.A. and V.A.

On motion of Wentz and Shuman Solicitor was authorized to prepare the ordinance for the deed of dedication for recording. This will provide for a change in the name of Golf Road to Mill Road. Residents and local Postmaster to be notified.

On motion of Shuman and Wentz Solicitor was authorized to prepare ordinance vacating portion of Spring Avenue as noted on plan submitted. Also authorized to vacate ground for cul de sac at the vacated portion of Spring Avenue, and to prepare an ordinance for laying out the ground for the cul de sac referred to above.

ORDINANCE 127

AN ORDINANCE TO RE-ADOPT, WITH VARIOUS AMENDMENTS, THE UPPER DUBLIN BUILDING CODE OF 1940, APPROVED MARCH 21st, 1940.

Be it Ordained and Enacted by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same:

Section A. That the Upper Dublin Building Code of 1940, approved March 21st, 1940, and as thereafter amended be re-adopted, subject to the following changes:

1. Wherever the word "supervisors" appears, change to "commissioners".
3. Article 11 Sect. 210, page 7, line 13 — change "fifteen (15)" to "thirty (30)".
3. Article 11 Sect. 210, page 7 line 3 from bottom — change "fifty (50) cents" to "one (1) dollar".
4. Article 111 Sect. 304, page 9, line 11 — change fees as follows:

..... fee \$3.00
..... fee \$1.00
..... fee \$5.00
..... fee \$6.00
..... fee \$1.50
- Omit maximum fees, except minor repairs, etc not exceeding \$500.
5. Article 111 Sect. 305, page 9, line 39 — after the word "installation" add "and/or alteration of a". After the word "system" add "in a existing building which is to be altered or changed".
- Line 32 change "one (1) dollar to "three (3) dollars".
- Line 44 omit everything after the word "shall", and add "five (5) dollars".
6. Article 111 Sect. 306, page 9, line 2 from bottom — change "fifteen (15)" to "thirty (30)".
7. Article 111 Sect. 309, page 10, line 35 after the word "permit" add "and upon payment of an additional \$2.00 fee".
8. Article IV Sect. 400, page 10, line 1 and 2 from bottom insert the words "other than a single-family dwelling".
9. Article IV Sect. 400, page 11, line 9, insert the words "other than a single-family dwelling".
10. Article IV Sect. 403, page 11, line 11 from bottom change "one (1) dollar" to "three (3) dollars".
- Add — "additional copies \$2.00 each".
- ... Article IV Sect. 404, page 11, line 8 from bottom change "ten (10)" to "fifteen (15)".
- 11-a. Article VII. Sect. 711 last par. Where a Pvt. Garage adjoins or is attached in any respect to a Dwelling and is separated from same by a stud partition. Metal lath and cement plaster or approved 3/4 inch plaster board with the joints properly sealed must be applied on the garage side of the partition. All garage ceilings (except where the garage is entirely separated from the Dwelling) to be finished in the above mentioned manner.
12. Article VII Sect. 711, page 13, line 13 change "ten (10) inches" to "six (6) inches".
13. Article VII Sect. 711, page 13, line 22, after the word "adjoins" add "or is attached in any respect to".
14. Article IX Sect. 900, page 19, line 8 from bottom add the following:

"Where foundation walls are for buildings constructed for use as private dwellings not over two stories in height, concrete foundation walls of at least ten (10) inches in thickness need not be reinforced".

15. Article IX Sect. 900, page 20, line 4, omit everything after the word "provided" and add "a concrete footing at least 8" deep and 12" in width is used".
16. Article IX Sect. 902, page 21, line 2, change "9" to "10".
17. Article IX Sect. 909, page 23 — Grade "A" brick now "SW" brick ASTM serial designation is now C62-50
For concrete brick designation is now C55-52
Grade "C" brick is now "NW" brick — designation C62-50
Grade "B" brick is now "MW" brick — designation C62-50
Line 1, page 24 —
Designation is now C55-52
Sand Lime Brick is now designation C73-51
18. Article IX, Sect. 913, page 25, line 6 after the word "coarse" insert the word "sharp".
19. Article IX, Sect. 916, page 25, line 11 from bottom after the word "thick" add "for dwellings less than two (2) stories high. All dwellings two (2) stories or higher shall have veneering four (4) inches thick".
20. Article IX, Sect. 916, page 26, line 5, after the word "foundations" add "or other approved support".
21. Article IX, Sect. 917, (new Section) page 26, line 9, "Sheathing: All frame buildings for dwelling purposes shall be sheathed on the frame work from bottom of sill to top rather with boards not less than 3/4 inches thick, on which the finished inclosing material shall be placed. Fiber board, ply wood, gypsum board, or other inclosing material as may be approved by the Building Inspector may be used instead of wood buildings are thoroughly braced."
... when plywood is used for sheathing it shall not be less than 3/4 inch thick for roofing purposes and not less than 1/2 inches thick for sheathing of interior walls.
Plywood when used for sub-flooring must be not less than 3/4 inches thick.
When plywood is used for sheathing purposes on roofs, the same shall not be less than four feet by eight feet in size and shall be placed on rafters spaced not farther than 16 inches, measured center to center with the grain of face plies laid perpendicular to the rafters and joints staggered."
Fasteners for application of asbestos shingles shall be approved by the Building Inspector".
22. Article X, Sect. 1001, page 27, line 4, after the numbers "150" add "and upwards".
23. Article X, Sect. 1009, page 28, line 11, after the word "steel" add "and other metals".
- Line 15, change "A9-23" to "A-7".
- Line 17, after the word "dampers" add "and shall conform to the standard specifications of the American Society for Testing Materials as amended to date".
- Add — "CAST IRON shall conform

to the applicable specifications of the American Society for Testing Materials, as amended. Cast Iron shall not be used structurally except for columns, column bases, post caps and fireplace dampers.

OTHER METALS shall conform to the applicable specifications of the American Society for Testing Materials, as amended."

24. Article X, Sect. 1001, page 30, line 8: add —
"As set forth in the current revisions of the ACI Building Code 318-51, as amended."
Also add — "Section 1012 — PORTLAND CEMENT for all uses, shall conform to A. S. T. M. specifications, Serial designation C-150."
Also add — "Section 1013 — STEEL used for concrete reinforcement shall be deformed bars whose deformations meet A. S. T. M. A305-50 T, and shall meet material requirements of A. S. T. M. designation A-15, A-16, or A-160, as amended to date." !
 25. Article XI, Sect. 1102, page 31, line 19, after the word "tile" add the words "or 6 inch hollow block".
 26. Article XI, Sect. 1109, page 32, line 17, after the word "dwellings" add "in which case stairways shall not be less than two (2) feet nine (9) inches clear of hand-rail."
 27. Article XIV Sect. 1408, page 37, line 14 from bottom after the word "thick" add the words "of solid masonry exclusive of fire brick lining".
 28. Article XIV, Sect. 1416, page 38, change entire paragraph to read as follows:
"All hot air pipes which are exposed and in the open in the basement or heater room for a distance of six (6) feet from the heater need not be covered with asbestos paper, otherwise said pipes must be covered with asbestos paper after entering partition wall, and shall have an air space of at least one (1) inch between the pipe and woodwork."
 29. Article XIV, Sect. 1417 (new paragraph), page 38:
"The installation of all heat producing appliances, heating, ventilating, air conditioning, blower, and exhaust systems, shall be in conformity with Appendix I, Page 197 of the 1949 Edition of the National Building Code, which is incorporated herein and made part hereof."
 30. Article XVI, Sect. 1610, page 42, line 16, change "1939" to "1946" and add the words "as amended". NOTE: Wherever 1939 appears in Code change to "1946".
 31. Article XVII, Sect. 1712, page 47, eliminate entire Section.
 32. Article XVII, Sect. 1713, page 47, line 4, from bottom, change Section number to "1712" and strike out the words "except educational buildings of the Fifth Class".
 33. Article XVII, Sect. 1714, page 49, change to 1713.
 34. Article XVII, Sect. 1715, page 49, change to 1714.
 35. Article XVII, Sect. 1713, page 49, line 2, change "430" to "1000".
Ordained and Enacted this 13th day of December, 1955.
- COMMISSIONERS OF UPPER DUBLIN TOWNSHIP
- Nathan P. Bauman, Vice Pres.
Attest: E. Rodger Stevens, Secy.

NOTICE

This is to certify that Ordinance No. 127 re-adopting, with various amendments, the Upper Dublin Township Building Code of 1940, approved March 21, 1940, which Amendment as advertised in the Ambler Gazette on December 22, 1955 inadvertently referred to interior walls instead of exterior walls in sub-section 21 of Section A of Ordinance No. 127.

The correct language of the sub-section 21 of Section A of Ordinance 127 as adopted is as follows:

21. Article IX, Sect. 917, (new Section) page 26, line 9. "Sheathing: All frame buildings for dwelling purposes shall be sheathed on the frame work from bottom of sill to top rather with boards not less than $\frac{3}{4}$ inches thick, on which the finished inclosing material shall be placed. Fiber board, ply wood, gypsum board, or other inclosing material as may be approved by the Building Inspector may be used instead of wood sheathing when buildings are thoroughly braced."

"When plywood is used for sheathing it shall not be less than $\frac{3}{8}$ inch thick for roofing purposes and not less than $\frac{1}{2}$ inches thick for sheathing of exterior walls.

Plywood when used for sub-flooring must be not less than $\frac{3}{8}$ inches thick.

COMMISSIONERS OF UPPER DUBLIN
TOWNSHIP

By: E. Roger Stevens, Secretary
December 31, 1955

ORDINANCE NO. 128

TO CHANGE THE NAME OF OLD WELSH ROAD BETWEEN ITS INTERSECTION OF WELSH ROAD AND OLD WELSH ROAD AND THE INTERSECTION OF OLD WELSH ROAD AND NORTH HILLS AVENUE, A DISTANCE OF ONE THOUSAND FEET APPROXIMATELY, UPPER DUBLIN TOWNSHIP, COUNTY OF MONTGOMERY AND STATE OF PENNSYLVANIA.

BE IT ORDAINED AND ENACTED, by the Commissioners of Upper Dublin Township and it is hereby enacted by the authority of the same.

Section 1. That hereinafter the public highway known as Old Welsh Road, between the termini where said Old Welsh Road intersects either with Welsh Road or North Hills Avenue, a distance of approximately One Thousand Feet (1000'), shall be designated and bear the name of Kimball Avenue.

Approved by the Board of Commissioners, this 9th day of October, A. D., 1956.

BY: Nathan P. Bauman, Vice-President
ATTEST: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 129

An Ordinance to accept the re-location by the Commonwealth of Pennsylvania of a portion of Camp Hill Road (Township Road No. 331); Upper Dublin Township, Montgomery County, Pennsylvania.

WHEREAS, the Department of Highways, of the Commonwealth of Pennsylvania has re-located a portion of Camp Hill Road, designated Township Road 331, and

WHEREAS, the Department of Highways, as aforesaid, has requested the Commissioners of the Township of Upper Dublin to accept said portion of road as re-located into the township road system.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same, as follows:

Section 1. The following described tract of land:

BEGINNING at a point on Township Road Number 331, which point is the intersection of the centerlines of old and relocated Township Road Number 331 and which point is forty-two and thirty-three one-hundredths feet, more or less, as measured in a Northwesterly direction from the Southeast end of new bridge wing and forty and twenty-five one-hundredths feet, more or less, as measured in a Northeasterly direction from the Southwest end of wing of said bridge, thence by a three degree, 00 minute, 00 second curve to the left from a tangent bearing South twenty-six degrees, thirty-eight minutes, fifty-two seconds West an arc distance of one hundred sixty-five and nine one-hundredths feet, thence South twenty-one degrees, forty-one minutes, forty-two seconds West a distance of three hundred thirty-nine and seventy one-hundredths feet, thence by a three degree, curve to the left, an arc distance of ninety-six and forty-eight one-hundredths feet to a point, which point is the intersection of the centerlines of relocated and old Township Road Number 331 (being 226.44 feet, more or less, as measured South 14 degrees, 25 minutes, 48 seconds East from and at right angles to the centerline of the Pennsylvania Turnpike at or about Turnpike Station 785+35.92) and being "end of relocation".

Approved by the Board and enacted into an Ordinance this 13th day of December, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: Nathan P. Bauman, Vice President
Attest: E. Roger Stevens, Secretary

ORDINANCE NO. 130

An Ordinance laying out a portion of Spring Avenue, Southeast of Madison Avenue, Upper Dublin Township, Montgomery County, Pennsylvania.

WHEREAS, in the development of the road system near the Fort Washington Industrial Center, it has been deemed advisable to vacate a portion of Spring Avenue, and

WHEREAS, in order to make the dead end existing on Spring Avenue, it becomes desirable and necessary to acquire additional ground to provide a turn-a-round or cul-de-sac

NOW, THEREFORE, BE IT ORDAINED AN DENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same:

Section 1. The following described tract of land:

BE-GINNING at a point on the northeasterly sideline of Spring Avenue, fifty feet wide, said point being at a distance of eight hundred nineteen and thirty-eight one-hundredths feet measured in a Southeasterly direction from the centerline of Madison Avenue, fifty feet wide, along the aforesaid northeasterly sideline of Spring Avenue; thence South fifty-two degrees, thirty minutes, East forty-five feet to a point of tangency with a curve to the right; thence along said curve to the right with a radius of forty-three feet for an arc distance of one hundred ninety-five and sixty feet to a point in the Southwesterly sideline of Spring Avenue; thence along said sideline of Spring Avenue, North fifty-two degrees, thirty minutes West two and fifty-seven one-hundredths feet to a point; thence North thirty-seven degrees, thirty minutes East fifty feet to the point of beginning, be, and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as, and for a public highway, all in accordance with the Act of Assemble in such case made and provided.

Section 2. The proper officers of the township are authorized and directed to make a written report, together with a draft or survey of the aforesaid road and the names of the owners of property abutting thereon, and file the same on behalf of the township in the Office of the Clerk of Court of Quarter Sessions of Montgomery County.

Section 3. That within ten days after the passage of this ordinance, the proper officers of the township are authorized and directed to give notice of the passage and approval of this ordinance by handbills posted in conspicuous places along the line of proposed laying out.

Approved by the Board and enacted into an Ordinance this 13th day of December, 1955.

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan F. Bauman, Vice President
Attest: E. Roger Stevens, Secretary
22 Dec. 1955

ORDINANCE NO. 131

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED THE 11th DAY OF MARCH, 1947, DESIGNATED AS NO. 19 AND KNOWN AS THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946 AND THE MAP THEREOF, SO AS TO PROVIDE THAT CERTAIN TERRITORY ADJACENT TO LIMEKILN PIKE AND TWINING ROAD AND SHOWN ON SAID MAP AS "D" RESIDENCE DISTRICT, NOW DESIGNATED UNDER ORDINANCE 117 AS "A" RESIDENCE DISTRICT, BE CHANGED TO "L" BUSINESS DISTRICT AND "I" BUSINESS DISTRICT, RESPECTIVELY.

Be it ordained and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by the authority of the same:

Section 1. That the Zoning Map adopted and approved as a part of the Amended Upper Dublin Zoning Ordinance of 1946, as amended, be further amended as follows:

A. That the territory hereinafter described be changed from the designated Residence District to "I" Business District.

Beginning at a point at the intersection of the center line of Limekiln Pike proposed 60 feet wide with the center line of Twining Road as originally laid out 33 feet wide, thence along the center line of the said Limekiln Pike north 5 degrees, 54 minutes east 393.88 feet to a point a corner; thence extending at right angles to the said Limekiln Pike south 84 degrees 6 minutes east 125.86 feet to a point a corner; thence extending at right angles to the center line of the aforementioned Twining Road south 48 degrees 39 minutes 30 seconds east 125.86 feet to a point a corner in the center line of the said Twining Road; thence extending along the center line of Twining Road south 41 degrees 20 minutes 30 seconds west 393.88

feet to the point and place of beginning.

B. That the territory hereinafter described be changed from the designated Residence District to "L" Business District.

Beginning at a point in the center line of Limekiln Pike proposed 60 feet wide said point being north 5 degrees 54 minutes east 393.88 feet from the intersection of the center line of the said Limekiln Pike with the center line of Twining Road as originally laid out 33 feet wide; thence by the center line of Limekiln Pike north 5 degrees 54 minutes east 406.12 feet to a point a corner; thence extending at right angles to the center line of Limekiln Pike south 84 degrees 6 minutes east 230 feet to a point a corner; thence extending parallel to the aforementioned Limekiln Pike north 5 degrees 54 minutes east 500 feet to a point a corner; thence extending along a line at right angles to the aforementioned Limekiln Pike south 84 degrees 6 minutes east 357.85 feet to a point a corner; thence extending at right angles to the center line of the aforementioned Twining Road south 48 degrees 39 minutes 30 seconds east 274.90 feet to a point a corner in the center line of Twining Road; thence along the center line of Twining Road south 41 degrees 20 minutes 30 seconds west 1006.12 feet to a point a corner; thence extending at right angles to the said Twining Road north 48 degrees 39 minutes 30 seconds west 125.86 feet to a point a corner; thence extending at right angles to the center line of the said Limekiln Pike north 84 degrees 6 minutes west 125.86 feet to the point and place of beginning.

APPROVED by the Board on the 2nd day of January 1956.
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet, President
Attest: Richard M. Brown, Jr., Sec'y

Annual Budget for the Township of Upper Dublin

For The Year 1956

ORDINANCE NO. 132

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY and the Commonwealth of Pennsylvania, fixing the tax rate for the year 1956 and appropriating specific sums estimated to be required for the specific purposes of the Township government, hereinafter set forth, during the current fiscal year.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for Township purposes for the fiscal year 1956, as follows:

Tax rate for general Township purposes, the sum of eleven and one-quarter (11¼) mills on each dollar of assessed valuation, or the sum of one hundred twelve & one-half (112½) cents on each one hundred dollars of assessed valuation.

For Fire House Bldg. purposes, the sum of One (1) mill on each dollar of assessed valuation, or the sum of Ten (10) cents on each one hundred dollars of assessed valuation.

Purpose	Mills on each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Township Purposes	11¼	\$1.12½
Tax Rate for Fire House Building	1	.10
Total	12¼	\$1.22½

SECTION 2. That for the expenses of the Township for the fiscal year 1956 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 — Schedule B.

GENERAL OPERATING FUNDS SUMMARY OF ESTIMATED RECEIPTS

Cash and securities for Appropriation	\$ 15,948.45
Receipts from Current Tax Levy	101,548.00
Receipts from Taxes of Prior Years	2,550.00
Other Revenue Receipts	98,495.75
Miscellaneous non-revenue Receipts	25,150.00
Total Estimated Receipts and Cash	\$243,690.20

SUMMARY OF APPROPRIATIONS

	Operation & Maintenance	Capital Outlay	Total
General Government:			
Administration	\$17,397.50	500.00	\$ 17,897.50
Treasurer and Tax Collector	1,600.00		1,600.00
Township Buildings	2,910.00		2,910.00
Total	\$21,907.50	\$ 500.00	\$ 22,407.50
Protection to Persons and Property:			
Police	\$53,584.00	2,500.00	56,084.00
Fire	6,300.00		6,300.00
Building Regulation and Zoning	5,100.00		5,100.00
Total	\$64,984.00	\$ 2,500.00	\$ 67,484.00
Health and Sanitation:			
Health Bureau	\$ 5,050.00		5,050.00
Garbage Collection and Disposal	9,900.00	667.00	10,567.00
Ash and Rubbish Collection and Disposal	14,225.00	1,333.00	15,558.00
Sanitary Sewers	6,400.00	16,966.56	23,366.56
Total	\$35,575.00	\$18,966.56	\$ 54,541.56

Highways:			
Streets and Bridges	\$25,500.64	19,100.00	44,600.64
Street Lighting	3,600.00		3,600.00
Total	\$29,100.64	\$19,100.00	\$ 48,200.64
Library:			
Total	\$ 300.00		\$ 300.00
Recreation:			
Parks and Playgrounds	\$2,100.00	5,000.00	7,100.00
Totals	\$ 2,100.00	5,000.00	\$ 7,100.00
Miscellaneous:			
Insurance	\$ 3,546.50		\$ 3,546.50
Contribution to Police Pension	600.00		600.00
Total	\$ 4,146.50		\$ 4,146.50
Total for Operation, Maintenance and Capital Outlay			\$204,180.20
Debt Service:			
Interest			\$ 175.00
Principal			25,000.00
Transfers to Sinking Fund			14,335.00
Total Debt Service			39,510.00
Total Appropriations from General Operating Funds			\$243,690.20

**EAST ORELAND SEWER FUND
SUMMARY OF ESTIMATED RECEIPTS**

Cash Balance for Appropriation	\$ 17,915.87
Receipts from Sewer Rents	9,065.00
Receipts from Non-Revenue Sources	5,000.00
Total Estimated Receipts and Cash	\$ 31,980.87

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	\$ 7,117.50
Capital Outlay	11,800.00
Total Appropriations from Sewer Fund	\$ 18,917.50
Operating Surplus	\$ 13,063.37

**SINKING FUND
SUMMARY OF ESTIMATED RECEIPTS**

Cash and Securities from Previous Year	\$ 7,965.22
Receipts from Current Tax Levy	8,937.66
Transfers from General Fund	14,335.00
Total Estimated Receipts, Cash and Securities	\$ 31,237.88

SUMMARY OF APPROPRIATIONS

Interest to be Paid	\$ 3,406.88
Bonds to be Paid	18,000.00
Total Appropriations from Sinking Fund	\$ 21,406.88

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective Departments is on file in the office of the Secretary of the Township, 1111 Behlehem Pike, Ambler, Pennsylvania.

SECTION 4. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted this 14th day of February, A. D. 1956.

President of the Board of Township Commissioners
HENRY LEE WILLET

CERTIFICATION

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 132 enacted by the Commissioners of the Township of Upper Dublin on February 14th, 1956.

RICHARD M. BROWN, JR., Secretary

ORDINANCE NO. 133

To amend Ordinance No. 124, approved February 14, 1956, covering the taking of certain lots in the Edge Hill Land Association Plan for park and recreation purposes, so as to correct an omission of lots Nos. 565 and 566 in the ordination part of said Ordinance, so that when amended the lots included in the last portion of section No. 1 shall read as follows:

Lots 565, 566, 567 and 568.

All those four certain lots or pieces of ground being lots Nos. 565, 566, 567 and 568 on the revised plan of lots of said Edge Hill Land Association, situate on the northwesterly side of Linden Avenue and beginning at a point at the distance of 225 feet southwesterly from a point the intersection of the southwest side of Summit Avenue, 50 feet wide, and thence continuing along the northwest side of Linden Avenue, containing in front or breath on said Linden Avenue 100 feet (each lot being 25 feet) and extending in length or depth north-westwardly between parallel lines at right angles to said Linden Avenue 110 feet; and finally delete entirely the being clause following the description to Lots 567 and 568 and preceding Section 2 of Ordinance No. 124.

Approved by the Commissioners and enacted into an ordinance this 16th day of April, 1956.

Commissioners of Upper Dublin
Township

Montgomery County, Penna.
by: Nathan P. Bauman, Vice-President
Attest: Richard M. Brown, Sec.

ORDINANCE NO. 134

AN ORDINANCE IMPOSING SEWER RENTALS FOR THE USE OF THE SEWERS AND THE SEWER SYSTEM OF APEL AVENUE, THE CONSTRUCTION OF WHICH, ETC. WAS PROVIDED IN ORDINANCE NO. 112 ADOPTED APRIL 12, 1955; PROVIDE FOR THE COLLECTION THEREOF AND THE FILING OF LIENS THEREFORE; AND PROVIDING FOR RULES AND REGULATIONS.

WHEREAS, the Township of Upper Dublin has caused to be constructed sanitary sewers in Apel Avenue between Pennsylvania Avenue and a point approximately five hundred thirty-four feet southeasterly from Pennsylvania Avenue, all of which set forth in Ordinance No. 112 adopted by the Board of Commissioners of Upper Dublin Township on April 12, 1955, and

WHEREAS, the Board of Township Commissioners of said Township have provided in Ordinance No. 112, as aforesaid, for the improved properties in and abutting on the Sewer System and have adopted certain rules and regulations for the use of the Sewer System;

NOW THEREFORE, the Board of Township Commissioners of Upper Dublin Township hereby Ordains and Enacts as follows:

SECTION I. IMPOSITION OF SEWER RENTALS.

There is hereby imposed upon each property located within Service Area served by the Sewer System in Apel Avenue as hereinbefore defined and having use thereof an annual sewer rental, payable as hereinafter provided, for the use, whether direct or indirect, of the Sewer System, based on the rates hereinafter set forth.

SECTION II. SEWER RATES.

The annual sewer rental for properties on Apel Avenue served by the Sewer System shall be billed semi-annually and shall be a charge or rental commensurate with the facilities in each connected property pursuant to the following schedule:

A. SINGLE FAMILY DWELLING UNITS.

(1) MINIMUM RATES.

One basin, one sink, one water closet, one bathtub and one laundry tub or any one or any combination thereof (no substitutions being permitted)

\$30.00

(2) ADDITIONAL RATES.

(Fixtures in addition to, or not included in, the fixtures listed under (1) above)

Basin	\$3.00
Sink	\$5.00
Water Closet	\$3.00
Bathtub	\$4.00
Stall Shower	\$4.00
Laundry Tub	\$1.00
Dish Washer	\$3.00
Automatic Washer	\$3.00
Floor Drain	\$5.00

B. MULTIPLE FAMILY DWELLING UNITS, INCLUDING APARTMENT HOUSES.

The rates for multiple family dwelling units including apartment houses shall be the Minimum Rates and Additional Rates specified in A. above for each dwelling unit multiplied by the number of dwelling units served by a single connection to the Sewer System.

C. ADDITIONAL CLASSIFICATION.

Rates for additional classifications and for fixtures not enumerated above and modifications of the above schedule of sewer rates may be fixed and established by the Board of Health of the Township of Upper

Dublin with the same force and effect as if set out herein.

SECTION III. TIME AND METHOD OF PAYMENT AND PENALTIES.

Sewer rental bills will be rendered semiannually on January 1 and July 1 of each year in advance covering the next half of the calendar year. The initial bill shall include only that portion of the half calendar year in which the connection to the Sewer System is made. Sewer rental bills are payable at par for 60 days after January 1, and July 1, and shall include a penalty of 5% if paid after 60 days and not more than six months thereafter. Such penalty shall be increased to 10% of the sewer rental bill if not paid until after six months after each January 1 or July 1.

Payments mailed as evidenced by the United States Post Office made on or previous to the end of the period during which the bills are payable at par will be deemed to be a payment within such period.

All persons connected to the Sewer System must give the Township their correct address. Failure to receive bills will not be considered an excuse for nonpayment nor permit an extension of the period during which bills are payable at face.

SECTION IV. LIENS, DELINQUENT SEWER RENTALS AND PENALTIES.

All sewer rentals, together with all penalties thereon, not paid on or before the end of one year from each January 1 and July 1 shall be deemed to be delinquent. All delinquent sewer rentals and all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Montgomery County and shall be collected in the manner provided by law for filing and collection of such liens.

SECTION V. RULES AND REGULATIONS.

The Township reserves the right to, and may from time to time, adopt, revise, and amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of the Sewer System, and all such Rules and Regulations shall be and become a part of this Ordinance.

SECTION VI. EFFECTIVE DATE.

This Ordinance and the Rules and Regulations hereunder shall become effective at once and shall be applicable to the properties on the Service Area as soon as they become connected with and have the right to use the Sewer System. Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

SECTION X. CONSTRUCTION AND SEVERABILITY.

If any of the provisions, sections, sentences, clauses or parts of this Ordinance or the application of any provisions hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

DULY ENACTED by the Board of Township Commissioners of Upper Dublin Township this 12th day of June 1956.

By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy

ORDINANCE NO. 135

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED THE 11th DAY OF MARCH 1947, DESIGNATED AS NO. 19 AND KNOWN AS THE AMENDED UPPER DUBLIN ZONING ORDINANCE OF 1946 AND THE MAP THEREOF, SO AS TO PROVIDE THAT CERTAIN TERRITORY ADJACENT TO FITZWATERTOWN ROAD AND SUSQUEHANNA ROAD AND SHOWN ON SAID MAP AS "D" RESIDENCE DISTRICT, NOW DESIGNATED UNDER ORDINANCE NO. 117 AS "A" RESIDENCE DISTRICT, BE CHANGED TO "B" RESIDENCE DISTRICT.

Be it ordained and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by the authority of the same:

Section 1. That the Zoning Map adopted and approved as a part of the Amended Upper Dublin Zoning Ordinance of 1946, as amended, be further amended as follows:

A. That the territory hereinafter described be changed from "A" Residence District to "B" Residence District.

BEGINNING at a railroad spike in the intersection of the center line of Fitzwatertown Road with the center line of Susquehanna Road; thence along the center line of Susquehanna Road the following courses and distances, to wit: (1) North fifty-three degrees twenty-five minutes West, 406.99 feet to a railroad spike; thence (2) North fifty-four degrees forty-nine minutes West, 493.73 feet to a railroad spike; thence (3) North fifty-five degrees fifteen minutes West, 349.41 feet to a railroad spike; thence (4) North fifty-one degrees ten minutes West, 532.61 feet to a railroad spike; thence leaving Susquehanna Road North thirty-seven degrees thirty-nine minutes East, 279.12 feet to an iron pin; thence North fifty-two degrees forty-four minutes thirty seconds West, 416.81 feet to an iron pin; thence North thirty-eight degrees fifty-one minutes thirty seconds East, 518 feet to a point; thence South fifty-two degrees nine minutes thirty seconds East, 276 feet to a point; thence North thirty-seven degrees forty-five minutes thirty

seconds East, forty-two feet; thence by a curve to the right having a radius of 230 feet, the cord thereof being 326 feet and having a bearing of North eighty-two degrees thirty-three minutes thirty seconds East; thence South fifty-two degrees sixteen minutes thirty seconds East, 385 feet to a point; thence North thirty-seven degrees twenty-nine minutes thirty seconds East, 696 feet to a point; thence continuing by a curve to the right having a radius of 390 feet, the cord thereof being 386 feet and having a bearing of North sixty-seven degrees fifteen minutes thirty seconds East to a point; thence North three degrees thirty-three minutes thirty seconds East, 162.50 feet; thence by a curve to the right having a radius of 175 feet, the cord thereof being 111.50 feet and having a bearing of North twenty-two degrees twenty-three minutes thirty seconds East to a point; thence South fifty-three degrees thirty-one minutes East, 937.95 feet to an iron pipe; thence South fifty-one degrees nine minutes East, 53 feet to a point; thence parallel to Fitzwatertown road 500 feet therefrom, South thirty-eight degrees thirty-three minutes West, 1150 feet to a point; thence continuing along same parallel line South forty-nine degrees sixteen minutes thirty seconds West, 506 feet to a point in line of land belonging to Thomas J. Donahue; thence along the land of Donahue the following courses and distances, to wit: (1) North fifty-two degrees six minutes West, 363.53 feet to a concrete monument; thence (2) South thirty-seven degrees fifty-four minutes West, 418.29 feet to a concrete monument; thence (3) South fifty-two degrees six minutes East, 786.97 feet to a railroad spike in the center line of Fitzwatertown road; thence along the center line of said road South forty-eight degrees thirty-one minutes West, 245.83 feet to the point and place of beginning.

APPROVED by the Board on the 12th day of June, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 136

AN ORDINANCE TO AMEND THE UPPER DUBLIN BUILDING CODE OF 1940 APPROVED MARCH 21, 1940, IN CONNECTION WITH PRIVATE GARAGES, OPENING INTO DWELLINGS.

BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME:

SECTION I. Amend the seventh paragraph under Section 711 of Article 7, so that when amended said section shall read as follows:

An opening may be made in the above walls, not over three feet wide, provided the sill is set at least three inches above the level of the garage floor. A sill shall not be necessary where the garage floor has a pitch of one quarter inch to the foot sloping towards the car entrance, and provided the fire door is at least four feet from the car entrance.

SECTION II. Add an additional paragraph to Section 711 as follows:

A PRIVATE GARAGE WITH AN OPENING TO OTHER PARTS OF THE DWELLING, SAID OPENING MUST BE PROTECTED BY AN APPROVED STANDARD FIRE DOOR.

ORDAINED AND ENACTED THIS 12th DAY OF June A.D. 1956.

BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

**By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.**

ORDINANCE NO. 137

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF SANITARY SEWERS IN BANNOCKBURN AVENUE BETWEEN A POINT BEING A MANHOLE IN BANNOCKBURN AVENUE LOCATED SEVEN HUNDRED AND TWENTY-TWO AND FIVE-TENTH FEET EAST OF THE INTERSECTION OF THE CENTER LINE OF BANNOCKBURN AVENUE WITH THE CENTER LINE OF AMBLER ROAD AND THENCE EXTENDING IN AN EASTERLY DIRECTION IN THE BED OF BANNOCKBURN AVENUE FOR A DISTANCE OF APPROXIMATELY SIX HUNDRED AND FORTY-THREE FEET TO A POINT IN THE WESTERLY EDGE OF THE ROAD BED OF BETHLEHEM PIKE IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND ASSESSING THE ASSESSABLE COST THEREOF UPON THE PROPERTY ADJOINING OR ADJACENT THERE TO IN PROPORTION TO THE FRONTAGE THEREON, PRESCRIBING THE METHOD OF COLLECTING SAID COST; CERTAIN OCCUPIED BUILDINGS TO BE CONNECTED WITH SAID SANITARY SEWERS; MAKING IT UNLAWFUL TO CONSTRUCT, MAINTAIN PRIVIES, CESS POOLS, SEPTIC TANKS OR OTHER DEVICES FOR ACCEPTING SEWAGE OR CONDUITS FOR THE DISCHARGE OF SEWAGE EXCEPT INTO SAID SANITARY SEWERS; AND PRESCRIBING PENALTIES.

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

Section 1: DEFINITIONS:

- A. "Industrial Waste" means and refers to the liquid waste from industrial processes as distinct from domestic sewage.
- B. "Lateral" means and refers to that part of the sewer system extending from a public main or street to curb line including the "Y" connection from the main sewer line.
- C. "Occupied Building" means and refers to any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial wastes, or either thereof, is or may be discharged.
- D. "Person" including association, partnership, limited partnership, joint stock company and corporation.
- E. "Property Access to the Sewer System" means and refers to real estate which adjoins, abuts or is adjacent to the sewer system.
- F. "Sewage" means and refers to the normal water carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.
- G. "Sewer System" means and refers to the sanitary sewer system and appurtenant facilities about to be constructed in the bed of Bannockburn Avenue entering at a manhole in Bannockburn Avenue located seven hundred and twenty-two and five-tenths feet East of the intersection of the center line of Bannockburn Avenue with the centerline of Ambler Road; thence extending in an Easterly direction in the bed of Bannockburn Avenue for a distance of approximately six hundred and forty-three feet to a point in the Westerly edge of the road bed of Bethlehem Pike in the Township of Upper Dublin, Montgomery, County, Pennsylvania.
- H. "Township" means and refers to the Township of Upper Dublin, Montgomery County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

Section 2. That the Township construct or cause to be constructed the sewer system in Bannockburn Avenue as in this Ordinance described.

Section 3. That the said sanitary sewer shall be constructed in accordance with the plans, drawings, and specifications prepared by the Township Engineer and in accordance with the approval of the Board of Health.

Section 4. Advertisement shall be duly made for proposals for the construction and laying of the said sanitary sewers in accordance with law, and the contracts for construction thereof shall be awarded to the lowest responsible bidder. The Board of Commissioners of Upper Dublin Township reserves the right to reject the bids submitted, and to re-advertise.

Section 5. It shall be the duty of the Township Engineer to supervise the construction and laying of the said sanitary sewers and the performance of the said contracts, and to see that the said sanitary sewers are constructed in accordance with the said plans, drawings, specifications and contracts, and permit.

Section 6. The sanitary sewers when constructed shall form part of

The Township Sewer System constructed under the Ordinances of the Township regulating connections with the Township Sanitary sewers, establishing a schedule of rates for the use thereof and providing penalties for breach thereof, and the sanitary sewer regulations established thereunder.

Section 7. The cost and expenses of the construction of said sewers including engineering, legal, advertising and similar expenses, as is legally chargeable upon the properties accommodated or benefitted hereby, shall be and are hereby assessed and charged upon the said properties by an assessment per front foot upon the frontage of each said property abutting on said sewers.

When an owner has two or more lots against which there is an assessment, all of such lots shall be embraced in one claim.

Section 8. The Township shall cause calculations of said charges or assessment to be made and a schedule thereof to be prepared giving: (a) the total length of said sewer in feet and the total cost thereof; (b) the frontage of each lot abutting on the said sewer; (c) the amount of assessment charged thereon and the name of the owner or owners of such lot.

Section 9. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the work of constructing the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he may be found within the Township, or if he cannot be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent or party in possession, it may be posted on the most public part of the assessed premises.

Section 10.

- A. All persons owning an occupied building now erected upon property accessible to the sanitary sewers shall at their own expense connect such building with the sewer system within 90 days after notice to do so from the Township.
- B. All persons owning a property accessible to the sanitary sewer upon which a building is later erected shall upon the time of such erection and at their own expense connect such building with the sewer system.
- C. All persons owning any occupied building upon property which hereafter becomes accessible to the sanitary sewer shall at their own expense connect such building to the sewer system within 90 days after receipt of notice to do so.

Section 11. It shall be unlawful for any person owning any property accessible to the 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 after the expiration of the periods specified in Section 10 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facilities for the discharge of sewage except in the sanitary sewers.

Section 12. Any person who erects, constructs, or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, and which shall be required to connect thereto, or who otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this Ordinance shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner approved by law.

Section 13. All connections with said sewer system shall be made only upon application and permit in prescribed form and shall be made in accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set at length in this Ordinance.

Section 14. All said assessments shall be payable to the Treasurer of the Township for use of the Township in reimbursing it for the cost and expenses of the construction and laying of the said sanitary sewers. A copy of the schedule of the assessment shall be delivered to the Township Treasurer and on receipt of any payment on account thereof the Township Treasurer shall note the same on his copy of the schedule and notify the Secretary of the Board of Township Commissioners thereof who shall also note the same on his copy of the schedule.

Section 15. If anyone shall fail to pay the assessment as hereinabove provided, there shall be imposed a penalty of five per centum for failure to pay within the time provided. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

Section 16. After the expiration of the periods specified in Section 10 of this Ordinance if any owner of an occupied building on property accessible to the Sewer system shall have failed to connect such property with the Sewer System as required by said Section 10, the Township may cause to be served on the owner of such property, so failing to connect to said Sewer system, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within ninety (90) days from the date thereof.

Upon failure of any such owner, who has been duly notified as hereinabove provided, to comply with the requirements of any such notice or with the provisions of this Ordinance, the Board of Commissioners shall cause the necessary connection to be made, and upon completion of the work for the same shall render a bill covering the cost of said work to the owner of such premises, and file a duplicate thereof with the Township Treasurer, to whom such bill shall be made payable for the use of the Township. All such bills shall contain a notice that if said bills be not paid within thirty (30) days after the date thereof the same shall be collected in the manner provided by law. Upon the expiration of thirty (30) days after said bills have been rendered to the owners of such premises, it shall be the duty of the Township Treasurer to refer to the Township Solicitor all such bills remaining unpaid, and the Township Solicitor shall thereupon take the necessary action to effect the collection of such unpaid bills, in the manner provided by law.

Section 17. It shall be unlawful to discharge into the Sewer System any industrial waste or other matter whatsoever injurious to the sewage structure, or to the process of treating sewage, or any drainage resulting from rain, water, surface water, springs, wells, streams or other ground water, or any sewage or drainage containing matter of any sort liable to form a deposit in the sewer or drain pipes or to create obstruction therein.

Section 18. The discharge of garbage in any form into the Sewer System is prohibited, and no fixture or machine for grinding or disposal of garbage shall be connected directly or indirectly to the Sewer System.

Section 19. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall discharge or cause to be discharged into the sewer system or any lateral matter of any sort liable to form a deposit or

or create an obstruction or obstructions therein, or who shall break into, or otherwise make connections therewith without having first procured the permit required by this Ordinance, or who shall fail to comply with any of the requirements of any permit or of this Ordinance; or who shall fail to comply with any rule or regulation of the Board of Township Commissioners, or of any authorized agent for the Board of Township Commissioners concerning the manner of making connections with the Sewer System or the use of the same; or shall in any way violate any of the provisions of this Ordinance shall be liable on conviction thereof to a fine or penalty of Ten Dollars (\$10.00) for each and every offense. Whenever any person shall have been notified by the Board of Commissioners or their duly authorized agent, or by service of sum on in a prosecution or in any other way, that a violation of this Ordinance or the rules and regulations of the Board of Township Commissioners is being committed by him or them, each day in which he or they shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines and penalties are now by law collected.

Section 20. The Township reserves the right to establish and impose upon each property located within the service area served by the above sewer system and having the use thereof such annual sewer rental as it may hereafter ordain.

Section 21. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal, invalid provision, sentence, clause, section or part not been included herein.

DULY ENACTED AND ORDAINED into an Ordinance this 12th day of June, 1956.

By Nathan P. Bauman
Vice President

Attest: Richard M. Brown
Secretary

ORDINANCE NO. 138
AN ORDINANCE LAYING OUT AND
OPENING CERTAIN ROADS WITH-
IN THE TOWNSHIP OF UPPER
DUBLIN, AND MORE SPECIFICALLY
SET FORTH IN THE PROPOSED
ORDINANCE, A FULL AND COM-
plete COPY OF WHICH IS AS FOL-
LLOWS:

WHEREAS, in the judgement of the Commissioners, certain additional roads in the Township of Upper Dublin are necessary for the convenience of the public and should be built and maintained at public expense.

NOW, THEREFORE, BE IT ORDAINED and ENACTED in accordance with the authority provided by the Laws of the Commonwealth of Pennsylvania, and it is hereby enacted by the authority of the same, as follows:

Section 1. That the following tract of ground be and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for a public highway, all in accordance with the Act of July 10, 1947, P. L. 143, as amended:

ALL THAT CERTAIN tract or continuous strip of land situate, lying and being in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described according to a survey made by C. Raymond Weir, Registered Professional Engineer of Ambler, Pennsylvania, and incorporated in Section No. 3, Subdivision Plan of Fairway Estates, Inc., Upper Dublin Township, Montgomery County, Pennsylvania, dated February 5, 1955, revised February 7, 1955 and January 5, 1956, and recorded in the Office for the Recording of Deeds, etc. at Norristown, Pennsylvania in Plan Book B-2, page 162, on March 27, 1956, and described as follows, to wit:

BEGINNING at a point in the center line of Fitzwatertown Road as originally laid out 33 feet wide, the Southeast side of which is now established 25 feet from said center line, said point being North 47 degrees 6 minutes 30 seconds East 983.94 feet from a point at the intersection of the said center line of Fitzwatertown Road with the center line of Jenkintown Road as laid out 50 feet wide and now widened to 55 feet, the Northeast side of which is now established 30 feet from the said center line of Jenkintown Road; thence from the point of beginning along the center line of Eastview Drive the four following courses and distances, to wit: (1) South 42 degrees 53 minutes 30 seconds East 452.35 feet to a point of curvature, (2) by a curved line bearing to the left in a Southeast direction with a radius of 185 feet the arc distance of

57.16 feet to a point in the center line of Chapel Road 50 feet wide, (3) continuing by a curved line bearing to the left in a Southeast direction with a radius of 185 feet the arc distance of 42.66 feet to a point of tangency, (4) South 73 degrees 48 minutes 30 seconds East 307.71 feet to a point in the center line of North Hills Avenue as originally laid out 33 feet wide, the Northwest side of which is established 25 feet from said center line and the Southeast side of North Hills Avenue being established 20 feet from the center line of the same, the said last point being the point of ending and being North 16 degrees 11 minutes 30 seconds East 1328.00 feet from a point at the intersection of the said center line of North Hills Avenue with the center line of Northview Drive 50 feet wide, said point of intersection being North 16 degrees 11 minutes 30 seconds East 348.06 feet from a point of tangency in the said center line of North Hills Avenue, said point of tangency being measured on a curved line bearing to the left in a Northeast direction with a radius of 300 feet the arc distance of 226.83 feet from a point of curvature in the center line of North Hills Avenue as originally laid out 33 feet wide the Northwest side of which is now established 25 feet from said center line, said point of curvature being North 59 degrees 30 minutes 45 seconds East 164.85 feet from a point at the intersection of the said center line of North Hills Avenue with the aforementioned center line of Jenkintown Road.

Eastview Drive is hereby laid out 50 feet wide, that is to say 26 feet between curbs with a 12 foot wide sidewalk area on each side and including 10 foot radius corners at the intersection of the street lines at Fitzwatertown Road and North Hills Avenue and 20 foot radius corners at the intersections of the street lines at Chapel Road.

Section 2. That the proper officers of the Township are authorized and directed to make a report, together with a draft or survey of said road, fixing the width as herein determined, and noting the improvements along the line thereof, and the names of the owners of property abutting thereon be made and filed in the Office of the Clerk of the Court of Quarter Sessions of Montgomery County, Commonwealth of Pennsylvania, in accordance with the laws in such case made and provided.

Approved by the Board and enacted into an Ordinance this 10th day of July, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 139

WHEREAS, in the judgment of the Commissioners, certain additional roads in the Township of Upper Dublin are necessary for the convenience of the public and should be built and maintained at the public expense.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED in accordance with the authority provided by the Laws of the Commonwealth of Pennsylvania, and it is hereby enacted by the authority of the same, as follows:

Section 1. That the following indicated tracts of ground be and the same are hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for a public highway, all in accordance with the Act of July 10, 1947, P. L. 148, as amended.

(a) **COMMERCE DRIVE**

All that certain street 70 feet in width extending from the Easterly side of Pennsylvania Avenue in the Township of Upper Dublin, Montgomery County, Pennsylvania, and extending North 38 degrees 24 minutes 45 seconds East of that width between parallel lines a distance of 1300 feet as shown on a plan prepared by C. Raymond Weir, Registered Professional Engineer, dated the 22nd day of February, 1955, revised May 12, 1955, entitled "Subdivision Plan, Section No. 1, Fort Washington Industrial Center", recorded at Norristown, Pennsylvania in Book No. A-2, page 39, etc.

Section 2. That the proper officers of the Township are authorized and directed to make a report, together with a draft or survey of said road, fixing the width as herein determined, to be made and filed in the Office of the Clerk of the Court of Quarter Sessions of the County of Montgomery, Commonwealth of Pennsylvania, in accordance with the laws in such case made and provided.

APPROVED by the Board and enacted into an Ordinance this 11th day of September, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: Nathan P. Baumen, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 140

ARTICLE I.

SHORT TITLE; EFFECTIVE DATE; DECLARATION
OF LEGISLATIVE INTENT;

INTERPRETATION; CONFLICT; VALIDITY; REPEALER.

SECTION 100. Short Title; Effective Date. This Ordinance shall be known and may be cited as "THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956." This Ordinance shall become effective ten days after advertising of an informative notice of passage of this Ordinance.

SECTION 101. Declaration of Legislative Intent. This Ordinance enacted for the purpose of promoting the health, safety, morals, and the general welfare of the Township, is in accordance with a comprehensive plan, and is designed to lessen congestion in the roads and highway, to secure safety from fire, panic and other danger, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue congestion of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, to conserve the value of buildings, and to encourage the most appropriate use of land throughout the Township.

SECTION 102. Interpretation. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, and the general welfare of the Township. The comprehensive plan in accordance with which this Ordinance is enacted and which is reflected in the provisions of this Ordinance has been formulated to implement the purpose set forth in Section 101 hereinabove, in the respects therein stated and more particularly with a view toward, inter alia, the following objectives:

A. Guiding and encouraging the future development of the Township in accordance with comprehensive planning of land use and population, density that represents the most beneficial and convenient relationships among the residential, commercial, industrial and recreational areas within the Township, having regard to their suitability for the various uses appropriate to each of them and their potentiality for such uses, as indicated by topography and soil conditions, existing man-made conditions, and the trends in population, in the direction and manner of the use of land in building development, and in economic activity, considering such conditions and trends both within the Township and with respect to the relation of the Township to surrounding areas;

B. Protecting the character and the social and economic stability of each of such areas and encouraging their orderly and beneficial growth;

C. Protecting and conserving the value of land and buildings throughout the Township appropriate to the various zoning districts established herein;

D. Bringing about through proper timing the gradual conformity of land use to the comprehensive plan aforesaid, and minimizing conflicts among the uses of land and buildings;

E. Aiding in bringing about the most beneficial relation between land use and the circulation of traffic throughout the Township, having particular regard to traffic to and from the expressways, and to avoidance of congestion in the streets and the provision of safe and convenient access appropriate to the various land uses;

F. Aiding in providing a guide for public policy and action in the efficient provision of public facilities and services, in the provision of safe and proper sanitary sewage disposal, and for private enterprise in building development, investment, and other economic activity relating to land use; insofar as such objectives are consistent with the purpose set forth in Section 101 and with the aforesaid minimum requirements therefor. The provisions of this Ordinance shall be interpreted, administered and applied in such a manner as will facilitate attainment of the said objectives.

SECTION 103. Conflict. It is not intended by this Ordinance to repeal, abrogate, annul or interfere with any existing ordinance or enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance, provided that where this Ordinance imposes greater restriction upon the use of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of such ordinance, enactment, rule, regulation or permit, then the provisions of this Ordinance shall control.

SECTION 104. Validity. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or of any part thereof.

SECTION 105. Repealer. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ARTICLE II DEFINITIONS

SECTION 200. Interpretation. Unless otherwise expressly stated the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this Article. The present tense includes the future; the singular number includes the plural, and the plural the singular; the word "building" includes the word "structure" and shall be construed as if followed by the words "or part thereof"; the word "occupy" includes the words "designed or intended to be occupied"; the word "use" includes the words "arranged, designed, or intended to be used" and the word "shall" is always mandatory.

A. Accessory Building. A building subordinate to the principal building on the lot and used for purposes customarily incidental to those of the principal building.

B. Accessory Use. A use subordinate to the principal use of land or a building or other structure on a lot and customarily incidental thereto. See Section 408 for uses included in this definition as accessory to Agriculture and Residential use.

C. Agriculture. The cultivating of the soil, and the raising and harvesting of the products of the soil, including, but not by way of limitation, nursery, horticulture and forestry, and animal husbandry.

D. Building. Any structure having enclosing walls and roof, permanently located on the land.

E. Building, Principal. A building in which is conducted the principal use of the lot on which it is situated.

F. Building Area. The aggregate of the maximum horizontal cross-section areas of all buildings on a lot above the ground level, measured at the greatest outside dimensions, excluding cornices, eaves, gutters, or chimneys projecting not more than eighteen (18) inches, bay windows not extending through more than one (1) story and not projecting more than five (5) feet, steps and balconies.

G. Building Line. The line which establishes the minimum depth of front yard for the particular District as measured from the ultimate right of way line.

H. Comprehensive Plan. Maps, charts, descriptive matter officially adopted by a planning commission or governing body showing among other things recommendations for the most appropriate use of land; for the most desirable density of population; for a system of thoroughfares; parkways and recreation areas; for the general location and extent of facilities for water, sewer, light, and power; for the general location, character, and extent of community facilities.

I. Dwelling. A building designed for and occupied exclusively for residential purposes, excluding however, a hotel, rooming house, tourist home, institutional home, residential club, motor court and the like.

1. Single Family Dwelling. A building designed for and occupied

2. Two Family Dwelling. A building designed for and occupied exclusively as a dwelling for two families.

3. Multiple Listing. A building not a single family dwelling nor a two-family dwelling, designed for and occupied exclusively for dwelling purposes by three or more families living independently of one another, not a row house, but customarily called an Apartment House.

J. Dwelling Unit. A building or portion thereof providing complete housekeeping facilities for one family.

1. Permanent Dwelling Unit. A building or portion thereof providing complete housekeeping facilities for one family.

2. Temporary Dwelling Unit. A building or portion thereof providing complete or partial housekeeping facilities for one family for seasonal or summer use. Such dwelling units shall not be occupied more than four months out of any twelve.

A portable or stationary trailer, shack, or makeshift abode shall not be interpreted to be a dwelling unit.

K. Day Camp. A camp for minor children conducted between 10 o'clock A.M. and 5.00 o'clock P.M., but excluding Saturdays and Sundays.

L. Family. Any number of individuals living together as a single non-profit housekeeping unit and doing their cooking on the premises, excluding, however, occupants of a club, fraternity house, lodge, residential club or rooming house.

M. Garage, Private. An accessory building or a part of a principal building used for the storage of motor vehicles owned and used by the owner or tenant of the premises, and for the storage of not more than two (2) motor vehicles owned and used by the persons other than the owner or tenant of the premises. Not more than two (2) commercial vehicles or trucks may be stored in a private garage.

2. Garage, Public. A building, other than a private or storage garage, one or more stories in height, used solely for the commercial storage, service or repair of motor vehicles.

3. Garage, Storage. A building not a private or public garage, one story in height, used solely for the storage of motor vehicles (other than trucks), but not for the sale, service or repair thereof, nor for the sale of fuel, accessories, or supplies.

N. Gasoline Service Station. Any area of land, including structures thereon, or any building or part thereof, that is used for the sale of gasoline or other motor vehicle fuel or accessories, and which may or may not include facilities for lubricating, washing, or otherwise servicing motor vehicles but which shall not include painting or body and fender repairs.

O. Height of Building. A building's vertical measurement from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof.

P. Home Occupation. An occupation for gain or support conducted only by members of a family residing on the premises and conducted entirely within the dwelling, providing that no article is sold or offered for sale except such as may be produced by members of the immediate family residing on the premises. The conducting of a clinic, hospital, barber shop, beauty parlor, tea room, tourist home, animal hospital, or any other similar use, shall not be deemed to be a home occupation.

Q. Hotel. A building used for the purpose of furnishing for compensation more or less temporary lodging to the public, with or without meals, and having lodging accommodations for ten (10) or more persons.

R. Junk Yard. A lot, land or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal or discarded materials; or for the collection, dismantling, storage and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

S. Loading Space. A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles, while

T. Lot. A parcel of land which is occupied, or is to be occupied by one principal building or other structures or uses together with any accessory buildings or structures or uses customarily incidental to such principal buildings or other structure or use, and any such open spaces as are arranged or designed to be used in connection with such principal building or other structure or use, such open spaces and the area and dimensions of such lot being not less than the minimum required by this Ordinance.

U. Lot Area. The total horizontal area of the lot lying within the lot lines, provided that no area of land lying within any street or right of way shall be deemed a portion of any lot area. The area of any lot abutting a street shall be measured to the street line only.

V. Lot Line. A property boundary line of any lot held in single and separate ownership, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts the street shall be deemed to be the same as the street line, and shall not be the center line of the street, or any other line within the street line even though such may be the property boundary line.

W. Motor Court or Motel. A building or a group of two or more detached or semi-detached buildings containing rooms or apartments having separate ground floor entrances provided directly or closely in connection with automobile parking or storage space serving such rooms or apartments, which building or group of buildings is designed, intended, or used principally for the providing of sleeping accommodations for automobile travelers and is suitable for occupancy at all seasons of the year.

X. Non-Conforming. A building, or other structure, use, or lot, which by reason of design, size or use, does not conform with the requirements of the district, or districts in which it is located.

Y. Parking Space. A reasonably level space, available for the parking of one (1) motor vehicle, not less than ten (10) feet wide and having an area of not less than two hundred (200) square feet exclusive of passageways or other means of circulation or access.

1. Parking Space. All Weather. A parking space surfaced to whatever extent necessary to permit reasonable use under all conditions of weather.

Z. Performance Standards. Measures and standards by which the suitability of a proposed use can be measured by the extent of its external effect.

AA. Public Utilities Facilities. A building or structure and its equipment, used for the transmission and exchange of telephone, radio telephone, gas power, sewer, and water facilities, provided, however, that in a residential district these shall not include public business facilities, storage of materials, trucks, or repair facilities, or housing of repair crews.

AB. Rooming House. (See Tourist Home). A dwelling, not a single family or two family dwelling, apartment house or hotel, providing lodging, with or without meals, and having lodging accommodations for less than ten (10) guests.

AC. Road Side Stands. A temporary structure not exceeding ten (10) feet in height and one hundred (100) square feet in area.

AD. Sign. A structure, building wall or other outdoor surface, or any device used for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public or to display, identify and publicize the name and product or service of any person.

AE. Special Exception. Permission or approval granted by the Board of Adjustment in accordance with Section 1701 thereof, in situations where provision therefore is made by the terms of this Ordinance.

AF. School. Any public, parochial or private place of instruction, not including institutions of higher learning, having regular sessions, with regularly employed instructors which teaches those academic subjects that are fundamental and essential in general education and which provide kindergarten, elementary, secondary stages of education, or a vocational school, under the supervision of a State or lawfully constituted ecclesiastical governing body and with standards of instruction meeting the requirements of the Com-

monwealth of Pennsylvania, but excluding any privately operated schools of trade, vocation, advocations, and business.

AG. Street. A right-of-way municipally or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties, and space for sewers and public utilities.

AH. Street Line or Setback. The dividing line between a lot and the outside boundary or ultimate right-of-way line of a public street, road, or highway legally opened or officially plotted, or between a lot and a privately owned street, road or way over which the owners or tenants of two (2) or more lots each held in single and separate ownership have the right-of-way.

AI. Structure. Any form or arrangement of building materials built, constructed or erected, which requires location on the ground or attachment to something located on the land.

AJ. Structural Alteration. Any change in or addition to the supporting or structural members of a building, such as the bearing walls, partitions, columns, beams, girders, or enclosing porches or any change which would convert an existing building into a different structure, or adapt it to a different use, or which in the case of a non-conforming use, would prolong the life of such use.

AK. Tourist Home. A dwelling in which sleeping accommodations for less than ten (10) persons are provided for compensation.

AL. Trailer Park. Any land used or designated to be used as parking space for more than one house trailer.

AM. Trailer, House. Any vehicle used for living or sleeping purposes.

AN. Top Soil. Top soil is the A. Horizon of land or that layer of soil ordinarily removed in tillage or its equivalence in uncultivated soil about 5 to 8 inches in thickness.

AO. Ultimate Right-of-way. The future or planned width of highway in the public domain as shown on the official Ultimate Right-of-way Map on file at the office of the Township Secretary.

AP. Use. The purpose for which either land or a building is arranged, designed or intended or for which either land or building is or may be obtained.

1. Main Use. A principal or dominant use.

2. Accessory Use. A use subordinate to the principal use of land or a building or other structure on a lot and customarily incidental thereto. See Section 408 for uses included in this definition as accessory to Agriculture and Residential use.

AQ. Variance. Permission or approval granted by the Board of Adjustment in accordance with Section 1701 hereof, Constituting a modification of, or deviation from the exact provisions of this Ordinance as applied to a specific piece of property.

AR. Yard. An open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky.

1. Required Front Yard. A yard extending the full width of the lot along front lot line and extending in depth from the point of any structure on the lot.

2. Required Rear Yard. A yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of any structure on the lot.

3. Required Side Yard. A yard extending the full depth of the lot along a side lot line and extending in width from such lot line to the nearest point of any structure on the lot.

AS. Sanitary Sewers: Sanitary sewers shall mean the sanitary sewer system and appurtenant facilities constructed and laid out in accordance with the regulations of and under the supervision of the Township. Sanitary sewers shall be restricted to a system constructed and in service for the carrying and disposal of sewage unless, however, the Commissioners, by way of special exception, may determine a sanitary sewer system to be constructed when a sewer system is installed in accordance with the requirements of the Township, but capped for use in the future.

ARTICLE III
ZONING DISTRICTS

SECTION 300. DISTRICTS. For the purpose of this Ordinance the Township is hereby divided into districts, which shall be designated as follows:

- AA—Residential District
- A—Residential District
- B—Residential District
- C—Residential District
- RR—Residential Retail District
- SC—Shopping Center
- CR—Commercial Retail Districts
- Class L
- Class I
- LIM—Limited Industrial

SECTION 301. ZONING MAP. The boundaries of said districts shall be as shown upon the map attached to and made part of this Ordinance, which shall be designated the Zoning Map. The said map and all notations, references and other things shown thereon shall be made a part of this Ordinance, as if the matters and things shown by said map were fully described herein.

SECTION 302. BOUNDARIES OF DISTRICTS. Where uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning map, the following rules shall apply:

1. The district boundaries are roads unless otherwise shown.
2. Where the district boundaries are not shown to be roads, the boundaries shall be construed to be property lines, or dimensions from streets or roads.

SECTION 303. FEDERAL AND STATE OWNED PROPERTY. Whenever Federal or State owned property or property owned by any Federal or State Agency or any political subdivision thereof, is included in one or more zoning districts, it shall be subject to the provisions of this Ordinance only insofar, as permitted by the Constitution and laws of the United States of America and of the Commonwealth of Pennsylvania.

ARTICLE IV
GENERAL PROVISIONS

SECTION 400. For the purposes of this Ordinance, the following regulations shall govern each district.

SECTION 401. LOTS OF RECORDS. A lot which is of public record in single and separate ownership at the time of enactment of this Ordinance may be used for a permitted use in the district in which it is located, provided, however, that the minimum and maximum regulations of the district are met or a variance obtained from the Board of Adjustment.

SECTION 402. SUBDIVISION PLAN OF LOTS OF RECORD. A lot which does not conform to the minimum and maximum regulations of the district in which it is located and which is included in a recorded plan of lots heretofore approved under the provisions of the Upper Dublin Subdivision Ordinance of 1949, its supplements and amendments, shall not be used unless the minimum and maximum regulations of the district are met, or in the event such recorded subdivision plan approved by the Township was secured within one (1) year of the effective date of this Ordinance, or a variance is obtained from the Board of Adjustment.

SECTION 403. REDUCTION OF LOT AREA. No lot shall be so reduced that the area of the lot, or the dimensions of the required open spaces shall be less than herein prescribed.

SECTION 404. MODIFICATION OF FRONT YARD REQUIREMENTS. Where an unimproved lot of record is situated on the same street frontage with two (2) improved lots or one (1) unimproved and one (1) improved lot, the front yard requirement for that district shall be modified so that the front yard shall be an average of

SECTION 405. OBSTRUCTIONS TO VISION AT INTERSECTION. On any lot no wall, fence, or other structure shall be erected, altered or maintained and no hedge, tree, shrub or other growth shall be planted or maintained which shall interfere with a free and unobstructed view down and across lands located at or near the intersection of any two roads, or a road and railroad and railway, or at any curve in any road, as may be necessary to assure a full and unobstructed view in all directions at such crossings or curves and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of persons travelling upon such highways.

SECTION 406. Removal of Top Soil: The continuation of adequate top soil on the land within the Township is considered necessary for the general welfare of the Township in the future development thereof. Thus the permanent removal of top soil from the land within the Township shall be prohibited. This prohibition shall not be construed to prohibit an owner of land in removing top soil for the purpose of construction of a building and the re-grading of the land surrounding the building following construction.

SECTION 407. Minimum Lot Size, Widths, etc. with respect to Sewage disposal and Public Water Supply.

The regulations as to minimum lot size, widths of lots at the building line, front yards, side yards, rear yards, heights and building coverage shall be maintained in accordance with the requirements of each zoning district, except in the following:

A. In A Districts which are served by neither sanitary sewers nor a public water supply, lots shall have the following minimum and maximum regulations:

- Area, one acre.
- Width at Building Line, 150 feet.
- Front Yard, 60 feet.
- Side Yard—each 30 feet.
- Rear Yard, 60 feet.
- Height
 - Principal building, 35 feet.
 - Accessory building, 20 feet, and not exceeding one story.
 - Building Coverage, 15% of total lot area.

B. in A Districts which are served by either sanitary sewers or a public water supply, but not both, lots shall have the following minimum and maximum regulations:

- Area..... 30,000 square feet
- Width at Building Line..... 125 feet
- Front Yard..... 50 feet
- Side Yard, each..... 25 feet
- Rear Yard..... 50 feet
- Height
 - Principal Building..... 35 feet
 - Accessory Building..... 20 feet
 - Building Coverage..... 15% of total lot area

C. In all other districts, the requirements of subparagraphs A and B shall apply, provided that a smaller lot size and width than specified hereinabove, but not less than that permitted in the regulations of the district, may be permitted when authorized as a special exception, but only then upon submission of satisfactory evidence to the fact that the smaller lot area or width will provide safe and effective sanitary sewage disposal in the particular location in question. Such evidence may include, but shall not be limited to, a specific recommendation from the official representative of the Health Board having jurisdiction or compliance with the Township Sanitation requirements.

D. In all Districts where lots are to be served by individual sewage disposal system, each application for a zoning permit shall be accompanied by a statement based upon the results of a percolation test prepared by a civil or sanitary engineer holding a registered professional engineer's license, which shall indicate the adequacy of the lot area to accommodate an approved system for the safe disposal of

SECTION 408. ACCESSORY USES. Accessory uses authorized in this Ordinance shall include, but not by way of limitation, the following:

A. Uses Accessory to Agriculture: Green houses; barn; keeping, breeding and management of livestock and poultry but in such quantities and to such extent as are customarily incidental to the principal use; preparation of products produced on the premises for use and the disposal thereof by marketing or otherwise.

Roadside stands for sale of products produced on the same lot on which the stand for the sale of the products is located shall be permitted upon the following conditions:

1. An annual permit is secured from the Zoning Officer.
2. The location shall not be within the boundaries of any street, and
3. The location shall not be nearer than 50 feet of any intersection, and
4. Parking for stopping vehicles shall be provided off the paved portion of the street of a sufficient width so as to not to interfere with the safety of persons stopping or using the street, parking nearer than 30 feet of an intersection shall not be permitted, and

5. The stand shall be of a temporary construction and must be removed by the date of the expiration of the term as indicated in permit, provided however, no permit shall be issued for a period past December 1 of any year.

B. Uses Accessory to Dwelling:

1. Private garage, private parking space, private stables, barn; shelter for pets.

2. Swimming pool for use of family and guests only.

3. Private greenhouses.

4. Living quarters for household employees, caretakers or watchmen.

5. Uses authorized in this Ordinance as accessory to a dwelling shall not be deemed to include a hospital, clinic, animal hospital, barber shop, beauty parlor, mortuary, other personal service shop, tearoom, hotel, or any similar use.

6. The renting of rooms within the dwelling in which the lessor resides, or in a building accessory thereto for not more than two (2) non-transient persons, with or without the provisions of table board for such persons.

C. Uses Accessory to Non-Commercial Use:

Professional office, or studio of a Doctor, Dentist, Healer, teacher, artist, architect, landscape architect, musician, lawyer, engineer, magistrate or practitioner of a similar character, or rooms for home occupations, provided that office, studio or rooms are located in a dwelling in which the practitioner resides, or in a building accessory thereto, and provided further that no goods are publicly displayed on the premises.

SECTION 409. MINIMUM SET-BACK OF ACCESSORY USES: An accessory building may be erected within one side yard if entirely separated from the principal building, provided it is located at least ten (10) feet further back from the street line than the rearmost portion of the principal building, and provided further the side and rear yard is not less than ten (10) feet, except that no farm building or other structure for keeping or raising of live stock or poultry shall be erected or used nearer to any lot line than fifty (50) feet.

SECTION 410. CONVERSIONS. The Board of Adjustment may allow as a special exception the conversion of a single family dwelling into a dwelling for a greater number of families, subject to the following requirements:

A. A petition in favor of such exception is filed with the Board of Adjustment signed by the owners of sixty (60) per cent, or more, of the frontage on the same street within one thousand (1000) feet of the designated lot.

B. Each dwelling unit shall not have less than five hundred (500) square feet of floor area.

C. The lot area per family is not reduced thereby to an amount less than seventy-five (75) per cent of that required by this Ordinance for the district in which the designated lot is located.

D. The yard and building area requirements for the district in which the building is located shall not be reduced.

E. There is no external alteration of the building except as may be necessary for reasons of safety. Fire escapes, and outside stairways, shall, where practicable be located to the rear of the building.

F. The Board of Adjustment shall specify the maximum number of families permitted to occupy such buildings and may prescribe such further conditions and restrictions as the Board may consider appropriate.

G. The off-street parking requirements of this Ordinance are met.

H. The conversion shall be authorized only for a large dwelling with relatively little economic usefulness as a conforming use.

ARTICLE V GENERAL PROVISIONS GOVERNING RESIDENTIAL DISTRICTS

SECTION 500. The following regulations shall govern the designated residential districts.

SECTION 501. Permitted uses on each lot in AA, A and B Residential Districts:

1. Single family detached dwelling.
2. Agriculture.

3. Any of the following purposes when authorized as a special exception a. Educational, Religious or philanthropic use, excluding correctional or penal institution. b. Hospital, Sanitarium, Convalescent Home. c. Golf Course and golf house, excluding golf driving range and miniature golf course. d. Public Utility Facility. e. Green House, non-commercial recreational use. f. Day Camp.

4. Accessory use on the same lot with and customarily incidental to any permitted use.

5. Permitted uses subject to approval of Board of Commissioners.

a. Passenger Station for public transportation, any public utility use directly related to and necessary for services within the Township.

b. Club, fraternal institution, provided that the principal activity shall not be one which is customarily carried on as a business and provided that all services shall be for members and their guests. Building area shall not exceed 20% of lot area.

SECTION 502. Permitted uses on each lot in C Residential Districts:

1. Any use permitted in AA, A and B Residential Districts.
2. Two family dwelling.
3. Multiple dwelling.

ARTICLE VI AA RESIDENCE DISTRICT

SECTION 600. In an "AA" Residence District the following regulations shall apply.

SECTION 601. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 501.

Section 602. Required minimum area, Width, Yard and maximum Height and Building Coverage regulations.

Lot Area, one acre.

Width at Building Line, 150 feet.

Front yard, 60 feet.

Side Yard—each 30 feet.

Rear Yard, 60 feet.

Height

Principal Building, 35 feet.

Accessory, 20 feet, and not exceeding one story.

Building Coverage fifteen per cent (15%)

of total lot area.

ARTICLE VII
"A" RESIDENTIAL DISTRICT

SECTION 700. In a "A" Residential District, the following regulations shall apply:

SECTION 701. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 501.

SECTION 702. Required Minimum Area, Width, Yard, and Maximum Height and Building Coverage regulations.

Lot area, 20,000 square feet.
Width at Building Line, 100 feet.
Front Yard, 40 feet.
Side Yard, each 20 feet.
Rear Yard, 40 feet.
Height

Principal Building, 35 feet.
Accessory, 20 feet.
Building Coverage, fifteen per cent (15%) of total lot area.

ARTICLE VIII
"B" RESIDENTIAL DISTRICT

SECTION 800. In a "B" Residential District the following regulations shall apply:

SECTION 801. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 501.

SECTION 802. Required Minimum Area, Width, Yard, and Maximum Height of Building Coverage.

Lot Area, 12,000 square feet.
Width at Building Line, 80 feet.
Front Yard, 35 feet.
Side Yard, each 10 feet with an aggregate of 25 feet.
Rear Yard, 30 feet.
Height

Principal Building, 35 feet.
Accessory, 20 feet.
Building Coverage, 20 per cent (20%) of total lot area.

ARTICLE IX
"C" RESIDENTIAL DISTRICT

SECTION 900. In a "C" Residential District, the following regulations shall apply:

SECTION 901. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 502.

SECTION 902. Required Minimum Area, Width, Yard and Maximum Height and Building Coverage Regulations.

Lot Area, 9,000 square feet.
Width at Building Line, 60 feet.
Front Yard, 30 feet.
Side Yard, each 10 feet.
Rear Yard, 25 feet.
Height

Principal Building, 35 feet.
Accessory, 20 feet.
Building Coverage, 20% of total lot area.

ARTICLE X
OFF-STREET PARKING AND LOADING

SECTION 1000. Required Off-Street Parking Facilities. Any building or other structure erected, altered or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with adequate passageways, or driveways or other means of circulation

1. Dwelling: One (1) all weather parking space per family on the same lot therewith, provided that in any C Residential District for any dwelling other than single-family or two-family, the required space need not be located on the same lot if situated within three hundred (300) feet of such dwelling.

2. Rooming House: One (1) all weather parking space for each room for rent, on the same lot therewith or on land adjacent thereto.

3. For any of the following uses, the required parking space shall be all-weather and shall be located on the same lot therewith or on land adjacent thereto.

a. Church, School, Public Auditorium, Assembly or meeting room or other similar place of public or private assembly: One (1) parking place for every five (5) seats provided for public assembly.

b. Stadium or other similar place of assembly: One (1) parking space for every five (5) seats.

c. Hospital, convalescent home or sanitarium: One (1) parking space for every four (4) beds.

d. Community Center, Library, Museum, or other similar place: One (1) parking space for every five hundred (500) square feet of floor area in public use.

e. Institutional Home: One (1) parking space for every ten (10) occupants.

f. Residential Club: One (1) parking space for every two (2) occupants, plus ten (10) parking spaces for every one thousand (1000) square feet of floor area in public use.

4. For any of the following uses required parking spaces shall be all-weather and shall be paved, and such parking spaces shall be located on the same lot therewith except as provided in Section 1001 below:

a. Retail Store or Shop: One (1) parking space for every one hundred (100) square feet of store sales floor space.

b. Department Store or Super Market: One (1) parking space for every fifty (50) square feet of store sales floor space.

c. Indoor Theatre: One parking space for every four (4) seats.

d. Hotel, Tourist Home, Automobile Court: One (1) parking space for each rental unit.

e. Office Building or Wholesale Establishment: One (1) parking space for every two hundred (200) square feet of ground floor area, plus one (1) parking space for every four hundred (400) square feet of floor area above the ground.

f. Restaurant, Cafe or Tea Room: One (1) parking space for every fifty (50) square feet of floor space devoted to patron use.

g. Laboratory or any Industrial Establishment: One (1) parking space for every two (2) employees.

h. Other Commercial Buildings: One (1) parking space for every one thousand (1000) square feet of floor area, or fraction thereof, except when otherwise authorized as a special exception consistent with the requirements set forth herein for comparable establishments.

i. Open Areas for Commercial Purposes: One (1) parking space for every fifteen hundred (1500) square feet of areas or fraction thereof.

SECTION 1001. The parking spaces required in Section 1000-4 herein may be located elsewhere than on the same lot when authorized as a special exception, subject to the following conditions:

1. That the owners of two (2) or more establishments shall submit, with their application for special exception, a site plan showing joint use and location of a common off-street parking area.

2. That some portion of the common off-street parking area lies within two hundred (200) feet of an entrance, regularly used by patrons, into the buildings served thereby; and

3. That the Board of Adjustment may, in its direction, reduce the required aggregate amount of required parking space upon determination that greater efficiency is effected by joint use of a common parking area, but in no case shall the ratio of total off-street parking area to total sales floor area to be reduced less twenty-five (25)

SECTION 1002. Reduction of Facilities. Off-street parking facilities existing at the effective date of this Ordinance shall not subsequently be reduced to an amount less than required hereunder for a similar new building or new use. Off-street parking facilities provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance.

SECTION 1003. Required Off-Street Loading and Unloading. In addition to required off-street parking spaces, the foregoing uses shall be provided with adequate off-street loading space.

ARTICLE XI RR RESIDENTIAL RETAIL DISTRICT

Declaration of Legislative Intent

In expansion of the declaration of intent contained in Article I, Section 101 of this Ordinance, it is hereby declared to be the intent of this article with respect to residential retail districts to establish reasonable standards of design and performance and selection of uses permitted therein, the height and size of buildings, the areas and dimensions of yard and open spaces and the provision of facilities to minimize traffic congestion, for the privilege of conducting a convenience-type retail use that will be harmonious with the neighborhood it shall serve, and in order to maintain and protect the character and building values of the adjoining districts. In an "RR" Residential Retail District, the following regulations shall apply:

SECTION 1101. Use Regulations. In a Residential Retail District the following uses only shall be allowed when authorized as a special exception, and provided that the structure occupied for such use shall have a net floor area no greater than specified herein.

A. Retail Food Stores—Twelve hundred (1200) square feet.

B. Retail Drug Store—One thousand (1000) square feet.

C. Barber and Hairdressing Establishments—Four hundred (400) square feet.

D. Pick-up station for dry cleaning, pressing or laundering provided that none of these actual operations are carried out on the site—four hundred (400) square feet.

E. Gift Shop—Eight Hundred (800) square feet.

The above uses shall be permitted only when performed entirely within an enclosed building. All uses shall meet the off-street parking requirements of Article X.

SECTION 1102. Required Height, Area, Width and Yard Regulations. Minimum regulations for building heights, lot area, yards, building line and building coverage shall be in conformity with the requirements for the adjoining zone, provided that in the case of two or more surrounding zones, the lot area, yard size and set-back distances of the least restrictive residential zone shall apply.

Section 1103. Accessory Dwelling Units. A single permanent dwelling unit as an accessory use to the permitted retail operation may be allowed provided that an additional five thousand (5000) square feet of lot area is added to the minimum requirements of Section 1102 of this Article, and provided that such dwelling unit shall be occupied by owners or employees employed on the premises and the immediate families of such owners and employees.

ARTICLE XII CR COMMERCIAL-RETAIL DISTRICT

SECTION 1200. In a CR Commercial-Retail district the permitted uses shall be divided into two classifications, i.e., L and I, and the following shall apply.

CLASS L

SECTION 1201. In Class L a building may be erected, altered or used and a lot or premises may be used for any of the following purposes and no other:

1. Retail Sale of dry goods, variety and general merchandise, clothing, food, flowers, beverages, drugs, household supplies or furnishings; sale or repair of jewelry, watches, clocks, optical goods,

2. Barber shops, hairdressers, cleaning and pressing, pick-up station and such other shops for personal service.

3. Restaurant, tea room, cafe, taproom, confectionary or similar establishment serving food or beverage.

4. Business or Professional office, studio, bank and financial institution, telephone exchange or other public utility office, passenger station for public transportation.

5. Club, Fraternal organization, lodge.

6. Green House, Nursery-Sales yard.

7. Indoor Theatre, Bowling Alley, Billiard Room or similar indoor amusement.

8. Newspaper publishing and job printing.

9. Educational, religious or philanthropic use.

CLASS I

SECTION 1202. In Class I a building may be erected, altered or used and a lot or premises may be used for any of the following purposes and no other:

1. Any use permitted in Class L.

2. New Automobile Sales and Service Agency including used car lot and repair shop adjacent to and in connection therewith.

3. Wholesale, storage and sale of lumber, plumbing and other building materials and supplies.

4. Hand or automatic self-service laundry, provided there is adequate provision made for water disposal.

5. Carpenter, cabinet making, furniture or upholstery shop, electrician shop, metal working, blacksmith, tinsmith, plumbing, gas, steam or hot water fitting shop, paint, or paperhanger shop.

6. Gasoline filling stations, storage or public garage, automobile repair shop.

7. Outdoor Theatre.

8. Machine laundry, dry-cleaning or dyeing plant.

9. Undertaking Establishment.

10. Animal Hospital, Kennel.

11. Laboratories.

12. The following use when authorized as a special exception: a. Motel or motor court, hospital or sanitarium which shall be satisfactory as regards sewage disposal. b. Any use of the same general character as any of the above permitted uses.

13. Accessory Dwelling Units. A single permanent dwelling unit as a customary accessory use to the permitted rental operation under Classification L and I may be allowed provided that an additional five thousand (5000) square feet of lot area is added to the minimum requirements of Section 1202 of this Article, and provided that such dwelling unit shall be occupied by the owners or employees employed on the premises and the immediate families of such owners or employees.

SECTION 1203. Required Area and Yard Regulations.

1. Front Yard. There shall be a front yard on each lot the depth of which shall be not less than forty (40) feet.

2. Side Yards. On a lot abutting any Residential District there shall be a side yard abutting the District having a width of not less than that required on the Residential District. On each corner lot there shall be a side yard abutting the street having a width of not less than forty (40) feet.

3. Rear Yard. There shall be a rear yard on each lot the depth of which shall be not less than twenty (20) feet.

SECTION 1204. Required Height Regulations. The maximum height of any building erected or used in this District shall be thirty-five (35) feet, except that the height of any building may be increased to a maximum of sixty-five (65) feet provided that for every foot of height increase in excess of thirty-five (35) feet there shall be added to each yard requirement, one (1) corresponding foot of width or depth.

ARTICLE XIII SC SHOPPING CENTER DISTRICT

SECTION 1300. Declaration of Legislative Intent: In expansion of the declaration of legislative intent contained in Article I, Section

101, of this Ordinance, it is hereby declared to be the intent of this Article, with respect to shopping center districts to establish reasonable standards for the height and size of buildings, the areas and dimensions of yards and open spaces, the provision of facilities to minimize traffic congestion, noise, glare, pollution, so as to lessen the danger to the public safety and surrounding building values from traffic congestion, overcrowding of land, inadequate provision for water and sewage facilities and inadequate transportation; and to establish reasonable standards for a shopping center suitable with the general character of the adjoining district. In an "SC" Shopping Center District, the following regulations shall apply:

SECTION 1301. Use Regulation. In an "SC" Shopping Center District a building or combination of buildings may be erected or used, and a lot area may be used or occupied for any of the following purposes, and no other:

A. Retail Store, including retail outlet or show room for uses permitted in Paragraph I below, but not including automobile sales agency, provided that no goods shall be displayed on the exterior of any building or on the lot, and provided that only incidental storage, including floor samples, shall be permitted.

B. Restaurant.

C. Office or Studio.

D. Following personal service shops, dealing directly with customers: Beauty Parlor, Barber Shop, Clothes Cleaning Agency (not including a cleaning and dyeing plant), automatic self-service laundry, dressmaking, millinery or similar shop provided all repair or processing work is conducted in accordance with Paragraph I, below.

E. Theatre, not including outdoor motion picture establishment; assembly hall, or community building, indoor recreational establishment or library; child day center.

F. Bakery, Confectionery, or custom shop for the production of articles to be sold at retail on the premises, provided that all baking or processing is conducted in accordance with Paragraph I, below.

G. Bank.

H. Passenger Bus Station; Electric Substation; Telephone and Telephone Offices.

I. The following uses provided that if such uses are located on the ground they shall not be located within twenty (20) feet of the front of the building and provided that they shall be effectively screened from the front portion of the building by a wall or partition.

1. General Servicing or Repair.
2. Upholstering.
3. Carpentry and Woodworking.
4. Electrical, Radio, Television Repair.
5. Hand Laundering, Dry Cleaning, or Pressing, provided no inflammable fluids are used.
6. Tailoring, Dressmaking, or Repair.
7. Millinery Repair or processing.
8. Watch or clock Repair.
9. Baking, Confectionery Making or Similar Processing.
10. Frozen Food Lockers.
11. Any similar use involving repair, processing or storage activity.

J. Accessory use customarily incidental to any of the above uses.

K. Any use of the same general character as any of the above permitted uses, when authorized as a special exception by the Board of Adjustment, provided that such use shall be permitted subject to such reasonable restrictions as the Board of Adjustment may determine, and further provided that no trade or business shall be permitted which is either noxious or hazardous.

L. Signs when erected and maintained in accordance with the Sign Ordinance and Section 1302 below.

SECTION 1302. Developments Requirements. The General Plan shall include specific evidence and facts showing that it has considered and made provisions for, and the development shall be executed in accordance with the following essential conditions:

A. The development shall be consistent with the comprehensive plan upon which this Ordinance is based and with the purpose of the Ordinance to promote the health, safety, morals and the general welfare of the Township.

B. The development shall consist of a harmonious selection of uses and grouping of buildings, service and parking areas, circulation and open spaces, planned and designed as an integrated unit, in such manner as to constitute a safe, efficient, and convenient retail shopping center. The distance at the closest point between buildings or groups of attached buildings shall be not less than twelve (12) feet.

C. The appropriate use of property adjacent to the center shall be safeguarded. Where such center abuts any Residential District, a suitable and uninterrupted planting screen, not less than twenty-five (25) feet in depth, shall be provided and maintained by the owner of the Shopping Center. Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

D. All buildings within the center shall be served by a central sanitary sewage disposal system and public water supply and available public utilities.

E. Adequate provision shall be made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the center.

F. Provision shall be made for safe and efficient ingress and egress to and from public streets and to highways serving the center without undue congestion to or interference with normal traffic flow within the municipality. All points of vehicular access to and from public streets shall be located not less than two hundred (200) feet from the intersection of any public street lines with each other.

G. Adequate off-street parking and loading spaces shall be provided in accordance with and as an integral part of the plan, except that required space for individual establishments need not be provided separately but may be made a component part of such space jointly serving two or more establishments, provided that in no case shall the square foot relation of total off-street parking space to total usable floor space constitute a ratio of less than three to one (3:1). The parking and loading spaces shall be physically separated from public streets.

H. All access roads, parking areas, service and other area for vehicular use shall be paved with bituminous or other concrete material to a minimum standard of secondary roads of the Pennsylvania Department of Highways.

I. All Utility lines serving the Center shall be placed under ground.

J. Signs shall be permitted only pursuant to requirements prescribed by the Board of Commissioners, with consideration given to the provisions of this Article.

K. If the development of the Center is to be carried out in progressive stages, each stage shall be so planned that the foregoing requirements and the intent of this Ordinance shall be fully complied with at the completion of any stage. The initial stage of development shall comprise a total ground floor area of not less than twenty-five thousand (25,000) square feet and at least three (3) of the selected and designated uses.

L. Required Minimum Area, Yards, and Building Coverage Regulations:

Lot Area, 6 acres.

Front Yard, 40 feet.

Side Yard, (each) 50 feet.

Rear Yard, 50 feet.

Building Coverage, 15 percent of total lot area.

M. Required Height. The maximum height of any building or structure erected or enlarged in this District shall be forty (40) feet except that the height of any such other building or structure may be increased to a maximum of sixty-five (65) feet provided that for every foot of height in excess of forty (40) feet there shall be added to each yard requirements one (1) corresponding foot of

N. The Board of Township Commissioners may prescribe particular requirements or any further reasonable conditions deemed appropriate with respect to the suitability of the Shopping Center in the neighborhood.

SECTION 1303. Application and Review by the Planning Commission. Approval or disapproval by the Board of Commissioners.

A. Plans for any "SC" Shopping Center use shall be submitted to the Planning Commission prior to the issuance of any zoning permit or certificate of occupancy as provided in Article XX. If, however, portions of the project are to be completed in successive stages, a less detailed sketch or layout of the area not scheduled for immediate development will suffice initially, provided that as further development occurs, a plan showing all of the required detail shall then be submitted prior to the construction of any portion. Information to be shown on all Shopping Center plans shall include:

1. A plot plan of the lot showing the location of all present and proposed buildings, sidewalks and all other areas to be devoted to pedestrian use, drives, paving lots, loading and unloading areas and other constructional features on the lot; and all buildings, streets, alleys, highways, streams and other topographical features of the lot and within 200 feet of any lot line.

2. Architectural plans for any proposed buildings.

3. The location, dimension, and arrangement of areas to be devoted to planting lawns, trees or any other purpose.

4. A description of the commercial uses proposed including approximate numbers of employees, and expected number of customers in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazards or safety hazard;

5. Engineering and architectural plans for the treatment and disposal of sewage.

6. Analysis of the market area, market needs, adequacy of service of needs by present or proposed commercial centers of enterprises, with evidence of need for the planned shopping center. Such evidence of need shall include estimates for the extent of the need; of the floor area or magnitude of enterprise, and of appropriate timing for the stages of development.

7. Any other data or evidence that the Planning Commission may require.

B. The Planning Commission shall review all plans for "SC" Shopping Center uses submitted to them and shall submit these plans, with recommendations thereon to the Board of Commissioners for final approval.

C. Upon receipt of plans for any "SC" Shopping Center use, and recommendations thereon by the Planning Commission, the Board of Commissioners shall have the power of approval or disapproval of these plans. The Secretary of the Board of Commissioners shall notify in writing, the Zoning Officer of their final decision and any special conditions agreed upon regarding any "SC" Shopping Center use.

D. As a guide for the Recommendations by the Planning Commission, and for the final approval or disapproval by the Township Commissioners, on any "SC" Shopping Center Plan, all the provisions of this article shall be considered.

ARTICLE XIV

"LIM" LIMITED INDUSTRIAL DISTRICT

SECTION 1400. Declaration of Legislative Intent: In expansion of the declaration of legislative intent contained in Article I, Section 101, of this Ordinance, it is hereby declared to be the intent of this article, with respect to limited industrial zones, to establish reasonable standards for the height and size of buildings, the areas and dimensions of yards and open spaces and the provision of facilities and operation of industries to minimize traffic congestion, noise, glare, air pollution, water pollution and fire and safety

In a "LIM" Limited Industrial District, the following regulations shall apply.

SECTION 1401. Use Regulations. The specific use permitted in this district shall be the erection, construction, alteration, or use of buildings or premises for the following uses and no other:

A. Any industrial use not specifically excluded, which meets the provisions of Section 1402 to 1413 inclusive, of this article.

B. Agriculture.

C. Dwelling quarters for watchmen and caretakers employed on the premises shall be permitted in connection with any industrial establishment.

D. The following uses shall not be permitted:

Abattoir.

Acetylene gas manufacture and/or storage.

Acid Manufacture (hydrochloric, nitric, picric, sulphuric sulphurous, carbolic).

Ammonia, bleaching powder or chlorine manufacture.

Ammunition manufacture and/or storage.

Arsenal.

Asphalt Manufacture or refining.

Blast or reverberatory or foundry.

Bone Distillation.

Celluloid manufacture.

Cement including cement mixing plant, lime, gypsum, or plaster of paris manufacture.

Coal distillation.

Coke ovens.

Creosote treatment or manufacture.

Dead animal and offal reduction.

Distillation of bones, coal petroleum, refuse grain, or wood (except in the manufacture of gas).

Distillation of tar.

Drop Hammer.

Explosives, fireworks and gun-powder manufacture or storage.

Fat rendering.

Fertilizer manufacture.

Forge Plant.

Hog Farm.

Kiln, except fired by oil, gas or electricity, maximum capacity of two hundred (200) cubic feet.

Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or offal.

Oilcloth or linoleum manufacture.

Ore Reduction.

Petroleum or kerosene refining, distillation or derivation of by-products and/or storage.

Potash Works.

Power Forge (riveting, hammering, punching, chipping, drawing, rolling or tumbling of iron, steel, brass, copper, (except as a necessary incident or manufacture of which those processes form a minor part, and which are carried on without objectionable noise outside the plant, and permitted as a special exception).

Reduction of fish and animal products, and vegetable oils.

Roasting of coffee, spices and soybeans.

Rolling Mill.

Steel furnace, blooming or rolling mill.

Stock yards.

Tar distillation or manufacture.

SECTION 1402. Smoke Control.

A. No smoke shall be emitted from any chimney or other source visible gray greater than No. 1 on the Ringelmann chart as published by the U. S. Bureau of Mines.

B. Smoke of a shade not darker than No. 2 on the Ringelmann smoke chart may be emitted for not more than four (4) minutes in

C. These provisions, applicable to visible gray smoke, shall also apply to visible smoke of a different color, but with an equivalent apparent opacity.

SECTION 1403. Control of Dust and Dirt, Fly-Ash and Fumes, Vapors and Gases.

A. No emission shall be made which can cause any damage to health, to animals or vegetation or other form of property or which can cause any excessive soiling at any point.

B. No emission of liquid or solid particles from any chimney or otherwise shall exceed 0.3 grains per cubic foot of the covering gas at any point.

C. For measurement of the amount of particles in gases resulting from combustion, standard correction shall be applied to a stack temperature of five hundred (500) degrees F. and fifty (50) per cent excess air.

SECTION 1404. Control of noises. At no point on the boundary of a Residential or Business District shall the sound pressure level of any operation exceed the maximum of that permitted as established by resolution of the Board of Commissioners of the Township which resolution shall be considered a part of this Ordinance for all intents and purposes, the same as if it was from time to time included as a provision of this Ordinance.

SECTION 1405. Control of Odors. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at lot boundary line. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. The guide for determining the quantity of offensive odors shall be established by resolution of the Board of Commissioners.

SECTION 1406. Control of Glare and Heat. Any operation producing intense glare or heat shall be performed within an enclosed building or behind a solid fence in such manner as to be completely imperceptible from any point along the lot lines.

SECTION 1407. Control of vibration. No vibration which is discernible to the human sense of feeling shall be perceptible without instruments at any point on the lot line.

SECTION 1408. Control of Radioactivity or Electrical Disturbance. There shall be no activities which emit dangerous radioactivity at any point. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

SECTION 1409. Outdoor Storage and Waste Disposal.

A. No flammable or explosive liquids, solids, or gases shall be stored in bulk above the ground; provided however, that tanks or drums of fuel directly connecting with energy devices, heating devices, or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.

B. All outdoor storage facilities for fuel, raw materials and products stored outdoors shall be enclosed by a fence adequate to conceal the facilities from any adjacent properties.

C. No materials or wastes shall be deposited upon a lot in such form or manner that may be transferred off the lot by natural causes or forces.

D. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.

SECTION 1410. Electric, Diesel, Gas or other Power. Every use requiring power shall be so operated that the service lines, substation, etc., shall conform to the highest safety requirements known, shall be so constructed, installed, etc., to be any integral part of the architectural features of the plant, or if visible from abutting residential properties shall be concealed by coniferous planting.

SECTION 1411. Industrial Waste or Sewage.

A. **Waste Disposal.** No use shall be conducted in such a way as to discharge any treated or untreated sewage or industrial waste into any stream. All methods of sewage industrial waste treatment and disposal shall be approved by the Board of Health.

SECTION 1412. Control of Traffic Generation. No limited Industrial Use or density of development shall be allowed which shall generate a condition of traffic congestion. Traffic generation of five (5) vehicular movements per hour at peak hours in one direction in or out per acre of industrial lot shall not be exceeded.

SECTION 1413. Provision and Use of Water. All water requirements shall be stated in the application. Water shall be supplied by water distributing companies operating and supervised as municipal or public utilities by virtue of the laws of the Commonwealth of Pennsylvania and the Ordinances of this Township. No permit for construction, building or use shall be issued by the Zoning Officer until satisfactory proof of the availability and supply of water is furnished. Wells dug or drilled on the premises intended or used to supply water for consumption on the premises for manufacturing and operation of air-conditioning units or for any other purpose whatsoever, shall not be permitted.

SECTION 1414. Height Regulation. The maximum height of buildings and other structures erected or enlarged in this District, measured at the line of all required yards, shall be thirty (30) feet, but any portion of a building erected above such height limit shall be erected within a recession plane beginning at the height limit as fixed herein and receding at the rate of one foot of recession for each one foot of additional height, provided that a height of forty (40) feet or more shall require a special exception, with no structure to be erected over 65 feet.

SECTION 1415. Area and Yard Regulations.

A. **Floor Area Ratio.** The total floor area of principal and accessory buildings shall not exceed thirty (30) per cent of the lot area.

B. **Lot Area.** No light industrial district shall be less than ten (10) acres, and no individual lot size shall be less than two (2) acres.

C. **Lot Area Ratio.** Principal and accessory buildings shall not occupy more than twenty (20) per cent of the lot area.

D. Yard Requirements.

1. **Front Yard.** The required minimum depth of a front yard shall be as follows: a. Where building faces street, on the opposite side of which the land is zoned residential, one hundred (100) feet. b. Where building faces street, and the land on both sides is zoned commercial or industrial, fifty (50) feet.

2. **Side Yards:** There shall be two side yards, one on each side of the building erected, each of which shall not be less than fifty (50) feet in width, subject to exception as provided in Paragraph No. 4 hereinafter set forth.

3. **Rear Yards:** The required minimum depth of a rear yard shall be fifty (50) feet, subject to exception as provided in Paragraph No. 4 hereinafter set forth.

4. **Exceptions for Side and Rear Yards:** In no case (except adjacent to an existing railroad) shall any building be erected either upon the surface or under the ground, closer than two hundred (200) feet to any residential district, nor any parking area be closer than one hundred (100) feet to any residential district. No side or rear yard shall be required for the side or rear of a building abutting on an existing railroad right-of-way.

5. **Maintenance of Yards and Open Areas.** Front yards, side yards, and rear yards (except for the portion provided for parking as hereinabove provided) and the open area adjacent to a residential district shall be planted in grass and shrubbery, or trees, and be maintained by the owner or tenants in a careful and prudent manner.

SECTION 1416. On site Parking and Loading. Two square feet of parking and loading space shall be required for every five square feet of floor space not used for parking or loading purposes. Parking and Loading Requirements shall be subject to review as specified in Section 1417 below.

SECTION 1417. Application and Review by the Planning Commission. Approval or Disapproval by the Board of Commissioners.

A. Plans for any "LIM" Limited Industrial use shall be submitted to the Planning Commission prior to the issuance of any zoning permit or certificate of occupancy as provided in Article XX, and such plans shall include among other things the following:

1. A plot plan of the lot showing the location of all present and proposed buildings, drives, parking lots, waste disposal fields and other constructional features on the lot; and all buildings, streets, alleys, highways, streams and other topographical features of the lot and within two hundred (200) feet of any lot line;

2. Architectural plans for any proposed buildings;

3. A description of the industrial operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazards or safety hazards.

4. Engineering and architectural plans for the handling and disposal of sewage and industrial waste.

5. Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare, air pollution, water pollution, fire hazard or safety hazard.

6. Designation of the fuel proposed to be used and any necessary architectural and engineering plans for controlling smoke.

7. The proposed number of shifts to be worked and the maximum number of employees on each shift.

8. Any other data or evidence that the Planning Commission may require.

B. The Planning Commission shall review all plans for "LIM" Limited Industrial uses submitted to them and shall submit these plans, with recommendations thereon to the Board of Commissioners for final approval.

C. Upon receipt of plans for any "LIM" Limited Industrial use, and recommendations thereon by the Planning Commission, the Board of Commissioners shall have the power of approval or disapproval of these plans. The Secretary of the Board of Commissioners shall notify in writing the Zoning Officer of their final decision and any special conditions agreed upon regarding any "LIM" Limited Industrial Use.

D. As a guide for Recommendations by the Planning Commission, and for final approval or disapproval by the Township Commissioners, on any "LIM" Limited Industrial plan, the following provisions shall be considered:

1. That the plan is consistent with the comprehensive plan for the orderly development of the Township and with the purpose of this Ordinance to promote the health, safety, morals, and the general welfare of the Township.

2. That the appropriate use of property adjacent to the area included in the plan will be safeguarded;

3. That the development will consist of a harmonious grouping of buildings, service and parking area circulation and open spaces, planned as a single unit, in such manner as to constitute a safe, efficient and convenient industrial site;

4. That the uses to be included are limited to those permitted by Section 1401 of this Article.

5. That there is adequate provision made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the site;

6. That provision is made for safe and efficient ingress and egress to and from public streets and highways serving the site without undue congestion to or interference with normal traffic flow within the Township;

7. That adequate off-street parking and loading space is provided (in accordance with Section 1000, and Section 1416) as an integral part of the plan.

8. That all buildings within the development shall be served by a

9. That, if the development is to be carried out in progressive stages, each stage shall be so planned that the foregoing requirements and intent of this Ordinance shall be fully complied with by the development at the completion of any stage.

**ARTICLE XV
NON-CONFORMING USE**

SECTION 1500. Land. Any land, the existing lawful use of which at the time of passage of this Ordinance, that does not conform with the regulations of the District in which it is located shall have such use considered as non-conforming use, which may continue on such land but shall be subject to regulations covering non-conforming uses.

SECTION 1501. Buildings. Any lawful building or the lawful use of any building existing at the time of the passage of this Ordinance that does not conform to use, height, location, size or bulk, with the regulations of the District in which it is located, shall be considered a non-conforming building or use, and may continue such use in its present location, but shall be subject to the regulations covering non-conforming uses.

SECTION 1502. Buildings Under Construction. A building for which a valid permit has been issued and/or is actually under construction to the extent of completion of footings may be completed as a non-conforming use. Buildings not under actual construction at the time of passage of this Ordinance shall be built in conformity with its requirements.

SECTION 1503. Change of Use. A non-conforming building or use shall be considered as such unless and until it complies with the regulations of the district in which it is located. Such use shall not be changed to a use designated for a district having less restrictive regulations.

SECTION 1504. Discontinued Use. A non-conforming use, when discontinued, may be resumed any time within one year from such discontinued date, but not after, as the same class of use, but cannot be resumed as a non-conforming use of a lower class.

SECTION 1505. Extension. Any lawful non-conforming use of a portion of a building may be extended throughout the building and any lawful non-conforming building or any building of which a lawful non-conforming use is made may be extended upon the lot occupied by such building and held in single and separate ownership on the effective date of this Ordinance, provided, that the area of such building shall not be increased by more than a total of twenty-five (25) per cent of the area of such building existing on the date it first became lawful non-conforming building or a building on which a lawful non-conforming use is made, and provided further that any structure, alteration, extension or addition shall conform with all the height, area, width yard and coverage requirements for the District in which it is located.

SECTION 1506. The Change or Resumption of Non-conforming Use. The Board of Adjustment shall have discretion to determine what resumption or change of non-conforming use is of the same class of use and permissible.

SECTION 1507. Building Destroyed by Fire, Explosion, Accident or Calamity. A non-conforming building which has been damaged or destroyed by fire, explosion, accident or calamity (as contrasted to deterioration due to time or neglect) may be reconstructed and used for the non-conforming use, provided that (1) the reconstructed building shall not exceed in height, area and volume the building destroyed; (2) building reconstruction shall be started within one year from the date the building was destroyed and shall be carried on without interruption.

SECTION 1508. Building Condemned. A non-conforming building which has been legally condemned shall not be rebuilt or used except in accordance with the provisions of this Ordinance.

SECTION 1509. Temporary or Non-Conforming Use. A temporary non-conforming use, which will benefit the public health or welfare or promote energy development of a district in conformity with the intent

of this Ordinance, may be permitted for a period of not more than one (1) month, on the approval of the Board of Adjustment, but any such use to be permitted for a longer period shall require a public hearing thereon, after which a Board of Adjustment Certificate may be issued for a period not exceeding one (1) year in any case.

SECTION 1510. Non-Conforming Signs. Any signs, signboard, billboard or advertising device existing at the time of the passing of this Ordinance that does not conform in use, location, height, or size, with the regulations of the District in which it is located, shall be considered a non-conforming use and may continue in such use in its present location for a period of two (2) years from the date of the passage of this Ordinance but not after. The continuation of such non-conforming use after expiration of two (2) years shall be a violation of this Ordinance.

SECTION 1511. Abatement of Certain Non-Conforming Uses. All non-conforming uses of land shall be discontinued and all non-conforming buildings or structures shall be torn down, altered, or otherwise made to conform within ten (10) years of the adoption of this Ordinance for junk yards on the same lot with a plant, sales facility, or a factory.

SECTION 1512. Non-Conforming Use Permit Required. Conforming use permits shall be required for non-conforming use existing at the time of passage of this Ordinance and shall be issued by the Zoning Officer without charge stating that the use is non-conforming. The Zoning Officer shall notify the occupant of property being used as a non-conforming use, whereupon said occupant shall apply for a permit within thirty (30) days after receipt of the notice.

ARTICLE XVI SIGNS

Any sign erected or maintained after the effective date of this Ordinance shall conform to the following regulations:

SECTION 1600. Signs permitted in Residential Districts. In all Residential Districts, the following signs shall be permitted and no other:

A. Official street and traffic signs, and any signs required by law.

B. Professional, accessory use, home occupation or name signs on the same lot with and indicating the name, profession or activity of the occupant of a dwelling, provided that the area of any one side of any such sign shall not exceed two (2) square feet, and provided that not more than one (1) such sign shall be erected for each permitted use or dwelling.

C. Sign for a school, church, hospital, sanitarium, club, or other institution of a similar nature, on the same lot therewith, for the purpose of displaying the name of the institution and its activities or services, provided that the area on one side of such sign shall not exceed fifteen (15) square feet, and provided that not more than one (1) such sign shall be erected on any one street frontage of any property in single and separate ownership.

D. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith, provided that the total area on any one side of such sign shall not exceed one (1) square foot and shall be spaced at intervals of not less than one hundred (100) feet of street frontage.

E. Real Estate Signs as follows:

1. For advertising the sale or rental of the premises upon which the sign is erected, provided that the total area on any one side of such sign on any one street frontage of any property in single and separate ownership shall not exceed six (6) square feet.

2. For advertising, on the premises, the sale or development of homes within a subdivision, the recorded plan of which contains less than ten (10) lots, provided that the area of any one side of such sign shall not exceed fifteen (15) square feet, and provided that not more than one (1) such sign shall be erected within any such subdivision.

3. For advertising on the premises, the sale or development of homes within a subdivision, the recorded plan of which contains ten (10) or more lots, provided that the area of any one side of any such sign shall not exceed thirty-five (35) square feet, and provided that not more than two (2) such signs shall be erected within any such subdivision.

4. Signs as permitted in paragraphs 2 and 3 above shall be permitted only for a period of one (1) year from the date of issuance of permit, or the date of sale of the last lot, which ever first occurs, such signs may be maintained thereafter but only upon granting of a special exception by the Board of Adjustment as provided by Article XVII of this Ordinance but in no event shall the Board be permitted to grant a total period longer than two (2) years from the date of original permit.

5. **Auction Sale Signs.** An auction sale sign shall conform to the several provisions of the several paragraphs under subparagraph E. of Section 1600 of this Article, however, a permit for such sign shall not be issued for a period greater than 90 days from the date of issuance.

F. Signs in connection with the identification, operation, or protection of any public utility or municipal activity, on the same lot therewith, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed eight (8) square feet.

G. For a laboratory or sale of agricultural products, signs on the same lot therewith indicating the name of the owner or occupant and the product sold or services or activities performed on the premises, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed thirty-five (35) square feet.

H. Directional signs, provided that the area of any one side of any such sign shall not exceed six (6) square feet, and provided that such signs shall be spaced at intervals of not less than five hundred (500) feet of street frontage.

I. Temporary signs of contractors, mechanics, painters, and artisans, erected and maintained on the premises where the work is being performed, provided that the area of any one side of any such sign shall not exceed twelve (12) square feet, and provided that not more than one (1) such sign shall be erected on any property in single and separate ownership, and provided that such sign shall be removed upon completion of the work.

J. Temporary signs advertising elections, fairs, social events and the like shall not be erected within the Township unless a permit is first obtained and there is deposited with the Township Officer a sum of money, or in lieu thereof a bond, of the amount and with surety as may be required by the Zoning Officer to guarantee the removal of such temporary signs within ten (10) days following the date of the events as advertised by said signs.

SECTION 1601. Signs Permitted in Commercial Districts. "RR" Residential Retail, and in "SC" Shopping Center Districts. In Commercial Districts, "RR" Residential Retail Districts and in "SC" Shopping Center Districts, the following signs shall be permitted, and no other:

A. Any sign permitted in any Residential District, provided the use to which it refers is permitted in a Commercial District, a "RR" Residential Retail or "SC" Shopping Center District.

B. Signs in connection with tourist homes or rooming houses, on the same lot therewith, provided that the area of any one side of such sign shall not exceed six (6) square feet, and provided that not more than one (1) such sign shall be erected on any one street frontage of any property in single and separate ownership.

C. Business or commercial sign on the same lot as the use to which it refers, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed thirty-five (35) square feet, unless authorized by special exception.

D. In "SC" Shopping Center District, in addition to signs permitted for individual establishments, there shall be permitted one (1) sign indicating the name of the shopping center, provided that the

area of any one side of such sign shall not exceed seventy-five (75) square feet, and provided that the location and orientation of such sign shall be as designated on or in connection with the required development plan.

SECTION 1602. Signs permitted in "LIM" Limited Industrial Districts. In "LIM" Limited Industrial Districts, the following signs shall be permitted and no other:

A. Any sign permitted in any other District provided that the use to which it refers is permitted in the "LIM" Limited Industrial District.

B. For any commercial or industrial use, a sign to display the name of the owner or occupant of the premises and the activity conducted thereon, on the same lot therewith, provided that such sign shall not exceed ten (10) feet in height and twenty (20) feet in length.

C. Such other signs as may be authorized by special exception.

SECTION 1603. General Sign Regulation for all Districts. In all districts the following general sign regulations shall apply:

A. No sign shall be placed in such a position as to endanger traffic on a street by obscuring a clear view or by confusion with official street signs or signals, by virtue of position or color.

B. No sign, other than official street signs, shall be erected or maintained within the street right-of-way.

C. No sign shall project more than twenty-four (24) inches over a public walkway, and the lower edge of such projecting sign shall be not less than ten (10) feet above the walk level.

SECTION 1604. Illumination of Permitted Signs.

A. In all Residential Districts, the following permitted signs may be illuminated and no other:

1. Professional sign of a physician, dentist, healer, justice of the peace and such other person whose services in emergency are customarily considered essential to the public health, safety, and welfare, provided that the illumination is white light only, and provided further that the total illumination for any such sign shall not exceed the equivalent of that given by a twenty-five (25) watt incandescent light source;

2. Sign of a school, church, hospital, sanitarium, club, or other institution of a similar nature, laboratory, or municipal building, provided the illumination is white light only, and provided further that the total illumination for any such sign shall not exceed the equivalent of that given by a sixty (60) watt incandescent light source;

3. Signs for regulation of traffic, marking of hazards, and the like.

B. In Commercial Districts, "SC" Shopping Center Districts, "RR" Residential Retail Districts, and "LIM" Limited Industrial Districts, any permitted sign, building or structure may be illuminated; provided the type, size and location of signs shall be determined by the Board of Adjustment by way of a special exception.

C. Any permitted illumination of signs, buildings or structures in any District shall be subject to the following regulations:

1. There shall be no illumination of a flashing, intermittent or moving type.

2. Flood-lighting shall be so shielded that the source of light shall not be visible from any point off the lot on which the sign, building or structure being illuminated is erected, and so that only the sign, building or structure is directly illuminated.

SECTION 1605. Permits for Signs. A permit shall be obtained from the office of the Zoning Officer for each of the following types of signs and a fee paid in accordance with Article XX, Section 2007, herein:

A. Directional Signs as permitted in Section 1600 under H.

B. All business, commercial or industrial signs.

C. Temporary signs as permitted in Section 1600 under J.

D. Real Estate Signs as permitted under Section 1600 under E.

ARTICLE XVII BOARD OF ADJUSTMENT

SECTION 1700. Appointment. The Board of Commissioners of Upper Dublin Township shall appoint a Board of Adjustment consisting of three members. The Board of Commissioners shall designate one such member to serve until the first day of January following the effective date of this Ordinance, one until the first day of the Second January thereafter, and one until the first day of the Third January thereafter; shall appoint three successors on the expiration of their respective terms to serve three years, and shall fill any vacancy for the unexpired term of any member whose term becomes vacant. The members of the Board of Adjustment shall be removable for cause by the Board of Commissioners upon written charges and after a public hearing. The word "Board" when used in this Article shall mean the "Board of Adjustment."

SECTION 1701. Power and Duties. The Board shall have the following powers:

A. **Appeals and Interpretations.** To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of said Act or of this Ordinance adopted pursuant thereto. To interpret upon the words, terms, rules, regulations, provisions, and restrictions of this Ordinance where there is doubt as to the meaning thereof, including determination in specific instances whether questionable uses are permitted by virtue of being "similar to" or "customarily incidental to" permitted uses as provided by this Ordinance.

B. **Special Exceptions.** To hear and decide special exceptions to the terms of this Ordinance in such cases as are herein expressly provided for, in harmony with the general purposes and intent of this Ordinance with power to impose appropriate conditions and safeguards.

C. **Variance.** To authorize, upon appeal, in special cases such variance from the terms of this Ordinance the Board shall feel will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and justice done. The special circumstances requiring a variance shall be fully set forth in the minutes of the Board, which shall show the vote of each member upon each question.

SECTION 1702. Standard for Board of Adjustment Actions. In any instance where the Board of Adjustment is required to consider an exception or change in the Zoning Ordinance or Map in accordance with the provisions of the Ordinance, the Board shall, among other things:

A. Consider the suitability of the property for the use desired. Assure itself that the proposed change is consistent with the spirit, purpose and intent of the Zoning Ordinance.

B. Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

C. Determine that the proposed change will serve the best interests of the Township, the convenience of the community (where applicable), and the public welfare.

D. Consider the effect of the proposed change upon the logical, efficient, and economical extension of public service and facilities such as public water, sewers, police and fire protection, and public schools.

E. Consider the suitability of the proposed location of an industrial or commercial use with respect to probable effects upon highway traffic, and assure adequate access arrangements in order to protect major streets from undue congestion and hazard.

F. Be guided in its study, review and recommendation by sound standards of subdivision practice where applicable.

G. Impose such conditions, in addition to those required, as are necessary to assure that the intent of the Zoning Ordinance is com-

plied with, which conditions may include, but are not limited to, harmonious design of buildings, planting and its maintenance as a sight or sound screen, the minimizing of noxious, offensive or hazardous elements, and adequate standards of parking and sanitation.

H. Determine that there are special circumstances or conditions fully described in the findings applying to the land or buildings for which the variance is sought, which circumstances or conditions are such that the application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.

I. Determine that the unique circumstances for which the variance is sought were neither created by the owner of the property, nor were due to or the result of general conditions in the district in which the property is located.

SECTION 1703. Orders. In exercising the above mentioned powers, the Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination, appealed from and may make such additional order, requirement, decision, or determination as ought to be made, and to that end, shall have all the powers of the officer from whom the appeal is taken.

SECTION 1704. Rules of Procedure. The Board shall adopt Rules of Procedure in accordance with the several provisions of this Ordinance as to manner of filing appeals or applications for special exceptions or for variance from the terms of this Ordinance. All appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of the Ordinance involved, and shall exactly set forth the interpretation that is claimed, the use for which the special exception is sought, the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

SECTION 1705. Meetings. Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the Board and shall be a public record.

SECTION 1706. Advisory Review by Planning Commission. At least ten (10) days before the date of hearing required by law for an application for special exception, before the Board of Adjustment, the Secretary of such Board may transmit to the Planning Commission a copy of the notice of hearing and other information as may have been furnished by the applicant or the Zoning Officer. Following the public hearing the Zoning Board may transmit to the Planning Commission a transcript of the public hearing and any other briefs presented in evidence. The Board shall not take final action on any special exception until it has received the advisory opinion of the Planning Commission, provided that opinion is received within two (2) weeks after the Zoning Board transmitted the transcript of record.

SECTION 1707. Technical Assistance. The Board of Adjustment in considering any matter within its jurisdiction may consult with the Upper Dublin Township Planning Commission, the Montgomery County Planning Commission or any other specialist or groups of specialists having expert knowledge of the matter under consideration.

SECTION 1708. Notice of Hearings. Upon the filing with the Board of an application for a special exception or for variance or an interpretation from the terms of this Ordinance, the Board shall fix a reasonable time and place for a public hearing thereon and shall give notice as follows:

A. By publishing a notice twice in a newspaper of general circulation published or circulated in the Township, provided, however,

the first publication shall be at least ten (10) days prior to the date fixed for the public hearing.

B. At the discretion of the Board, by mailing a notice to all property owners within five hundred (500) feet, if only a particular area is involved. If the owners of the property or their respective addresses are unknown to the Board, it may direct the posting of the notice upon the dwelling, if one exists, otherwise at a conspicuous place upon the property.

C. The notice shall state the general nature of the proposed amendment and that full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing. The notices herein required shall state the location of the building or lot and the general nature of the question involved.

SECTION 1709. Expiration of Special Exceptions and Variances. Unless otherwise specified by the Board, a special exception or variance shall expire if the applicant fails to obtain a building permit within six (6) months of the date of authorization thereof.

SECTION 1710. Appeal to Court. Any persons aggrieved by the decision of the Board may within thirty (30) days thereafter appeal to the Court of Common Pleas of Montgomery County by petition duly verified, setting forth the grounds upon which said appeal is taken.

SECTION 1711. Fees: Application before the Board of Adjustments as in Article XVII is provided shall be accompanied by a cash payment to the Township in accordance with a Fee Schedule adopted by resolution of the Board of Adjustment and approved by the Board of Commissioners following the enactment of this ordinance, or as such schedule may be amended by resolution of the Board of Adjustment and approved by the Board of Commissioners.

ARTICLE XVIII

VIOLATIONS, FINES, REMEDIES AND CHARGES

SECTION 1800. Violations. It shall be the duty of the Zoning Officer to take cognizance of violations of this Ordinance. He shall investigate each violation which comes to his attention whether by observation or by communication. He shall order in writing the correction of such conditions as are found to be in violation of this Ordinance. Failure to secure a zoning, or use permit, or Board of Adjustment certificate when required, previous to erection, construction, extension or addition to a building, or change in use of land or building as in this Ordinance provided, shall be a violation of this Ordinance.

SECTION 1801. Notice of Violation. If a violation occurs and a correction thereof has been directed by the Zoning Officer, which correction remains undone for a period of thirty (30) days after date of the issuance of the order, it shall be the duty of the Zoning Officer to notify the Township Commissioners of the violation. The Township Commissioners shall then take such action as they deem necessary to enforce the correction of the violation. However, if in the opinion of the Zoning Officer the violation creates an imminent danger to life and property, or is willful and deliberate, the violator shall be ordered to discontinue such violation immediately. The giving of notice of a violation as herein provided shall not be interpreted to supercede or deny the Zoning Officer and the Township the right and duty to prosecute a violator for a violation of each respective provision of this Ordinance.

SECTION 1802. Fines. For any and every violation of the provisions of this Ordinance the owner, general agent or contractor of a building or premises of such violation has been permitted or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of the building or premises in which part such violation has been committed or shall exist, and the general agent, architect, building contractor or any other person who knowingly commits, takes part or assists in any such violation, or who maintains any building or premises in

which such violation shall exist, shall be liable on conviction thereof to a fine not exceeding fifty (50) dollars for each and every offense or imprisonment in Montgomery County Prison for a period not exceeding five (5) days and whenever such person shall have been notified by the Zoning Officer or by service of warrant in a prosecution, or in any other way, that he is committing such violation of this Ordinance, each day that he shall continue shall constitute a separate offense punished by the like fine or imprisonment.

SECTION 1803. Remedies. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, or any hedge, tree, shrub, or other growth is maintained in violation of this Ordinance or any regulations made pursuant hereto, in addition to the other remedies provided by law, any appropriate action or proceedings, whether by legal process or otherwise, may be instituted or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent an illegal act, conduct, business or use in or about such premises.

SECTION 1804. Charges.

A. A charge of five (5) dollars for each Board of Adjustment certificate issued under authority of this Ordinance shall be made, payable in advance.

B. A charge of two (2) dollars shall be made for each duplicate copy of application or Board of Adjustment certificate.

C. A charge of five (5) dollars shall be made for each certified statement of district classification of any property and/or compliance of any property with the provisions of this Ordinance.

**ARTICLE XIX
AMENDMENTS**

SECTION 1900. Amendment by Governing Body. The Board of Commissioners of Upper Dublin Township may, from time to time, amend, supplement, change, modify, or repeal this Ordinance, including the Zoning Map, by proceeding in the following manner.

SECTION 1901. Amendment Procedure. The Board of Commissioners, by resolution adopted at a regular or special meeting, shall fix the time and place of a public hearing on the proposed amendment and cause notice thereof to be given as follows:

A. By publishing a notice thereof once a week for two consecutive weeks in a newspaper having general circulation within the Township, provided, however, the first publication shall be at least ten (10) days prior to the date fixed for the public hearing.

B. At the discretion of the Commissioners, by mailing a notice to all property owners within five hundred (500) feet, if only a particular area is involved. If the owners of the property or their respective addresses are unknown, the Commissioners may direct the posting of the notice upon the dwelling, if one exists, otherwise at a conspicuous place upon the property.

C. The notice shall state the general nature of the proposed amendment and that full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.

SECTION 1902. Application for Amendment by Citizens. Every application for Amendment of the Zoning Ordinance shall first be presented to the Zoning Officer, and shall contain the following:

A. The applicant's name and address and his representative and the interest of every person represented in the application.

B. A plan showing the extent of the area to be rezoned, street bounding and intersecting the area, the land use and zone classification of abutting districts, and photographs of the area to be rezoned and abutting areas.

C. A statement of the circumstances in the proposed district and the abutting districts and any other factors on which the applicant relies as reasons for supporting the proposed rezoning.

D. The approximate time schedule for the beginning and completion of development in the area.

E. A site plan to scale, indicating the locations of structures, uses, areas for off-street parking and loading.

F. Information about the market area to be served by the proposed development if a commercial use including population, effective demand for proposed business facilities, and any other information describing the relationship of the proposed development to the needs of the market area as the Zoning Officer, Planning Commission, or governing body shall prescribe.

SECTION 1903. Whenever the owners of fifty (50) per centum or more of the (1) property owners within any district or (2) of the property owners of property fronting on the same street or streets or abutting on the property sought to be changed, and situate within one thousand (1000) feet of the property sought to be changed, shall present to the Board of Commissioners a petition duly signed and acknowledged, requesting an amendment, supplement, change, modification or repeal of the regulations prescribed, or of the Zoning Map, including such district, it shall be the duty of the Board of Township Commissioners to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed in Section 1901 herein.

SECTION 1904. Referral to Planning Commission. All proposed amendments before adoption shall be referred to the Planning Commission, if one exists, for recommendation and report which shall not be binding.

SECTION 1905. Citizens Protest Against Amendment. In case of a protest against such amendment, change, modification, or repeal, signed by the owners of twenty (20) per cent or more, either of the area or the lots included in such proposed changes or of those immediately adjacent in the rear thereof extending one hundred (100) feet therefrom, or of those directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite lots, such amendment, supplement, change or modification shall not become effective except by the favorable vote of two-thirds (2/3) of all the members of the governing body.

SECTION 1906. Fees: For the purpose of defraying expenses of advertising, etc., applications for amendments shall be accompanied by cash payments to the Township in accordance with a Fee Schedule adopted by resolution of the Board of Commissioners upon the enactment of this ordinance or as such Schedule may be amended by resolution of the Board of Commissioners.

**ARTICLE XX
ADMINISTRATION**

SECTION 2000. Zoning Officer Appointment and Qualifications: The provisions of this Ordinance shall be enforced by a zoning officer with the aid of the police department and other municipal agencies. The zoning officer shall be appointed at the first meeting of the Township Commissioners following the adoption of this Ordinance to serve until the first day of January next following; and shall thereafter be appointed annually to serve a term of one year and/or until his successor is appointed. The zoning officer may succeed himself. He shall receive such compensation as the governing body by resolution shall provide.

SECTION 2001. Duties and Powers: It shall be the duty of the Zoning Officer and he shall have power to:

A. Keep a permanent record of all plans and applications for permits, and all permits issued with notations as to special conditions attached thereto. All records shall be open for public inspection and shall be the property of the Township.

B. Review applications for zoning permits for erections or alterations of structures or changes of use, determine whether such construction or use is in accordance with the general requirements of this Ordinance, all other applicable ordinances and with the laws and regulations of the Commonwealth.

C. Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance. In carrying out such surveys, the Zoning Officer or his representative may enter upon any land or buildings.

D. Make written orders requiring compliance with the provisions of this Ordinance to be served personally or by registered mail.

E. Institute proceedings in courts of proper jurisdiction for the enforcement of provisions of this ordinance.

F. Maintain a map showing the current zoning classification of all land.

G. Maintain a map and register showing the registration, identity, location, and type of all non-conforming use.

H. Participate in all proceedings before the Board of Adjustment, present facts and information to assist the Board in reaching a decision, resist and oppose any deviations from the standard provisions of this Ordinance and have decisions of Board reviewed in a court of proper jurisdiction when, in the judgment of the Zoning Officer, such review is desirable.

SECTION 2002. The Zoning Officer shall have authority to issue permits only for construction and uses which are in accordance with the general requirements of this Ordinance. Permits for construction and uses which are a special exception to such general requirements shall be issued by the Zoning Officer only upon order of the Board of Adjustment.

The Zoning Officer shall issue no permits for the construction or use of any land or buildings unless it also conforms to the requirements of all other ordinances of Upper Dublin Township and with the laws of the Commonwealth.

SECTION 2003. Permits. No building shall be constructed or altered in the Township, or the use of any building and/or land changed, until a permit has been secured from the Zoning Officer; except that no permit shall be required for the erection of farm buildings to be placed more than one hundred fifty (150) feet from any road line. Upon completion of the work authorized by any permit, the applicant for the permit shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work has been inspected and approved as being in conformity with the provisions of this Ordinance.

SECTION 2004. Application for Permits. All applications for permits shall be made in writing by the owner or tenants or authorized agent, and shall be filed with the Zoning Officer.

The application:

1. Shall include a statement as to the proposed use of the building and/or land.

2. Shall be accompanied by working plans drawn to scale, showing the location of the building in relation to property and road lines.

3. Shall include a statement that the side lines of all roads shown on the plan have been located and staked on the premises by a surveyor or other person competent to give such location.

4. Shall give the name and address of the person who has so located and staked the road lines.

SECTION 2005. If the applicant desires the Board of Adjustment to grant a special exception; then, in addition the application shall set forth the nature of the special exception and shall state briefly the reasons why such special exception should be granted.

SECTION 2006. Appeals. An appeal from the decision of the Zoning Officer shall be taken within thirty (30) days.

SECTION 2007. Fees. The applicant for a permit, shall, at the time of making the application, pay to the Zoning Officer for the use of the Township, a fee in accordance with a Fee Schedule adopted by resolution of the Board of Commissioners upon the enactment of this Ordinance, or as such Schedule may be amended by resolution of the Board of Commissioners.

ORDAINED AND ENACTED at a meeting of the Commissioners of Upper Dublin Township this 20th day of August, A. D. 1956.

BOARD OF COMMISSIONERS

By: Nathan P. Bauman, Vice President

Attest: Richard M. Brown, Jr., Secretary

Elmer L. Menges
Solicitor

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LEGAL NOTICES

NOTICE

THE COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, DID ON AUGUST 20TH, 1956, ADOPT ORDINANCE NO. 140, KNOWN AS THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956 TO TAKE EFFECT TEN (10) DAYS AFTER THIS DATE.

The above Ordinance and the Zoning Map, which is a part of the Ordinance is on file in the office of the Secretary of the Commissioners of Upper Dublin Township, at 5113 Bethlehem Pike, Ambler, Pennsylvania, and may be inspected there during business office hours.

The Ordinance covers intent, interpretation, definitions, the setting up of AA, A, B, and C Residential Districts, RR Residential Retail Districts, SC Shopping Center Districts, two classes of Commercial Districts, I and II, and Limited Industrial Districts.

In each district the permitted uses are defined and, as well the minimum and at times the maximum regulations.

In addition to the general regulations, the Ordinance also deals with non-conforming uses, signs, administration, appeals, variances, special exceptions, amendments and penalties for violations.

The above Ordinance is complete in itself and supercedes to a large extent prior zoning ordinances, including the Amended Zoning Ordinance of 1946 and its amendments.

Copies of the Ordinance and Map will be made available and may then be purchased from the Secretary.

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

September 27, 1956
Richard M. Brown, Jr., Secretary
27 Sept. 1956

ORDINANCE NO. 141

AN ORDINANCE TO AMEND SECTION 19 OF ORDINANCE NO. 3, ADOPTED MARCH 12, 1946, AND TO VOID ORDINANCE NO. 111, ADOPTED APRIL 12, 1955 FIXING THE FINE OR PENALTY FOR EACH AND EVERY VIOLATION OF ORDINANCE NO. 3.

NOW BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by the authority of the same.

Section 1. That ordinance No. 111 adopted April 12, 1955 be repealed.

Section 2. That Section 19 of ordinance No. 3 adopted March 12, 1946 be amended so that when amended it shall read as follows:

Section 19. That any person, property owner, tenant or occupant who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be liable to pay a fine or penalty of not less than Fifty Dollars (\$50.00) nor more than One Hundred (\$100.00) for each and every offense. A new and separate offense shall be deemed to have been committed for each day that said violation exists. All fines and penalties imposed by this ordinance are recoverable by summary proceedings before any Justice of the Peace in the Township of Upper Dublin, and all suits or actions at law instituted for the recovery of the same are to be in the name and for the use of the Township of Upper Dublin, against which the offense is committed, and, upon recovery thereof, all such fines and penalties are to be paid into the treasury of the Township.

In default of the payment of any fine or penalty imposed by any Justice of the Peace under the provisions of this ordinance, the person or persons so offending may be committed to jail, workhouse or other penal institution of Montgomery County for a period not exceeding thirty (30) days.

Approved by the Commissioners of Upper Dublin Township and enacted into an ordinance this 11th day of September, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 142

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF SANITARY SEWERS IN THE BED OF HIGHLAND AVENUE BEGINNING AT A MANHOLE ON THE NORTHWEST SIDE OF CHURCH STREET IN THE BOROUGH OF AMBLER; THEN CROSSING CHURCH STREET IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 346 FEET TO A MANHOLE IN THE INTERSECTION OF THE CENTER LINES OF HIGHLAND AVENUE AND TRINITY PLACE IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND ASSESSING THE ASSESSABLE COST THEREOF UPON THE PROPERTY ADJOINING OR ADJACENT THERETO IN PROPORTION TO THE FRONTAGE THEREON, PRESCRIBING THE METHOD OF COLLECTING SAID COST; CERTAIN OCCUPIED BUILDINGS TO BE CONNECTED WITH SAID SANITARY SEWERS; MAKING IT UNLAWFUL TO CONSTRUCT, MAINTAIN PRIVIES, CESSPOOLS, SEPTIC TANKS OR OTHER DEVICES FOR ACCEPTING SEWAGE OR CONDUITS FOR THE DISCHARGE OF SEWAGE EXCEPT INTO SAID SANITARY SEWERS; AND PRESCRIBING PENALTIES.

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

Section 1. Definitions.

A. "Industrial Waste" means and refers to the liquid waste from industrial processes as distinct from domestic sewage.

B. "Lateral" means and refers to that part of the sewer system extending from a public main or street to curb line including the "Y" connection from the main sewer line.

C. "Occupied Building" means and refers to any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial wastes, or either thereof, is or may be discharged.

D. "Person" including association, partnership, limited partnership, joint stock company and corporation.

E. "Property Access to the Sewer System" means and refers to real estate which adjoins, abuts or is adjacent to the sewer system.

F. "Sewage" means and refers to the normal water carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

G. "Sewer System" means and refers to the sanitary sewer system and appurtenant facilities about to be constructed in the bed of Highland Avenue beginning at a manhole on the Northwest side of Church Street in the Borough of Ambler, thence crossing Church Street in a North-easterly direction for a distance of 346 feet to a manhole in the intersection of the center lines of Highland Avenue and Trinity Place in Upper Dublin Township, Montgomery County, Pennsylvania.

H. "Township" means and refers to the Township of Upper Dublin, Montgomery County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

Section 2. That the Township construct or cause to be constructed the sewer system in Highland Avenue as in this Ordinance described.

Section 3. That the said sanitary sewer shall be constructed in accordance with the plans, drawings, and specifications prepared by the Township Engineer and in accordance with the approval of the Board of Health.

Section 4. Advertisement shall be duly made for proposals for the construction and laying of the said sanitary sewers in accordance with the law, and the contracts for construction thereof shall be awarded to the lowest responsible bidder. The Board of Commissioners of Upper Dublin Township reserves the right to reject the bids submitted, and to re-advertise.

Section 5. It shall be the duty of the Township Engineer to supervise the construction and laying of the said sanitary sewers and the performance of the said contracts, and to see that the said sanitary sewers are constructed in accordance with the said plans, drawings, specifications and contracts, and permit.

Section 6. The sanitary sewers when constructed shall form part of the Township Sewer System constructed under the Ordinances of the Township regulating connections with the Township sanitary sewers, establishing a schedule of rates for the use thereof and providing penalties for breach thereof, and the sanitary sewer regulations established thereunder.

Section 7. The cost and expenses of the construction of said sewers, including engineering, legal, advertising and similar expenses, as is legally charge-

able upon the properties accommodated or benefited hereby, shall be and are hereby assessed and charged upon the said properties by an assessment per front foot upon the frontage of each said property abutting on said sewers.

When an owner has two or more lots against which there is an assessment, all of such lots shall be embraced in one claim.

Section 8. The Township shall cause calculations of said charges or assessment to be made and a schedule thereof to be prepared giving: (a) the total length of said sewer in feet and the total cost thereof; (b) the frontage of each lot abutting on the said sewer; (c) the amount of assessment charged thereon and the name of the owner or owners of such lot.

Section 9. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the work of constructing the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he may be found within the Township, or if he can not be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent or party in possession, it may be posted on the most public part of the assessed premises.

Section 10.

A. All persons owning an occupied building now erected upon property accessible to the sanitary sewers shall at their own expense connect such building with the sewer system within ninety days after notice to do so from the Township.

B. All persons owning a property accessible to the sanitary sewer upon which a building is later erected shall upon the time of such erection and at their own expense connect such building with the sewer system.

C. All persons owning any occupied building upon property which hereafter becomes accessible to the sanitary sewer shall at their own expense connect such building to the sewer system within ninety days after receipt of notice to do so.

Section 11. It shall be unlawful for any person owning any property accessible to the 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 after the expiration of the periods specified in Section 10 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facilities for the discharge of sewage except in the sanitary sewers.

Section 12. Any person who erects, constructs, or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, and which shall be required to connect thereto, or who otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this Ordinance shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner approved by law.

Section 13. All connections with said sewer system shall be made only upon application and permit in prescribed form and shall be made in accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set at length in this Ordinance.

Section 14. All said assessments shall be payable to the Treasurer of the Township for use of the Township in reimbursing it for the cost and expenses of the construction and laying of the said sanitary sewers. A copy of the schedule of the assessment shall be delivered to the Township Treasurer and on receipt of any payment on account thereof the Township Treasurer shall note the same on his copy of the schedule and notify the Secretary of the Board of Township Commissioners thereof who shall also note the same on his copy of the schedule.

Section 15. If anyone shall fail to pay the assessment in full within a period of thirty days after the receipt of the notice as provided in Section 9 hereinabove, there shall be imposed a penalty of five per cent (5%) for failure to pay within the time provided. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

Section 16. After the expiration of the periods specified in Section 10 of this Ordinance if any owner of an oc-

cupied building on property accessible to the Sewer System shall have failed to connect such property with the Sewer System as required by said Section 10, the Township may cause to be served on the owner of such property, so failing to connect to said Sewer System, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within ninety (90) days from the date thereof.

Upon failure of any such owner, who has been duly notified as hereinabove provided, to comply with the requirements of any such notice or with the provisions of this Ordinance, the Board of Commissioners shall cause the necessary connection to be made, and upon completion of the work for the same shall render a bill covering the cost of said work to the owner of such premises, and file a duplicate thereof with the Township Treasurer, to whom such bill shall be made payable for the use of the Township. All such bills shall contain a notice that, if said bills be not paid within thirty (30) days after the date thereof the same shall be collected in the manner provided by law.

Section 17. In the event that any property owner shall fail to pay the assessment as hereinabove provided, it shall be the duty of the Township Treasurer to refer to the Township Solicitor all such bills remaining unpaid, and the Township Solicitor shall thereupon take the necessary action to effect the collection of such unpaid bills in the manner provided by law.

Section 18. It shall be unlawful to discharge into the Sewer System any industrial waste or other matter whatsoever injurious to the sewage structure, or to the process of treating sewage, or any drainage resulting from rain, water, surface water, springs, wells, streams or other ground water, or any sewage or drainage containing matter of any sort liable to form a deposit in the sewer or drain pipes or to create obstruction therein.

Section 19. The discharge of garbage in any form into the Sewer System is prohibited, and no fixture or machine for grinding or disposal of garbage shall be connected directly or indirectly to the Sewer System.

Section 20. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall discharge or cause to be discharged into the sewer system or any lateral matter of any sort liable to form a deposit or create an obstruction or obstructions therein, or who shall break into, or otherwise make connections therewith without having first procured the permit required by this Ordinance, or who shall fail to comply with any of the requirements of any permit or of this Ordinance; or who shall fail to comply with any rule or regulation of the Board of Township Commissioners, or of any authorized agent for the Board of Township Commissioners concerning the manner of making connections with the Sewer System or the use of the same; or shall in any way violate any of the provisions of this Ordinance shall be liable on conviction thereof to a fine or penalty of Ten Dollars (\$10.00) for each and every offense. Whenever any person shall have been notified by the Board of Commissioners or their duly authorized agent, or by service of summons in a prosecution or in any other way, that a violation of this Ordinance or the rules and regulations of the Board of Township Commissioners is being committed by him or them, each day in which he or they shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines and penalties are now by law collected.

Section 21. The Township reserves the right to establish and impose upon each property located within the service area served by the above sewer system and having the use thereof such annual sewer rental as it may hereafter ordain.

Section 22. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal, invalid provision, sentence, clause, section or part had not been included herein.

ENACTED and ORDAINED into an Ordinance this 11th day of September, 1956.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice Pres.
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 143

AN ORDINANCE TO AMEND SECTION 14 OF ORDINANCE NO. 3 ADOPTED MARCH 12, 1946.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby ordained by authority of the same:

Section 1. That Section 14 of Ordinance No. 3 adopted March 12, 1946 be amended so that when amended it will read as follows:

"Section 14. It shall be unlawful for any person or persons to erect, set up, place or maintain any gasoline pump, oil tank, or other obstructions, within the boundaries of any public highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Upper Dublin. Trees may be planted within the boundaries of any public highway, etc., provided prior written permission is obtained from the Commissioners of the Township. The lowest branch of the trees and trees and hedges overhanging the sidewalk shall be trimmed to provide a clear passage of not less than eight (8) feet above the sidewalk or footpath.

APPROVED by the Board of Township Commissioners the 6th day of December, A. D. 1956.

**BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP**

By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 144

AN ORDINANCE TO PROVIDE ADDITIONAL REVENUE BY RE-ADOPTING ORDINANCE NO. 103-B ADOPTED FEBRUARY 12, 1955, RE-ADOPTED BY ORDINANCE NO. 126 APPROVED DECEMBER 13, 1955, BEING THE REAL ESTATE TRANSFER TAX ORDINANCES.

By virtue of the Act of Assembly of June 25, 1947, P. L. 1145, as amended, be it ordained and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. That the provisions of Ordinance No. 103-B approved February 12, 1955 and re-adopted by Ordinance No. 126 approved December 13, 1955, both of which imposed a tax to provide general revenue for township purposes upon certain documents transferring title to real property; upon the privilege of transferring title of real property; and upon the transfer of title to and the acceptance of possession of real property, situate wholly or partly within the Township; imposing the tax upon the grantor, the transferor and the party accepting possession; imposing duties and conferring powers on the collector; prescribing the method and manner of collecting the tax; providing certain exemptions; and imposing penalties; be and the same are re-enacted without change to be effective for the year beginning January 1, 1957.

APPROVED by the Board and enacted into an ordinance this 6th day of December, A. D. 1956.

**BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP**

By: Nathan F. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 145

APPROPRIATING AND MAKING A CHANGE IN CERTAIN APPROPRIATIONS HERETOFORE MADE BY THE BOARD OF TOWNSHIP COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, UNDER ORDINANCE NO. 132 DATED FEBRUARY 14, 1956.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Township Commissioners of the Township of Upper Dublin, by Ordinance adopted and enacted the 14th day of February, 1956, appropriated out of the estimated revenues and income available for said year, certain sums estimated by them to be required for the several specific purposes of Township Government, and

WHEREAS, Because of the difficulty in accurately determining the exact amount required for certain of the specific purposes of Township Government, which are or may be largely affected by unforeseen contingencies, the sums appropriated to the following specific purposes to wit: Fire Protection, Sanitary Sewers and Street Lighting have proved insufficient for such purposes, and

WHEREAS, The sum appropriated for the following specific purposes, to wit: Administration, Police Protection, and Streets and Bridges are in excess of the requirements thereof, and the sums accumulated from receipts are in excess of the estimated income 1956 and it now becomes necessary that the excess and unappropriated funds be applied to meet the deficiency in the heretofore mentioned appropriations.

NOW, THEREFORE, the Board of Township Commissioners of the Township of Upper Dublin do hereby enact and ordain:

SECTION 1. That the sum of \$1,000 of the Administration appropriation, \$500 of the Police Protection appropriation and \$8,000 of the Streets and Bridges appropriation be now appropriated as follows:

\$500.00 to the Fire Protection appropriation.

\$1,000.00 to the Street Lighting appropriation.

\$8,000.00 to the Sanitary Sewer appropriation.

Adopted and enacted into an Ordinance this 29th day of December, 1956, A.D.

Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 146

AN ORDINANCE TO AMEND THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956 KNOWN AS ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, SO AS TO DELETE PARAGRAPH (H) OF SECTION 1600, ARTICLE XVI, CONCERNING "SIGNS".

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same.

Section 1, Amend Section 1600 of Article XVI by the deletion of the entire Paragraph (H) covering directional signs.

ORDAINED AND ENACTED this 7th day of February A.D. 1957.

BOARD OF COMMISSIONERS OF UPPER DUBLIN TWP.

By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr. Secy.

ORDINANCE NO. 147

TO AMEND ORDINANCE NO. 140 KNOWN AS "THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE" ADOPTED AUGUST 20, 1956, SO AS TO INCLUDE OFFICE BUILDINGS AND THEATERS IN THE PERMITTED USES IN "LIM INDUSTRIAL DISTRICTS."

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same.

SECTION 1. Amend Section 1401 of Article XIV, by adding the following subsection:

C-1 Permitted uses subject to approval of Board of Commissioners.

- 1. Office Building not to exceed thirty-five (35) feet in height.**
- 2. Theaters.**

Ordained and enacted the 12th day of February, 1957.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Nathan P. Bauman, Vice-President

Attest: Richard M. Brown, Jr., Secy.

148 6.
February 12, 1957

The stated meeting of the Commissioners of Upper Dublin Township was held in the Township Building on the above date at 8:20 P.M.

In Attendance : Henry Lee Willet, President, Nathan P. Bauman, Vice-President, Harry T. Wentz, Raymond Jenkins, and Otto C. Prinz, Commissioners; Elmer L. Menges, Solicitor; William T. Weir, Engineer, R.M. Brown Secretary.

On motion of Jenkins and Wentz, the reading of the minutes was dispensed with.

Sealed bids for the furnishing of highway materials were opened and read. Bids on crushed stone were received from G & W.H. Corson and General Crushed Stone. Bids on bituminous materials were received from Highway Asphalt Co., Koppers Company, W.R. Croasdale, Philgite Company and General Crushed Stone. On motion of Jenkins and Prinz, these bids were referred to the Public Works Comm., with power to act.

A sealed bid was received from W.F. KEEGAN & Co. for the construction of a traffic signal system at the intersection of Limekiln Pike and Twining Road. There were no other bids for this installation. On motion of Jenkins and Wentz, the Public Safety Comm. was asked to review this bid and make a recommendation as to its award.

Mr. William Reese of Spring and Elliger Avenues, reported that a family named Jones, is reputed to be keeping a foster home on Fort Washington Ave. for school age children, understood to be Juvenile Delinquents from outside the Township. Mr. Reese questioned whether it was proper to allow their attendance at Upper Dublin Schools. He was informed that it was the Board's understanding that the School District was being reimbursed by Philadelphia and that the Township had no jurisdiction in the matter. For further information, Mr. Reese was referred to the School Board. Mr. Menges noted that any improper conduct by these youngsters should be reported to the Police Dept., otherwise the Township had no control over them.

Mr. Vincent Clauser stated that the Manor-Lu Club will be happy to cooperate any improvement program the Commissioners adopt, if able to do so. He announced that the club planned to pave their parking area and make other improvements at the pool site.

In reply to Mr. Reese's question regarding the licensing of Boarding Houses, Mr. Menges stated that no Township license was required.

Solicitor - Mr. Menges submitted a draft of the proposed agreement between the Shuttle water Company and the Township and asked that the Board review the terms of this agreement.

The Solicitor suggested three forms of amendment to the Zoning Ordinance which would permit additional uses in the Limited Industrial Districts.

- (1) Addition of certain specified uses - subject to the approval of the Board of Commissioners.
- (2) Addition of certain specified uses (No approval required from any Boards)
- (3) Addition of certain specified uses - subject to the approval of the Board of Adjustment.

Mr. Menges commented that any amendment to the Zoning Ordinance could be appealed within thirty (30) days.

Following some discussion, Ordinance No. 147, amending the Zoning Ordinance of 1956 to permit Theaters and Office Buildings as additional uses in Limited Industrial Districts when so approved by the Board of Commissioners, was adopted on motion of Willet and Wentz.

It was agreed that the Planning Commission be asked to study the possibility of additional uses for Limited Industrial Districts.

The Commissioners set March 6, 1957 as the date for a hearing on the request for approval of a Theater and Office Building within the Fort Washington Industrial Park.

It was noted that the proposed sewage disposal ordinance had been approved by the Board of Health, Plumbing Inspectors and Engineer. Ordinance No. 148, establishing the regulations for sewage disposal, was adopted on motion of Jenkins and Wentz.

Public Works Comm. - Mr. Wentz reported that the Joint Sewage Plant Study Comm. had recommended the adoption of Albright & Friel's proposal to make a survey regarding the use of a joint sewage disposal plant, at a cost of \$3900.00. The Boards, on motion of Wentz and Willet agreed to the allocation of survey cost (\$1300 per Township) and authorized the application by Upper Dublin for a loan from the Federal Government to cover this survey if Whitpain and Lower Gwynedd Township will agree to reimburse Upper Dublin for their share of the survey cost, if the repayment of this loan is not absorbed as part of the cost of the proposed joint sewage disposal plant.

It was reported that investigation had shown that Mr. Ferrero was seeking arrangements with Abington and Springfield Townships for the disposal of cess pool waste through their sewer systems. In motion of Jenkins and Wentz, Anthony Ferrero was given a three (3) months extension of cess pool dumping privileges with the understanding that he will continue his efforts to solve this problem.

Finance Comm.- On motion of Willet and Wentz, Ordinance No. 149 was adopted. This ordinance established the tax rate for general Township purposes at eleven and one-half (11 1/2 mills) mills; the tax rate for the Fire House Building at 3/4 mill and the Township Budget for 1957.

Messrs. Bauman and Jenkins were appointed to serve with the appointment of the School Board to investigate any inequalities in assessments.

The petition for Township acceptance of the Fire Hydrant on Hague Mill Road was submitted for approval. On motion of Wentz and Prinz this fire hydrant was accepted subject to the verification of this petition by the Engineer.

Bills and payments as listed below, were approved on motion of Jenkins and Wentz.

Brandenburg's Stationery	Office Supplies	101 d1	9.28
	" "	201 d 1	13.28
Leon Walt	Secretary's Bond		
	Treas. Police Pension	101 j	42.50
Wiley's	Cleaning Supplies	103 d	10.50

Duro-Tes
 Self Oil
 Borough
 Paul For
 Hirsch T
 Brown's
 Mullin M
 Atlantic
 H.C. Dee
 Borough
 Treas. M
 Bell Tel
 Dr. Char
 Internat
 Chiefs c
 William
 Marjorie
 Fleck Ge
 Elmer L.
 Alvan G.
 Rittenho
 Carrell
 Ambler G
 Pa. Stat
 Commiss
 Phila. E
 Road Mac
 Township
 Keystone
 Equip.
 Penna. M
 In

**ANNUAL BUDGET FOR THE TOWNSHIP OF UPPER DUBLIN
FOR THE YEAR 1957
ORDINANCE NO. 149**

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND THE COMMONWEALTH OF PENNSYLVANIA, fixing the tax rate for year 1957 and appropriating specific sums estimated to be required for the specific purposes of the Township government, hereinafter set forth, during the current fiscal year.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for Township purposes for the fiscal year 1957, as follows:

Tax rate for general Township purposes, the sum of eleven and one-half (11½) mills on each dollar of assessed valuation, or the sum of one hundred fifteen (115) cents on each one hundred dollars of assessed valuation.

For Fire House Bldg. purposes, the sum of Three quarters of one (¾) mill on each dollar of assessed valuation, or the sum of Seven and one-half (7½) cents on each one hundred dollars of assessed valuation.

Purpose	Mills on each dollar of Assessed valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Township Purposes	11½	\$1.15
Tax Rate for Fire House Building	¾	.07½
Total	12¼	\$1.22½

SECTION 2. That for the expenses of the Township for the fiscal year 1957 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 — Schedule B.

GENERAL OPERATING FUNDS

Summary of Estimated Receipts

Cash and securities for Appropriation	\$ 33,732.76
Receipts from Current Tax Levy	117,925.85
Receipts from Taxes of Prior Years	3,800.00
Other Revenue Receipts	93,565.71
Miscellaneous non-revenue Receipts	32,945.82
Total Estimated Receipts and Cash	\$282,020.14

SUMMARY OF APPROPRIATIONS

	Operation & Maintenance	Capital Outlay	Total
General Government			
Administration	\$19,172.50	500.00	\$ 19,672.50
Treasurer and Tax Collector	1,650.00		1,650.00
Township Buildings	3,550.00		3,550.00
Total	\$24,372.50	500.00	\$ 24,872.50
Protection to Persons & Property			
Police	\$58,212.00	\$ 5,550.00	\$ 63,762.00
Fire	7,000.00		7,000.00
Building Regulation & Zoning	5,100.00		5,100.00
Total	\$70,312.00	\$ 5,550.00	\$ 75,862.00
Health and Sanitation			
Health Bureau	\$ 6,550.00		\$ 6,550.00
Garbage & Rubbish Collection and Disposal	36,500.00		36,500.00
Ash Collection and Disposal	4,300.00		4,300.00
Sanitary Sewers	4,900.00	20,266.56	25,166.56
Total	\$52,250.00	\$20,266.56	\$ 72,516.56

Highways			
Streets and Bridges	\$24,802.98	\$16,800.00	\$ 41,602.98
Street Lighting	4,200.00		4,200.00
Total	\$29,002.98	\$16,800.00	\$ 45,802.98
Library			
Total	\$ 300.00		\$ 300.00
Recreation			
Parks and Playgrounds	\$ 2,550.00	\$ 7,221.60	\$ 9,771.60
Total	\$ 2,550.00	\$ 7,221.60	\$ 9,771.60
Miscellaneous			
Insurance	\$ 3,412.00		\$ 3,412.00
Contribution to Police			
Pension	3,000.00		3,000.00
Total	\$ 6,412.00		\$ 6,412.00
Total for Operation, Maintenance and Capital Outlay			\$235,537.64
Debt Service			
Interest			\$ 175.00
Principal			25,000.00
Transfers to Sinking Fund			21,307.50
Total Debt Service			46,482.50
Total Appropriations from General Operating Funds			\$282,020.14

SEWER FUNDS

Summary of Estimated Receipts

Cash Balances for Appropriations	\$ 25,647.45
Receipts from Sewer Rents	15,393.84
Receipts from Non-Revenue Sources	1,000.00
Total Estimated Receipts and Cash	\$ 42,041.29

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	\$ 10,563.88
Capital Outlay	4,700.00
Total Appropriations from Sewer Funds	\$ 15,263.88
Operating Surplus	\$ 26,777.41

SINKING FUND

Summary of Estimated Receipts

Cash and Securities from Previous Year	\$ 10,480.84
Receipts from Current Tax Levy & Prior Year Taxes	7,710.92
Transfers from General Fund	21,307.50
Total Estimated Receipts, Cash & Securities	\$ 39,499.26

SUMMARY OF APPROPRIATIONS

Interest to be paid	\$ 5,673.63
Bonds to be paid	23,000.00
Other Expenditures	129.69
Total Appropriations from Sinking Fund	\$ 28,803.32

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective Departments is on file in the office of the Secretary of the Township, 1111 Bethlehem Pike, Ambler, Pennsylvania.

SECTION 4. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted this 12th day of February, A. D. 1957.

Vice President of the Board of Township Commissioners
NATHAN P. BAUMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 149 enacted by the Commissioners of the Township of Upper Dublin on February 12, 1957.

RICHARD M. BROWN, JR., Secretary

ORDINANCE NO. 150

AN ORDINANCE TO AMEND ORDINANCE NO. 50 ADOPTED AUGUST 9, 1950 SO AS TO PROVIDE "NO PARKING" ON PENNSYLVANIA AVENUE BETWEEN CHELSEA AVENUE AND A POINT SEVEN HUNDRED FEET NORTHWEST OF THE CENTERLINE OF RECH AVENUE.

The Board of Commissioners of the Township of Upper Dublin County of Montgomery and state of Pennsylvania, do hereby enact and ordain:

Section 1, Section 3 of Ordinance No. 50 adopted August 8, 1950, is hereby amended, so that when amended it shall read as follows:

Section 3, No vehicle shall be parked or permitted to stand except for the purpose of taking on or discharging passengers on Pennsylvania Avenue between Chelsea Avenue and a point 700' Northwest of the centerline of Rech Avenue.

Section 2, That all other sections of Ordinance No. 50 adopted as aforesaid, continue in full force and effect.

ORDAINED and ENACTED this 12th day of March A.D. 1957

BOARD OF COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: Nathan P. Bauman, Vice-President
Attest: Richard M. Brown, Jr. Secy.

NOTICE

ORDINANCE NO. 151
AN ORDINANCE REQUIRING OWNERS OF DOGS TO PREVENT THEIR RUNNING AT LARGE, THE SEIZURE AND DETENTION OF DOGS RUNNING AT LARGE AND PENALTIES FOR THE VIOLATION OF THE ORDINANCE.

BE IT ORDAINED, AND ENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same:

Section 1. That hereafter, it shall be unlawful for an owner of any dog or dogs, licensed or unlicensed, to permit such dog or dogs to run at large unaccompanied by the owner.

Section 2. It shall be the duty of the Township Police to seize and detain any dog or dogs, whether they be licensed or unlicensed, and which are found running at large, either upon the public streets or highways of the Township, or upon the property of other than the owner of such dogs. The Township Police are hereby authorized and empowered to go upon any premises and enter any building to seize and detain any dog or dogs which have been found running at large unaccompanied by the owner or keeper, when such Township Police are in the immediate pursuit of any such dog or dogs.

Section 3. Any dog or dogs bearing a proper license tag and seized by a Police Officer of the Township shall be detained, properly fed and kept, and immediate notice, either personal or by registered mail, shall be given to the person in whose name the license was procured, or his agent, to claim such dog. The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention before the dog is returned.

Section 4. Any dog or dogs not claimed within a reasonable time, as determined by the Township Police, and by virtue of the provisions of this ordinance shall be disposed of in accordance with the Acts of Assembly of the Commonwealth of Pennsylvania in such case made and provided.

Section 5. It is the intent that this ordinance shall be supplemental to any laws of the Commonwealth of Pennsylvania hereinbefore or hereinafter adopted covering dogs within the Commonwealth of Pennsylvania and specifically in the Township of Upper Dublin. Should any of the provisions of this ordinance be contrary to the provisions of any Act of Assembly, it is the intent that the Act of Assembly shall supersede this ordinance.

Section 6. The proper officers of the Township are authorized to enter into such agreements or contracts with any individual or individuals or corporations as may be reasonably necessary to implement the provisions of this ordinance in regard to the care and custody of such dogs detained by the Township pursuant to the provisions of this ordinance and to provide for the reasonable compensation of such person, persons or corporations for such services.

Section 7. Any owner, person, firm, association or corporation who shall violate or fail or refuse to comply with any provision of this ordinance shall, upon conviction in a summary proceeding before a Justice of the Peace of the Township of Upper Dublin, be sentenced to pay a fine to the Township of Upper Dublin of not more than Twenty-five Dollars (\$25.00) and costs of prosecution, or to undergo imprisonment not exceeding ten (10) days, or both.

APPROVED by the Board on the 9th day of April, 1957.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice-President
Attest: Richard M. Brown, Jr., Secy.

AN ORDINANCE 152

Section 4. The question to be submitted to the electors of Upper Dublin Township at the election to be held May 21, 1957, shall be in the following form:

"Shall the indebtedness of Upper Dublin Township be increased in the sum of \$120,000 for the purpose of providing funds for and toward the construction, improvement and extension of streets, bridges and storm sewers within the Township?"

Section 5. The Secretary of the Board of Township Commissioners is hereby authorized and directed to transmit to the County Board of Elections of Montgomery County, Pa., at least twenty-five days prior to May 21, 1957, a certified copy of this ordinance and the form of question to be submitted to the electors.

DULY ordained and enacted this 9th day of April, 1957.

Nathan P. Bauman

Vice-President, Board of Township Commissioners

Attest:

Richard M. Brown, Jr.
Secretary

AN ORDINANCE 152

SIGNIFYING THE DESIRE OF THE BOARD OF TOWNSHIP COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, TO MAKE AN INCREASE OF THE DEBT OF THE SAID UPPER DUBLIN TOWNSHIP IN THE SUM OF ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000) FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARD THE CONSTRUCTION, IMPROVEMENT AND EXTENSION OF STREETS, BRIDGES AND STORM SEWERS WITHIN THE TOWNSHIP; AND CALLING AN ELECTION FOR THE PURPOSE OF OBTAINING THE ASSENT OF THE ELECTORS TO SAID INCREASE OF DEBT.

WHEREAS, it has become necessary to make an increase of the debt of Upper Dublin Township, Montgomery County, Pennsylvania, in the sum of One Hundred Twenty Thousand Dollars (\$120,000) for the purpose of providing funds for and toward the construction, improvement and extension of streets, bridges and storm sewers within the Township;

NOW, THEREFORE, the Board of Township Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, hereby ordains and enacts that:

Section 1. The Board of Township Commissioners of Upper Dublin Township hereby signifies its desire to make an increase of the debt of said Township in the sum of One Hundred Twenty Thousand Dollars (\$120,000) for the purpose of providing funds for and toward the construction, improvement and extension of streets, bridges and storm sewers within the Township.

Section 2. A public election be and the same is hereby called for May 21, 1957, between the hours of 7:00 A.M., and 8:00 P.M., E.S.T., at the places for holding municipal elections in Upper Dublin Township, for the purpose of obtaining the assent of the electors of said Township to an increase of the debt of said Township in the sum of One Hundred Twenty Thousand Dollars (\$120,000) for the aforesaid purposes.

Section 3. The President and the Secretary of the Board of Township Commissioners of Upper Dublin Township are hereby authorized and directed to give notice of said election in The Ambler Gazette, a weekly newspaper of general circulation published in Upper Dublin Township, and in the Montgomery County Law Reporter, the legal journal designated by the Rules of Court for the publication of legal notices and advertisements in said County. Such election notice shall be published twice, once a week for two successive weeks, in said weekly newspaper of general circulation and legal journal. The first publication of such notice shall be not less than fourteen, nor more than twenty-one days before May 21, 1957.

NOTICE

ORDINANCE NO. 153
AN ORDINANCE LAYING OUT AND OPENING HARRIS ROAD AND A FIVE FEET STRIP ALONG LIMEKILN PIKE IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND MORE SPECIFICALLY SET FORTH IN THIS ORDINANCE, A FULL AND COMPLETE COPY OF WHICH IS AS FOLLOWS:

WHEREAS, in the judgment of the Commissioners, certain additional roads in the Township of Upper Dublin are necessary for the convenience of the public.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED in accordance with the authority provided by the Laws of the Commonwealth of Pennsylvania, and it is hereby enacted by the authority of the same:

Section 1. That the following tracts of ground be and the same are hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for public highways, all in accordance with the Act of May 26, 1939, P. L. 235, as amended by the Act of July 10, 1947, P. L. 1481:

ALL THAT CERTAIN parcel or strip of ground situate in the Township of Upper Dublin, Montgomery County, Pennsylvania, as more particularly shown on Plan of Dresher-View Farms made for Conrad J. Gettler by Barton & Martin, Engineers of Philadelphia, Pennsylvania, dated December 10, 1954 and described as follows:

TRACT NO. 1. HARRIS ROAD. BEGINNING at a point on the Northeast side of Limekiln Pike (State Highway No. 152) said point being 30 feet distant and opposite a point on the center line, said last mentioned point being 534.41 feet Northwest along said center line from the center of Kirk's Lane; thence from said point of beginning along said side of Limekiln Pike (as widened 30 feet from center line) North 15 degrees 16 minutes West 70 feet to a point; thence leaving said pike, Eastwardly on a line curving to the left with a radius of 10 feet an arc distance of 15.71 feet to a point of compound curve; thence Northeastwardly on a line curving to the left with a radius of 125 feet an arc distance of 112.10 feet to a point of tangent; thence North 23 degrees 21 minutes East 133.96 feet to a point of curve; thence Northeastward on a line curving to the right with a radius of 625 feet an arc distance of 349.07 feet to a point of tangent; thence North 55 degrees 21 minutes East 417.18 feet to a point of curve; thence Eastwardly on a line curving to the right with a radius of 175 feet an arc distance of 224.70 feet to a point of tangent; thence South 51 degrees 05 minutes East 649.78 feet to a point of curve; thence Southeastwardly on a line curving to the right with a radius of 175 feet the arc distance of 279.16 feet to a point

of tangent; thence South 40 degrees 19 minutes West 684.94 feet to a point of tangent; thence Southwardly on a line curving to the left with a radius of 10 feet an arc distance of 15.92 feet to a point on side of Kirk's Lane (as widened 25 feet from center line); thence along the same North 50 degrees 55 minutes West 70.02 feet to a point; thence leaving said Kirk's Lane, Eastwardly on a line curving to the left with a radius of 10 feet an arc distance of 15.49 feet to a point of tangent; thence North 40 degrees 19 minutes West 686.44 feet to a point of curve; thence Northwardly on a line curving to the left with a radius of 125 feet an arc distance of 199.40 feet to a point of tangent; thence North 51 degrees 05 minutes West 649.78 feet to a point of curve; thence Westwardly on a line curving to the left with a radius of 125 feet an arc distance of 160.50 feet to a point of tangent; thence South 55 degrees 21 minutes West 417.18 feet to a point of curve; thence Southwestwardly on a line curving to the left with a radius of 575 feet an arc distance of 321.14 feet to a point of tangent; thence South 23 degrees 21 minutes West 133.96 feet to a point of curve; thence Southwestwardly on a line curving to the right with a radius of 175 feet an arc distance of 156.94 feet to a point of reverse curve; thence Southwestwardly on a line curving to the left with a radius of 10 feet an arc distance of 15.71 feet to the first mentioned point and place of beginning.

TRACT NO. 2. WIDENING OF LIMEKILN PIKE. BEGINNING at a point on the Northeast side of Limekiln Pike (50 feet wide) (State Highway Route No. 152) at the distance of 286.73 feet Northwest along said line from the Northwest side of Kirk's Lane (33 feet wide); thence from said point of beginning, along said side of Limekiln Pike (25 feet from center line) North 15 degrees 16 minutes West 697.44 feet to a point; thence North 55 degrees 21 minutes East 5.30 feet to a point on the Northeast side of Limekiln Pike, as widened; thence along the same (30 feet from center line) South 15 degrees 16 minutes East 696.66 feet to a point; thence South 47 degrees 45 minutes 10 seconds West 5.61 feet to the first mentioned point and place of beginning.

Section 2. That the proper officers of the Township are authorized and directed to make a report, together with a draft or survey of said roads, fixing the width as herein determined and file the same in the Office of the Clerk of the Court of Quarter Sessions of the Peace in and for the County of Montgomery, Commonwealth of Pennsylvania, in accordance with the laws in such case made and provided.

APPROVED by the Board and enacted into an Ordinance this 9th day of April, 1957.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy.

ORDINANCE NO. 154
 AN ORDINANCE LAYING OUT BELMONT AVENUE BETWEEN PENNSYLVANIA AVENUE AND ORLANDO AVENUE, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, according to plan of record, the hereinafter described portion of ground was laid out on plan but never physically opened; and

WHEREAS, the Township of Upper Dublin has never exercised any control or jurisdiction over said strip of ground; and

WHEREAS, in the opinion of the Commissioners of said Township said strip of ground would not be necessary or useful for the convenience of the public; and

WHEREAS, the Township has been advised by its attorney that before it can vacate it will have to acquire the same; and

WHEREAS, proper notice has been given to the property owners affected and are held in conformity with Section 2207, of the Act of June 24, 1931, P. L. 1206, as amended.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by authority of the same, as follows:

Section 1. The following described tract of land:

ALL THAT CERTAIN portion of Belmont Avenue from the Northeast-erly side of Pennsylvania Avenue and the Southwesterly side of Orlando Avenue, as originally laid out on a Plan of Lots of the Orlando Land and Improvement Company, situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, and as shown on a Plan prepared for Christ Evangelical Lutheran Church, dated September 24, 1956, by C. Raymond Weir, Registered Professional Engineer, Ambler, Pa.

BEGINNING at a point at the intersection of the Southeasterly side of Belmont Avenue (50 feet wide) with the Northeastly side of Pennsylvania Avenue (50 feet wide), said point being measured along the Northeastly side of Pennsylvania Avenue from its intersection with the Northwestly side of Rech Avenue (50 feet wide) North 52 degrees 05 minutes West 300 feet; thence along the Northeastly side of Pennsylvania Avenue from the point of beginning North 52 degrees 05 minutes West 50 feet to the intersection with the Northwestly side of Belmont Avenue; thence along the Northwestly side of Belmont Avenue and along Lots Nos. 299, 239, 241, 243, 245, 247, 249 and Lot No. 156 (land of George J. and Dorothy Hummel) North 37 degrees 55 minutes East 600 feet to the intersection with the Southwesterly side of Orlando Avenue (50 feet wide); thence along the Southwesterly side of Orlando Avenue North 52 degrees 05 minutes East 50 feet to a point a corner of land of Frank E. and Blanche Lupton and the intersection of the Southeasterly side of Belmont Avenue; thence extending along the Southeasterly side of Belmont Avenue and along Lot No. 158 being Lupton's lot, and Lots Nos. 250, 248, 246, 244, 242, 240 and Lot No. 300 South 37 degrees 55 minutes West 600 feet to the point and place of beginning, be, and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as, and for, a public highway, all in accordance with the Act of Assembly in such case made and provided.

Section 2. The proper officers of the Township are authorized and directed to make a written report, together with a draft or survey of the aforesaid road and the names of the owners of property abutting thereon, and file the same on behalf of the Township in the Office of the Clerk of Court of Quarter Sessions of Montgomery County.

Section 3. That within ten (10) days after the passage of this ordinance, the proper officers of the Township are authorized and directed to give notice of the passage and approval of this ordinance by handbills posted in conspicuous places along the line of proposed laying out.

APPROVED by the Board and enacted into an ordinance this 9th day of May, A. D. 1957.

COMMISSIONERS OF
 UPPER DUBLIN TOWNSHIP

NOTICE

ORDINANCE NO. 155

AN ORDINANCE VACATING BELMONT AVENUE BETWEEN PENNSYLVANIA AVENUE AND ORLANDO AVENUE, A PUBLIC ROAD WITHIN THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND STATE OF PENNSYLVANIA.

WHEREAS, in the opinion of the Commissioners of said Township, the aforesaid public road would not be necessary to or useful for the convenience of the public; and

WHEREAS, the Township has been requested to vacate the hereinafter described road; a public hearing has been held on the question of the vacation of the hereinafter described road in conformity with Section 2207 of the amended Act of 1949, May 27, P. L. 1955, Section 43; and

WHEREAS, in the judgment of the Board of Commissioners, the following road, to wit: Belmont Avenue between Pennsylvania Avenue and Orlando Avenue, a distance of 600 feet and having a uniform width of 50 feet, serves no useful public purpose or convenience.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby enact and ordain:

Section 1. The following described tract of land:

ALL THAT CERTAIN portion of Belmont Avenue from the Northeastery side of Pennsylvania Avenue and the Southwesterly side of Orlando Avenue, as originally laid out on a Plan of Lots of the Orlando Land and Improvement Company, situate in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, and as shown on a Plan prepared for Christ Evangelical Lutheran Church, dated September 24, 1956, by C. Raymond Weir, Registered Professional Engineer, Ambler, Pa.

BEGINNING at a point at the intersection of the Southeasterly side of Belmont Avenue (50 feet wide) with the Northeastery side of Pennsylvania Avenue (50 feet wide), said point being measured along the Northeastery side of Pennsylvania Avenue from its intersection with the Northwestery side of Rech Avenue (50 feet wide) North 52 degrees 05 minutes West 300 feet; thence along the Northeastery side of Pennsylvania Avenue from the point of beginning North 52 degrees 05 minutes West 50 feet to the intersection with the Northwestery side of Belmont Avenue; thence along the Northwestery side of Belmont Avenue and along Lots Nos. 299, 239, 241, 243, 245, 247, 249 and Lot No. 156 (land of George J. and Dorothy Hummel) North 37 degrees 55 minutes East 600 feet to the intersection with the Southwesterly side of Orlando Avenue (50 feet wide); thence along the Southwesterly side of Orlando Avenue North 52 degrees 05 minutes East 50 feet to a point a corner of land of Frank E. and Blanche Lupton and the intersection of the Southeasterly side of Belmont Avenue; thence extending along the Southeasterly side of Belmont Avenue and along Lot No. 158 being Luptons lot and Lots Nos. 250, 248, 246, 244, 242, 240 and Lot No. 300 South 37 degrees 55 minutes West 600 feet to the point and place of beginning.

be vacated as a public highway and that all the right, title and interest of the Township of Upper Dublin therein are hereby divested.

Section 2. That the proper officers of the Township are authorized and directed to make a written report together with a draft or survey of the aforesaid public highways and the names of the owners of property abutting thereon and file the same on behalf of the Township in the Office of the Clerk of the Court of Quarter Sessions of the Peace in and for the County of Montgomery.

Section 3. That within ten days after the passage of this ordinance the proper officers of the Township are authorized and directed to give notice of the passage and approval of this ordinance by having handbills posted in conspicuous places along the line of the proposed vacation.

APPROVED by the Board and enacted into an ordinance this 9th day of May, A.D. 1957.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman, Vice President
Attest: Richard M. Brown, Jr., Secy

NOTICE

ORDINANCE NO. 156

An Ordinance Making It Unlawful to Hunt For, Catch, Take, Wound or Kill Game of Any Kind Through the Use of Guns, Pistols, Rifles, Revolvers or Bows and Arrows in the Township of Upper Dublin, Montgomery County, Pennsylvania, With Certain Exceptions and Providing Penalties.

WHEREAS, the increase in population and the density of residential occupation of the land in the Township of Upper Dublin have in the judgment of the Board of Commissioners, created a condition which makes hunting of game by the use of a gun, pistol, rifle, revolver, or bow and arrow dangerous to the person and property of residents of the Township.

NOW, THEREFORE, the Board of Township Commissioners hereby enacts and ordains:

Section 1. That from and after the passage of this Ordinance, it shall be unlawful for any person to hunt for, catch, take, wound or kill game of any kind through the use of a gun, pistol, rifle, revolver or bow and arrow within the Township of Upper Dublin.

Section 2. The term game as used in this Ordinance shall mean and include all wild birds and wild animals whether protected or unprotected under the game laws of the Commonwealth, found in a wild state.

Section 3. This Ordinance shall not prohibit the owner, occupier or members of their respective families or clubs, or their invitees having written approval of the owner or occupier, of any tract of land containing five acres or more of land, from gunning thereon, provided however, that it shall be unlawful to discharge any muzzle load types of firearms or any center fire shell or cartridge using a single projective of the low-power, high-power, high-velocity or high-intensity, at any time within the limits of the Township.

Section 4. Any persons violating any of the terms of this Ordinance shall upon conviction in a summary proceeding before a Justice of the Peace be sentenced to pay a fine not exceeding Ten Dollars (\$10.00) and costs and in default in the payment of the fine and costs undergo imprisonment in the County Jail for a period not exceeding three (3) days.

Section 5. The provisions of this Ordinance are severable and if any portion thereof is held to be invalid, the decision of the Court shall not affect or impair any of the remaining portions of this Ordinance. It is hereby declared to be the intent of the Commissioners that this Ordinance would have been adopted if such invalid portion had not been included herein.

Section 6. The provisions of this Ordinance shall become effective at the expiration of five (5) days from its adoption.

ORDAINED and ENACTED this 12th day of August, 1957.
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Nathan F. Bauman,
Vice-President

Attest:
Richard M. Brown, Jr.,
Secretary

The report of the Building Inspector for July and August showing the issuance of 20 building permits, including 4 dwellings and fees of \$651.50 was approved on motion of Bauman and Wentz. The Board accepted Mr. Weir's resignation as Assistant Building Inspector and thanked him for his services.

Engineer

Mr. Weir submitted the assessment schedule for the Highland Ave. sewers. The assessment schedule was approved on motion of Jenkins and Wentz.

On motion of Jenkins and Wentz, the Solicitor was instructed to draft an ordinance accepting Indiana Ave. if condition of this road is approved by the Engineer.

The Board refused approval of the request by the First Dutch Reformed Church for permission to connect to the Abington sanitary sewer line on North Hills Avenue. The Church is to be informed that the Township is studying the sewerage of this area in the near future and that it may be possible to for-go the requirement of a septic tank in their on-site disposal system. It was suggested that Abington be asked to approve a connection to the truck line or to a man hole in that area.

Solicitor

Mr. Menges submitted the draft of an ordinance increasing the compensation of the Treasurer and Tax Collector for the term beginning in 1958 from \$1500.00 per annum to \$1,650.00 per annum. Mr. Bauman reported that he had discussed this proposed increase with Miss Funk and it is satisfactory to her.

Ordinance No. 157 - establishing the compensation of the Treasurer and Tax Collector at \$1,650.00 per annum was adopted on motion of Jenkins and Bauman.

Ordinance No. 158 - Changing the zoning of a portion of the Behring property at Limekiln Pike and Dreshertown Road from "A" Residential to Commercial Retail "I" and another portion of the same tract to a Shopping Center District was adopted on motion of Jenkins and Bauman.

Mr. Menges submitted the Agreements covering Section No.1 and Section No. 2 of the Fairway Hills development and the commercial area to be located at Limekiln Pike and Twining Road. It was recommended that these agreements be accepted subject the receipt of the contribution to the Outfall Storm Sewer Fund required as a condition to the approval of Section No.1. These agreements were accepted on motion of Bauman and Wentz subject to receipt of said contribution.

The Solicitor reported that a Jury of View had awarded damages of \$2,000 to Mr. Lewis Weiss for certain lots in North Hills which were taken by the Township for use as a playground. He further noted that as no report of this award had been given to him as Solicitor at the time of its filing, he had filed an exception nunc pro tunc.

It was recommended that the problem of providing a sanitary sewer system to serve the new school and the village of Fort Washington be referred to the Upper Dublin Authority for their study and recommendations.

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An Ordinance

No. 158

An Ordinance to Amend An Ordinance Approved the 20th Day of August, 1956, Designated as No. 140 and Known as the Upper Dublin Township Zoning Ordinance of 1956 and the Map Thereof, So as to Provide that Certain Territory Adjacent to Limekiln Pike and Dreshertown Road, and Shown on Said Map as Residential "A", be Changed to Class "T" of CR-Commercial Retail District as to a Part Thereof, and SC-Shopping Center District as to Another Portion Thereof.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. That the Zoning Map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, as amended, be further amended as follows:

1. From Residential "A" to Class "T" of CR-Commercial Retail District, the portion of ground

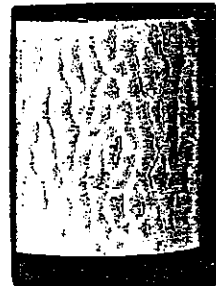
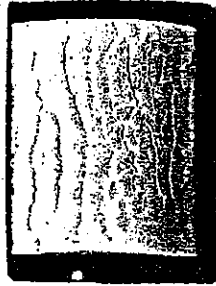
Beginning at the intersection of the center line of Limekiln Pike, as laid out 50 feet wide, with the center line of Dreshertown Road, as laid out 33 feet wide; thence continuing along the center line of Limekiln Pike North 10 degrees 15 minutes West 300 feet to a point; thence by a line in a Southeasterly direction to a point in the center line of Dreshertown Road, which point is at the distance of 300 feet measured Northeast from the point of intersection of the center line of Dreshertown Road with the center line of Limekiln Pike; thence continuing along the center line of said Dreshertown Road South 45 degrees 34 minutes West 300 feet to the first mentioned point and place of beginning.

2. From Residential "A" to SC-Shopping Center District, the land

Beginning at a point in the center of Limekiln Pike, which point is at the distance of 300 feet measured Northwesterly from a point the intersection of the center line of Limekiln Pike with the center line of Dreshertown Road; thence along the center line of Limekiln Pike North 10 degrees 15 minutes West 846.17 feet to a point; thence North 45 degrees 40 minutes East 623.98 feet to a point; thence South 42 degrees 9 minutes East 647.74 feet to a point; thence South 45 degrees 34 minutes West 500 feet to a point; thence South 42 degrees 9 minutes East 300 feet to a point in the center line of Dreshertown Road; thence along the said center line of Dreshertown Road South 45 degrees 34 minutes West 430.39 feet to a point, which point is at the distance of 300 feet from the intersection of the center lines of Dreshertown Road and Limekiln Pike; thence by a line in a Northwesterly direction to a point in the center line of Limekiln Pike the point and place of beginning.

ORDAINED AND ENACTED this 10th day of September, 1957.
COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By Henry Leo Willet,
President

Attest
Richard M. Brown, Jr.



ORDINANCE NO. 159

An Ordinance Covering the Construction of Swimming Pools, Artificial Bodies of Water, the Erection of Fences Around Swimming Pools and Artificial Bodies of Water in the Township of Upper Dublin, County of Montgomery, Pennsylvania, and Providing for Permits, Fees and Penalties.

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

SECTION 1. That following the effective date of this ordinance it shall be unlawful for any person or persons desiring to construct a bathing, swimming place or swimming pool or artificial body of water, or any excavation in which water may collect in excess of a depth of two feet, until a permit is first obtained, from the building inspector of the Township of Upper Dublin.

SECTION 2. No person or persons shall construct a bathing, swimming place or swimming pool or artificial body of water, or any excavation in which water may collect in excess of two feet, within three hundred feet of any property line of the property on which it is located, unless it is surrounded by a substantial wire mesh fence, or its approved equivalent, of a non-removable type not less than four feet nor more than six feet in height. The type, quality and method of construction of said fence shall be such as shall be approved by the building inspector with the intent that it shall act as a safeguard and protection to life, especially children.

SECTION 3. Every bathing, swimming place or swimming pool heretofore constructed and not enclosed in a building, or any artificial body of water, or any excavation in which water may collect in excess of a depth of two feet, and located within three hundred feet of any property line of the property on which it is located, shall be entirely surrounded by a substantial wire mesh fence, or its approved equivalent of a non-removable type, not less than four feet nor more than six feet in height. The type, quality and method of construction of said fence shall be such as shall be approved by the building inspector with the intent that it shall act as a safeguard and protection to life, especially children. Said fence shall be constructed within such time as shall be designated in writing by the building inspector of Upper Dublin Township, which time, however, shall not be in excess of one (1) year from the effective date of the ordinance.

SECTION 4. All applications for permits shall be made in writing; shall be submitted in duplicate; shall include such plans, drawings or other data as may be required by the building inspector and shall satisfactorily indicate the method of fencing and latching and the manner of the emptying of the pool.

SECTION 5. The applicant for a permit, shall at the time of making the application, pay to the building inspector for the use of the Township a fee in accordance with a fee schedule adopted by a

ORDINANCE NO. 159 - Continued.

Resolution by the Commissioners upon the enactment of this ordinance or as this schedule may be amended by a resolution of the Commissioners.

SECTION 6. Any person or persons failing to comply with the terms of this ordinance shall be in violation thereof and shall be liable on conviction thereof to a fine not exceeding One Hundred Dollars (\$100.00) for each and every offense, or imprisonment in the Montgomery County prison for a period not exceeding five (5) days. Whenever such person or persons shall have been notified by the building inspector or by service of a warrant in a prosecution or in any other way that he is committing such violation of this ordinance. Each day that he shall continue in violation shall constitute a separate offense punished by the like fine or imprisonment. "A person shall include every natural person, partnership, association or corporation. Person as applied to partnership or association shall mean the partner or member thereof, and as applied to corporation the officers thereof."

SECTION 7. This ordinance shall become effective Ten (10) days after its publication.

Enacted into an ordinance this 8th day of October, A.D. 1957.

BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF UPPER DUBLIN.

By: Nathan P. Bauman,
Vice-President

Attest:

Richard M. Brown, Jr.
Secretary.

An Ordinance

No. 160

An ordinance providing for the establishment of municipal pension fund for the Township of Upper Dublin, Montgomery County, Pennsylvania, pursuant to authority contained in Act No. 600 of the General Assembly approved May 29, 1956, P. L. 1956, and as amended by Act No. 358 approved July 10, 1957, P. L. 1957, the regulations and maintenance hereof; establishing and prescribing rights of beneficiaries; providing for the contribution of members and the Township; providing for the appointment of an actuary and of a trustee, a pension fund committee, and providing for the expenses of administration.

BE IT AND IT IS HEREBY ENACTED AND ORDAINED BY THE COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA.

SECTION 1. The Township hereby creates a municipal pension fund to be maintained by charge against each member of the police force, by annual appropriations made by the Township and by payments made by the State Treasurer to the Township Treasurer from the monies received from taxes upon premiums by foreign casualty insurance companies for purposes of pension retirement of township police officers.

SECTION 2. Definitions. Unless otherwise expressly stated the following words shall, for the purpose of this ordinance, have the meaning set after them:

ACT: The Act of July 29, 1956, P. L. (No. 600), as amended by the Act of July 10, 1957, P. L. (No. 358).

ACTUARY: A person skilled in calculating value of interest, annuities and insurances as intended by the Acts hereinabove referred to.

BENEFICIARIES: A member of the family of the Member designated in any insurance contract.

COMMITTEE: A committee of five (5) citizens of Upper Dublin Township appointed by the Commissioners who shall serve at the will of the Commissioners. The members shall serve without compensation. The committee shall adopt such rules and regulations as it deems necessary to carry out the provisions of this ordinance, to instruct the Trustee and to take such actions as are called for in the ordinance and Trust Agreement with respect to investments and eligibility of members for benefits.

CREDITED SERVICE. A member's current period of continuous service with the Township at any time of reference, provided the following absence shall not be deemed to interrupt the continuity of the service.

(a) **PRESENT CREDITED SERVICE.** Absence by any member of the Township police force, who has been in service in the force at least six (6) months, and who thereafter enters the military service of the United States, such member shall have credited to his employment record for pension benefits all of his time in the military service if he returns to his employment within six (6) months after his separation from military service.

(b) **PAST CREDITED SERVICE.** The period of a Member's credited service, if any, prior to the effective date of this ordinance.

(c) **FUTURE CREDITED SERVICE.** The period of a Member's credited service subsequent to the date of this ordinance.

DISABILITY.

(a) **TOTAL DISABILITY,** as a result of service incurred injuries. Any physical or mental condition which prevents a Member from ever again performing any substantially gainful occupation.

(b) Total disability other than disability as a result of service incurred injuries. Any physical or mental condition which prevents a Member from ever again performing any occupation for wage or profit.

FAMILY. Widow and natural and adopted children of a Member as herein defined.

FUND. The police pension fund of the Township of Upper Dublin, Montgomery County, Pennsylvania.

MEMBER. A regular appointed member of the police force of Upper Dublin Township covered under the provisions of the Enabling Acts of the Commonwealth of Pennsylvania and of this ordinance.

NORMAL RETIREMENT DATE. The date when a Member has completed twenty (20) years or more years of service and has attained the age of at least sixty (60) years.

SECRETARY. Secretary of the Board of Commissioners of the Township of Upper Dublin in office at the time of reference.

SEPARATION FROM MEMBERSHIP. The cessation of the period of any officer's status as a member.

COMMISSIONERS. The Commissioners of the Township of Upper Dublin for the time being in office at any time of reference.

TOWNSHIP. The Township of Upper Dublin, Montgomery County, Commonwealth of Pennsylvania.

TRUSTEE. A corporate fiduciary appointed by the Board of Commissioners of the Township of Upper Dublin to serve in that capacity at any time of reference. Ordinance Galley 2

TRUST AGREEMENT. A contract between the Township and the Trustee establishing the terms by which and under which the fund is invested, distributed, accounted for and terminated.

SECTION 3. The benefits from the Fund shall be payable to:

(a) Police Officers who have served in the Township for an aggregate total of at least twenty (20) years and have attained the age of at least sixty (60) years.

(b) Police Officers who suffer total disability as a result of service incurred injury.

(c) Police Officers who suffer total disability other than from service incurred injury who have served the Township for an aggregate total of at least fifteen (15) years and have attained the age of at least forty-five (45) years; and

(d) The families of Police Officers or, in the absence of a family, to such other beneficiary the Officer shall designate, in the event of death from any cause.

Retired officers may be temporarily called back into service in case of riot, tumult, or the preservation of the public peace; until unfit for such service, when they may be finally discharged by reason of age or disability.

SECTION 4. Payments made under the provisions of this ordinance shall not be a charge on any other fund in the treasury of the Township, or under its control, save the municipal police pension fund herein provided for.

SECTION 5. The basis for determining the benefits shall be as follows:

(a) Monthly benefits to members retiring under Section 3

(a) above shall be one-half (½) the monthly average salary of the retired Member during the last sixty (60) months of employment.

(b) Monthly benefits to Members retiring under Section 3 (b) above shall be in an amount provided by the cash value of any insurance or endowment or annuity contract acquired on the life of the Member plus such other funds as may be credited to his account.

(c) Monthly benefits to Members retiring under Section 3 (c) above shall be in an amount provided by the cash value of any insurance or endowment or annuity contract acquired on the life of the Member plus such other funds as may be credited to his account.

(d) Death benefits to the families of Members or to such other beneficiaries the Member shall designate payable in accordance with Section 3 (d) above shall be the amount of death benefits provided under any life insurance or endowments or annuity contracts acquired on the life of the Member.

The pension benefits for any month shall be computed as the sum of:

(i) The pension benefit provided by any life insurance or endowment or annuity contract acquired by the Board of Commissioners to provide pensions for Members, and the benefits provided by funds in the possession of the Board of Commissioners to provide police pensions prior to the effective date of this ordinance.

(ii) Benefits from the fund created by this Ordinance to the extent necessary to bring the total benefits up to the amounts called for in this Section.

SECTION 6. The Township may employ an actuary at a compensation to be determined from time to time by the Commissioners. In the event of the employment of an actuary, the actuary shall determine the present value of the liability or the pension payable under Section 5 to Members for service prior to the effective date of this Ordinance. The actuary shall also determine the amount which shall be contributed annually to the fund for the service of Members subsequent to the establishment of the fund.

SECTION 7. Members shall pay into the municipal police pension fund an amount equal to five (5%) percent of monthly compensation. The Township Secretary is hereby authorized to establish a system of payroll deductions necessary for the administration of the Fund. The remainder of the needed annual contribution as determined by the actuary shall be paid to the fund by the Township.

SECTION 8. Payments by the State Treasury to the Township Treasurer from the taxes paid upon premiums by foreign casualty insurance companies shall be applied as follows:

(a) To reduce the unfunded past service liability and after such liability has been funded.

(b) To reduce the annual obligation of the Township for future service cost, or to the extent that the payment may be in excess of such obligation.

(c) To reduce the Member's contributions.

SECTION 9. Contracts acquired from insurance companies prior to the effective date of this ordinance shall either be continued on a premium paying basis, placed on a paid-up basis, or sur-

rendered for the cash value, as determined by the Board of Commissioners.

If such policies are continued on a premium paying basis or placed on a paid-up basis, they shall be assigned to the Trustee as of the effective date of this ordinance, and the rights of the Members to the values of the policies, as of the effective date of this ordinance, shall be unchanged. The policies so assigned shall be considered to be a contribution of each Member in whose name the policy has been issued.

If such policies are surrendered for their cash values, the rights of the Members to an amount of the Upper Dublin Township Police Pension Fund equal to the cash values of such policies, as of the effective date of this ordinance, shall be unchanged.

The funds in the possession of the Board of Commissioners, including the cash values of such insurance contracts as are surrendered and the Township of Upper Dublin Police Pension Fund shall be paid over to the Trustee described in Section 2 of this ordinance, including any contributions by Members, moneys received from citizens of the Township or other persons to provide benefits for Members, or payments made by the State Treasurer to the Township Treasurer from taxes upon premiums by foreign casualty insurance companies for purposes of pension retirement for Township police officers, which may have been received between the effective date of this ordinance and the date of the actual creation of the Trust Agreement described in Section 2 of this ordinance.

SECTION 10. Any Member, who for any reason, shall be ineligible to receive a pension hereunder, after having contributed to the police pension fund created hereby, shall be entitled to a refund of all such monies paid by him into the said fund, immediately upon discontinuance of his employment with the police force. If such discontinuance is due to death, the refund shall be paid to his designated beneficiaries or to his estate to the extent that it has not been paid to his family under Section 5 (d) above.

SECTION 11. The pensions herein provided shall not be subject to attachment, or other legal process, and shall be payable only to the Member or his designated beneficiary or to his estate and shall not be subject to assignment or transfer.

SECTION 12. The expenses of administration and management of the fund, including the compensation of the actuary and of the trustees of the fund shall be paid by the Township.

SECTION 13. This ordinance shall become effective in accordance with the Laws of the General Assembly in such cases made and provided, however, no payment shall be made from the fund established by this ordinance before January 1, 1958.

SECTION 14. It is not intended by this ordinance to repeal, abrogate, annul or interfere with any existing ordinances or enactments except in so far as the same may be inconsistent or in conflict with any of the provisions of this ordinance. In the event of a conflict the provisions of this ordinance shall control.

Approved this 10th day of December, A. D. 1957.

TOWNSHIP OF UPPER DUBLIN

By Henry Lee Willet,

President

Attest:
Richard M. Brown, Jr.
Secretary

NOTICE is hereby given that on November 16, 1957, there was enacted by the Board of Township Commissioners of the Township of Upper Dublin, Montgomery County, Pa., an ordinance entitled:

Ordinance 161

To Authorize and Direct the Issuance of General Obligation Bonds of the Township of Upper Dublin, Montgomery County, Pennsylvania, in the Maximum Amount of One Hundred Twenty Thousand Dollars (\$120,000) for the Purpose of Providing Funds for and Toward the Construction, Improvement and Extension of Streets, Bridges and Storm Sewers Within the Township; Providing for the Rate of Interest on Said Bonds and Fixing the Maturity Dates Thereof; Stating the Estimated Period of Usefulness of the Improvements for which Said Bonds are to be Issued; Approving the Form of Bond and Coupon; Providing for the Assessment, Levy and Collection of a Tax to Pay the Interest Covenanted to be Paid Thereon and the Principal Thereof at Maturity; Establishing a Sinking Fund; Directing the President and the Secretary of the Board of Township Commissioners to Prepare, Verify and File the Required Statement; and Authorizing and Directing the Secretary to Certify to and File with the Department of Internal Affairs Certified Copies of the Necessary Proceedings.

The following is a summary of said ordinance:
The preambles recited the expression of desire of the Board of Township Commissioners to increase the debt of the Township of Upper Dublin in the amount of \$120,000 for the pur-

poses set forth below, and calling an election for that purpose on May 21, 1957; the fact that said election was duly held and that the approval of the electors to the increase of debt was obtained; also the fact that the existing net electoral and non-electoral debt of the Township of Upper Dublin, together with the debt authorized by the electors, does not exceed the constitutional limits.

Section 1 authorized the issuance of the bonds in the amount of \$120,000 for the purpose of providing funds for and toward the construction, improvement and extension of streets, bridges and storm sewers within the Township. Section 2 described the type of bond to be issued, the denomination, numbers, date and interest rate. Section 3 described the maturities of the bonds. Section 4 recited the period of usefulness of the improvements for which said bonds are to be issued. Section 5 provided that the bonds should be issued free of present or future State tax. Section 6 provided for the execution of the bonds. Section 7 set forth the form of bond, the form of coupon and the form of endorsement. Section 8 pledged the full faith and credit of the Township for the payment of the principal of the bonds and the interest and taxes accruing thereon. Section 9 levied a tax sufficient to pay the principal of the bonds and the interest thereon. Section 10 established a sinking fund. Section 11 provided for the filing of a financial statement in the Court of Quarter Sessions. Section 12 provided for the certification and filing of the proceedings relating to the bond issue with the Department of Internal Affairs. Section 13 repealed all ordinances inconsistent with said Ordinance.

RICHARD M. BROWN, JR.,
Secretary
Township of Upper Dublin

An Ordinance

NO. 162

An Ordinance to Provide Additional Revenue by Readopting Ordinance No. 103-B Adopted February 12, 1955, Readopted by Ordinance No. 126 Approved December 13, 1955, and Subsequent Amendments Thereto, being the Real Estate Transfer Tax Ordinances.

By virtue of the Act of Assembly of June 25, 1947, P. L. 1145, as amended be it ordained and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. That the provisions of Ordinance 103-B approved February 12, 1955 and readopted by Ordinance No. 126 approved December 13, 1955, both of which imposed a tax to provide general revenue for township purposes upon certain documents transferring title to real property; upon the privilege of transferring title of real property; upon the transfer of title to and the acceptance of possession of real property, situate wholly or partly within the Township; imposing the tax upon the grantor, the transferee and the party accepting possession; imposing duties and conferring powers on the collector; prescribing the method and manner of collecting the tax; providing certain exemptions; and imposing penalties; be and the same are re-enacted without change to be effective for the year beginning January 1, 1958.

APPROVED by the Board of Commissioners and enacted into an ordinance this 10th day of December, A. D. 1957.

BOARD OF COMMISSIONERS
OF UPPER DUBLIN TOWNSHIP,
By: Henry Lee Willet,
President

Attest:
Richard M. Brown, Jr., Secretary

An Ordinance

NO. 163

Appropriating and Making A Change in Certain Appropriations Heretofore made by the Board of Township Commissioners of the Township of Upper Dublin, under Ordinance No. 149 dated February 12, 1957.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Township Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 12th day of February, 1957, appropriated out of the estimated revenues and income available for said year, certain sums estimated by them to be required for the several specific purposes of Township Government, and

WHEREAS, Because of the difficulty in accurately determining the exact amount required for certain of the specific purposes of Township Government, which are or may be largely affected by unforeseen contingencies, the same appropriated to the following specific purposes to wit: Street Lighting, Insurance and Pensions have proved insufficient for such purposes, and

WHEREAS, The sum appropriated for the following specific purposes, to wit: Parks & Playgrounds is in excess of the requirements thereof, and

WHEREAS, Contributions were received from the Commonwealth of Pennsylvania for transmittal to the Treasurer of the Police Pension Fund and the Treasurer of the Firemans Relief Fund; these contributions not having been included in the aforesaid Ordinance No. 149 as either an item of estimated revenue or expenditure, it now becomes necessary that the unappropriated funds be applied to meet the deficiency in the heretofore mentioned appropriations.

NOW, THEREFORE, the Board of Township Commissioners of the Township of Upper Dublin do hereby enact and ordain:

SECTION 1. That the sum of \$2,000 of the Parks & Playgrounds appropriation be now transferred as follows:

\$1,200.00 to Street Lighting
\$ 800.00 to Insurance

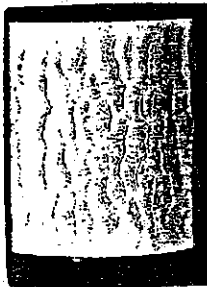
SECTION 2. That the estimated revenues be increased to reflect the receipt of \$5,851.99 and the appropriation for Pensions be increased by \$5,851.99 to reflect the expenditure of \$3,272.48 to the Police Pension Fund and \$2,579.51 to the Firemans Relief Fund.

Adopted and enacted into an Ordinance this 10th day of December, 1957, A. D.

Henry Lee Willet, President

Attest:

Richard M. Brown, Jr., Secretary



Do not release this copy.
Give out copies of
Excerpt from Ordinance 164.

An Ordinance

NO. 164

An Ordinance to Amend an Ordinance Approved August 20th, 1956, Designated as Ordinance No. 140, and Known as the "Upper Dublin Township Zoning Ordinance of 1956" and the Map Thereof, So As to Provide An Amendment to Section 200 of Article II by the Inclusion of a Medical Facility; the Amendment to Article XIV so as to Include Among the Permitted Uses in LIM (Limited Industrial District) Medical Facilities and Banking Facilities, and Also Restaurants when Granted by Way of Special Exception; and to Amend the Zoning Map by Extending the Boundaries of a Limited Industrial Area as Hereinafter Described.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. Section 200 of Article II be amended to include:

Medical Facility. A unit of or a building constructed and to be used for the care of sick, wounded, including the study of medicine, or the science and art of the investigation, prevention, cure and alleviation of disease, such use shall not include facilities for the housing of patients, but may include dwelling quarters for one qualified medical attendant and his immediate family.

Section 2. Section 1401 of Article XIV known as the "LIM" (Limited Industrial District) be amended by adding the following:

E. Medical Facilities

F. Banking Facilities

G. One of the following purposes when authorized by a special exception:

(a) Restaurant.

Section 3. That the Zoning Map adopted and approved as a part of the "Upper Dublin Township Zoning Ordinance of 1956" as amended be further amended as follows:

(a) That the territory hereinafter described be changed from A-Residential to "LIM" Limited Industrial District.

BEGINNING at a point the intersection of the right of way of Route 309 (782) Expressway and the line of the now existing limit of industrial zone and following the line of the limit of industrial zone North 36 degrees 15 minutes East a distance of 425 feet more or less to a point the intersection of the limit of industrial zone and the property line in the rear of Hartranft Avenue properties thence South 73 degrees 19 minutes 20 seconds West a distance of 136.84 feet to a point thence North 74 degrees 59 minutes West a distance of 190.96 feet more or less to a point thence South 10 degrees West a distance of 125 feet more or less to a point thence South 78 degrees West a distance of 317.04 feet more or less to a point in the right of way of Route 309 (782) thence following the right of way of Route 309 (782) with a curve to the right with a radius of 3009.53 feet and a central angle of 13 degrees 14 minutes 33 seconds to a point and place of beginning.

APPROVED by the Board of Commissioners on the 27th day of January, A. D., 1958.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet
President

Attest:
Richard M. Brown, Jr.
Secretary

**ANNUAL BUDGET FOR THE TOWNSHIP OF UPPER DUBLIN
FOR THE YEAR 1958**

ORDINANCE NO. 165

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND THE COMMONWEALTH OF PENNSYLVANIA, fixing the tax rate for the year 1958 and appropriating specific sums estimated to be required for the specific purposes of the Township government, hereinafter set forth, during the current fiscal year.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for the Township purposes for the fiscal year 1958, as follows:

Tax rate for general Township purposes, the sum of Eleven and one-half (11½) mills on each dollar of assessed valuation, or the sum of one hundred fifteen (115) cents on each one hundred dollars of assessed valuation.

For Fire House purposes, the sum of Three quarters of one (¾) mill on each dollar of assessed valuation, or the sum of Seven and one-half (7½) cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

Purpose	Mills on each dollar of Assessed valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Township Purposes	11½	\$1.15
Tax Rate for Fire House Building	¾	.07½
Total	12¼	\$1.22½

SECTION 2. That for the expenses of the Township for the fiscal year 1958 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 — Schedule B.

GENERAL OPERATING FUNDS

Summary of Estimated Receipts

Cash and securities for Appropriation	\$ 25,228.03
Receipts from Current Tax Levy	131,298.65
Receipts from Taxes of Prior Years	5,000.00
Other Revenue Receipts	118,227.57
Miscellaneous non-revenue Receipts	21,000.00
Total Estimated Receipts and Cash	\$300,754.25

SUMMARY OF APPROPRIATIONS

	Operation & Maintenance	Capital Outlay	Total
General Government			
Administration	\$21,556.66	\$ 500.00	\$ 22,056.66
Treasurer and Tax Collector	1,800.00		1,800.00
Township Buildings	4,050.00	10,000.00	14,050.00
Total	\$27,406.66	\$10,500.00	\$ 37,906.66
Protection to Persons & Property			
Police	\$63,918.00	\$ 8,300.00	\$ 72,218.00
Fire	7,100.00		7,100.00
Building Regulation & Zoning	4,250.00		4,250.00
Total	\$75,268.00	\$ 8,300.00	\$ 83,568.00
Health and Sanitation			
Health Bureau	\$ 5,850.00		\$ 5,850.00
Rubbish & Garbage Collection & Disposal	28,102.00		28,102.00
Ash & Rubbish Collection & Disposal	5,497.00		5,497.00
Sanitary Sewers	4,450.00	28,666.56	33,116.56
Total	\$43,899.00	\$28,666.56	\$ 72,565.56

Highways			
Streets and Bridges	\$28,064.64	\$ 5,000.00	\$ 33,064.64
Street Lighting	5,200.00		5,200.00
Total	\$33,264.64	\$ 5,000.00	\$ 38,264.64
Library			
Total	\$ 300.00		\$ 300.00
Recreation			
Parks & Playgrounds	\$ 2,420.00	\$ 8,721.60	\$ 11,141.60
Total	\$ 2,420.00	\$ 8,721.60	\$ 11,141.60
Miscellaneous			
Insurance	\$ 3,711.80		\$ 3,711.80
Police Pension	5,772.48		5,772.48
Firemans Relief	2,579.51		2,579.51
Total	\$12,063.79		\$ 12,063.79

Total for Operation, Maintenance and Capital Outlay\$255,810.25

Debt Service		
Interest	\$ 150.00	
Principal	20,000.00	
Transfers to Sinking Fund	24,794.00	
Total Debt Service	44,944.00	

Total Appropriations from General Operating Funds\$300,754.25

SEWER FUND

Summary of Estimated Receipts

Cash Balance for Appropriation	\$ 23,784.06
Receipts from Sewer Rents	23,740.50
Receipts from Non-Revenue Sources	1,200.00
Total Estimated Receipts and Cash	\$ 48,724.56

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	\$ 17,463.29
Capital Outlay	3,900.00
Debt Service	3,336.00
Total Appropriations from Sewer Fund	\$ 24,699.29
Operating Surplus	\$ 24,025.27

1957 Improvement Bonds

Construction Fund

Summary of Estimated Receipts

Cash Balance for Appropriation	\$118,415.06
Receipts from Non-Revenue Sources	800.40
Total Estimated Receipts and Cash	\$119,215.46

SUMMARY OF APPROPRIATIONS

Capital Outlay (Estimated Costs of Projects)	\$118,000.00
Total Appropriations from Construction Fund	\$118,000.00

SINKING FUND

Summary of Estimated Receipts

Cash & Securities from Previous Year	\$ 10,666.81
Receipts from Current Tax Levy	8,448.82
Receipts from Taxes of Prior Years	50.00
Transfers from General Fund	24,794.00
Transfers from Sewer Fund	3,336.00
Total Estimated Receipts, Cash & Securities	\$ 47,295.63

SUMMARY OF APPROPRIATIONS

Interest to be paid	\$ 7,014.40
Bonds to be paid	28,000.00
Other Expenditures	150.00
Total Appropriations from Sinking Fund	\$ 35,164.40

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective Departments is on file in the office of the Secretary of the Township, 1111 Bethlehem Pike, Ambler, Pennsylvania.

SECTION 4. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted this 11th day of February, A.D./ 1958.

President of the Board of Township Commissioners

HENRY LEE WILLET

CERTIFICATION

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 165 enacted by the Commissioners of the Township of Upper Dublin on February 11, 1958.

RICHARD M. BROWN, JR., Secretary

An Ordinance

NO. 166

An Ordinance Establishing the Grade and Cartway on Kimball Avenue Between North Hills Avenue and Welsh Road in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania.

The Board of Commissioners of the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania, do hereby ordain and enact:

Section 1. The grade for the center line of Kimball Avenue from the intersection of the said center line with the center line of Welsh Road to the intersection of the center line of North Hills Avenue with the center line of Kimball Avenue is hereby established as follows:

BEGINNING at an elevation of 268.80 feet at a point at the intersection of the center line of Kimball Avenue with the center line of Welsh Road; thence along the center line of Kimball Avenue in a Southwesterly direction the following grades: (1) with a descending grade of 0.54 per cent for a distance of 185 feet to an elevation of 267.80 feet at a point of grade intersection of a 50 foot vertical curve; (2) with an ascending grade of 0.8333 per cent for a distance of 240 feet to an elevation of 269.50 feet at a point of grade intersection of a 50 foot vertical curve; (3) with an ascending grade of 2.0571 per cent for a distance of 175 feet to an elevation of 273.40 feet at a point of grade intersection; (4) with an ascending grade of 2.575 per cent for a distance of 332.86 feet to an elevation of 281.97 feet to a point at the intersection of the center line of North Hills Avenue with the center line of Kimball Avenue, said center line of North Hills Avenue being the boundary line between Upper Dublin Township and Abington Township, said last mentioned point being the point of termination, a distance of 332.86 feet from the point of beginning.

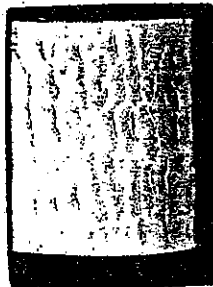
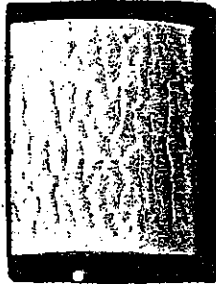
Section 2. The curb line for said portion of said Kimball Avenue shall be established at the distance of 20 feet from the center line to provide for a 40 foot wide cartway, with radii at all street intersections, and with grades parallel to and at the same elevations as the grades described above varying however at all street intersections where grades shall conform to the intersecting grades, all as shown on plan and profile, prepared by William T. Weir Registered Professional Engineer, dated March 11, 1957, revised March 12, 1957, and approved by the Board of Commissioners on March 12, 1957.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED and ENACTED this 11th day of March, A. D. 1958.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet,
President

Attest:
Richard M. Brown, Jr.,
Secretary.



An Ordinance

NO. 167

An Ordinance Providing for the Construction of Sanitary Sewers in the Bed of Kimball Avenue Beginning at a Manhole in the Intersection of Kimball Avenue with Willow Avenue; Thence in the Bed of Kimball Avenue to a Manhole at the Intersection of Kimball Avenue and North Hills Avenue a Distance of Approximately 478 Feet, a Public Highway in the Township of Upper Dublin, County of Montgomery and Commonwealth of Pennsylvania; and Assessing the Assessable Costs Thereof Upon the Property Adjoining or Adjacent Thereto in Proportion to the Frontage Thereon; Prescribing the Method of Collecting Said Costs; Providing for the Connection with Said Sanitary Sewers of Certain Occupied Buildings; Making it Unlawful to Construct and Maintain Privies, Cesspools, Septic Tanks or Other Devices for Accepting Sewage or Conduits for the Discharge of Sewage Except in Said Sanitary Sewers; and Prescribing Penalties.

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

Section 1. Definitions.

A. "Industrial Waste" means and refers to the liquid waste from industrial processes as distinct from domestic sewage.

B. "Lateral" means and refers to that part of the sewer system extending from a public main or street to curb line including the "Y" connection from the main sewer line.

C. "Occupied Building" means and refers to any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial wastes, or either thereof, is or may be discharged.

D. "Person" including association, partnership, limited partnership, joint stock company and corporation.

E. "Property Access to the Sewer System" means and refers to real estate which adjoins, abuts or is adjacent to the sewer system.

"Sewage" means and refers to the normal water carrying household and toilet wastes from residences, business buildings, institutions and industrial establishments.

"Sewer System" means and refers to the sanitary sewer system and appurtenant facilities about to be constructed in the bed of Kimball Avenue beginning at a manhole in the intersection of Willow and Kimball Avenues; thence in a westerly direction to a manhole at the intersection of Kimball Avenue and North Hills Avenue a distance of approximately 478 feet, in the Township of Upper Dublin, Montgomery County, Pennsylvania.

"Township" means and refers to the Township of Upper Dublin, Montgomery County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

2. That the Township shall be constructed in accordance with the plans, drawings and specifications prepared by the Township Engineer and in accordance with the approval of the Board of Health.

3. That the said sanitary sewer shall be constructed in accordance with the plans, drawings and specifications prepared by the Township Engineer and in accordance with the approval of the Board of Health.

4. Advertisement shall be made for proposals for construction and laying of sanitary sewers in accordance with the law, and the

contracts for construction thereof shall be awarded to the lowest responsible bidder. The Board of Commissioners of Upper Dublin Township reserves the right to reject the bids submitted, and to re-advertise.

Section 5. It shall be the duty of the Township Engineer to supervise the construction and laying of the said sanitary sewers and the performance of the said contracts, and to see that the said sanitary sewers are constructed in accordance with the said plans, drawings, specifications and contracts, and permit.

Section 6. The sanitary sewers when constructed shall form part of the Township Sewer System constructed under the Ordinances of the Township regulating connections with the Township sanitary sewers, establishing a schedule of rates for the use thereof and providing penalties for breach thereof, and the sanitary sewer regulations established thereunder.

Section 7. The cost and expenses of the construction of said sewers, including engineering, legal, advertising and similar expenses, as is legally chargeable upon the properties accommodated or benefited hereby, shall be and are hereby assessed and charged upon the said properties by an assessment per front foot upon the frontage of each said property abutting on said sewers.

When an owner has two or more lots against which there is an assessment, all of such lots shall be embraced in one claim.

Section 8. The Township shall cause calculations of said charges or assessment to be made and a schedule thereof to be prepared giving: (a) the total length of said sewer in feet and the total cost thereof; (b) the frontage of each lot abutting on the said sewer; (c) the amount of assessment charged thereon and the name of the owner or owners of such lot.

Section 9. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the work of constructing the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he may be found within the Township, or if he can not be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent or party in possession, it may be posted on the most public part of the assessed premises.

Section 10.

A. All persons owning an occupied building now erected upon property accessible to the sanitary sewers shall at their own expense connect such building with the sewer system within ninety days after notice to do so from the Township.

B. All persons owning a property accessible to the sanitary sewer upon which a building is later erected shall upon the time of such erection and at their own expense connect such building with the sewer system.

C. All persons owning any occupied building upon property which hereafter becomes accessible to the sanitary sewer shall at their own expense connect such building to the sewer system within ninety days after receipt of notice to do so.

Section 11. It shall be unlawful for any person owning any property accessible to the 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 after the expiration of the periods specified in

Section 10 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facilities for the discharge of sewage except in the sanitary sewers.

Section 12. Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, and which shall be required to connect thereto, or who otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this Ordinance shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner approved by law.

Section 13. All connections with said sewer system shall be made only upon application and permit in prescribed form and shall be made in accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set at length in this Ordinance.

Section 14. All said assessments shall be payable to the Treasurer of the Township for use of the Township in reimbursing it for the cost and expenses of the construction and laying of the said sanitary sewers. A copy of the schedule of the assessment shall be delivered to the Township Treasurer and on receipt of any payment on account thereof the Township Treasurer shall note the same on his copy of the schedule and notify the Secretary of the Board of Township Commissioners thereof who shall also note the same on his copy of the schedule.

Section 15. If anyone shall fail to pay the assessment in full within a period of thirty days after the receipt of the notice as provided in Section 9 hereinabove, there shall be imposed a penalty of five per cent (5%) for failure to pay within the time provided. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

Section 16. After the expiration of the periods specified in Section 10 of this Ordinance if any owner of an occupied building on property accessible to the Sewer System shall have failed to connect such property with the Sewer System as required by said Section 10, the Township may cause to be served on the owner of such property, so failing to connect to said Sewer System, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within ninety (90) days from the date thereof.

Upon failure of any such owner, who has been duly notified as hereinabove provided, to comply with the requirements of any such notice or with the provisions of this Ordinance, the Board of Commissioners shall cause the necessary connection to be made, and upon completion of the work for the same shall render a bill covering the cost of said work to the owner of such premises, and file a duplicate thereof with the Township Treasurer, to whom such bill shall be made payable for the use of the Township. All such bills shall contain a notice that, if said bills be not paid within thirty (30) days after the date thereof the same shall be collected in the manner provided by law.

Section 17. In the event that any property owner shall fail to pay the assessment as herein-

above provided, it shall be the duty of the Township Treasurer to refer to the Township Solicitor all such bills remaining unpaid, and the Township Solicitor shall thereupon take the necessary action to effect the collection of such unpaid bills in the manner provided by law.

Section 18. It shall be unlawful to discharge into the Sewer System any industrial waste or other matter whatsoever injurious to the sewage structure, or to the process of treating sewage, or any drainage resulting from rain, water, surface water, springs, wells, streams or other ground water, or any sewage or drainage containing matter of any sort liable to form a deposit in the sewer or drain pipes or to create obstruction therein.

Section 19. The discharge of garbage in any form into the Sewer System is prohibited, and no fixture or machine for grinding or disposal of garbage shall be connected directly or indirectly to the Sewer System.

Section 20. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall discharge or cause to be discharged into the sewer system or any lateral matter of any sort liable to form a deposit or create an obstruction or obstructions therein, or who shall break into, or otherwise make connections therewith without having first procured the permit required by this Ordinance, or who shall fail to comply with any of the requirements of any permit or of this Ordinance; or who shall fail to comply with any rule or regulation of the Board of Township Commissioners, or of any authorized agent for the Board of Township Commissioners concerning the manner of making connections with the Sewer System or the use of the same; or shall in any way violate any of the provisions of this Ordinance shall be liable on conviction thereof to a fine or penalty of Ten Dollars (\$10.00) for each and every offense. Whenever any person shall have been notified by the Board of Commissioners or their duly authorized agent, or by service of summons in a prosecution or in any other way, that a violation of this Ordinance or the rules and regulations of the Board of Township Commissioners is being committed by him or them, each day in which he or they shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines and penalties are now by law collected.

Section 21. The Township reserves the right to establish and impose upon each property located within the service area served by the above sewer system and having the use thereof such annual sewer rental as it may hereafter ordain.

Section 22. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal, invalid provision, sentence, clause, section or part had not been included herein.

ENACTED and ORDAINED into an Ordinance this 11th day of March, A. D. 1958.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet,
President

Attest:
Richard M. Brown, Jr.,
Secretary 20 Marita-50R

An Ordinance

NO. 168

An Ordinance Laying Out and Opening A Certain Road Within the Township of Upper Dublin, Montgomery County, Pennsylvania, Being A Continuation of Alba Road From A Point Presently Laid Out To North Hills Avenue, and More Specifically Set Forth In the Proposed Ordinance, A Full and Complete Copy of Which Is As Follows:

WHEREAS, in the judgment of the Commissioners, the extension of Alba Road to North Hills Avenue, both public highways in the Township of Upper Dublin, Montgomery County, Pennsylvania, is necessary for the convenience of the public and should be built and maintained at public expense.

NOW, THEREFORE, BE IT ORDAINED and ENACTED in accordance with the authority provided by the laws of the Commonwealth of Pennsylvania, and it is hereby enacted by authority of the same, as follows:

Section 1. That the following tract of ground be and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as and for a public highway, all in accordance with the Act of May 27, 1953, P. L. 220, as amended:

ALL THAT CERTAIN tract or continuous strip of land situate, lying and being in the Township of Upper Dublin, County of Montgomery, State of Pennsylvania, bounded and described according to a Survey made by George E. Mebus of Aurora Manor, dated May 10, 1946, and described as follows, to wit:

BEGINNING at a point at the intersection of the centerline of North Hills Avenue, as originally laid out 33 feet wide, with the centerline of Alba Road, proposed to be laid out 50 feet wide, excepting at a radius corner hereinafter to be

delineated, said point of beginning being 550 feet Southwest of the point of intersection of the aforesaid centerline of North Hills Avenue with the centerline of Elliott Avenue, as laid out 50 feet wide; thence from the point of beginning along centerline of Alba Road North 43 degrees 22 minutes West 256 feet to a point of curvature; thence by a curved line bearing to the right in a Northwest to Northeast direction with a radius of 85 feet the arc distance of 133.52 feet more or less to the point of tangency; thence North 46 degrees 38 minutes East 465 feet to a point of termination at the intersection of the aforesaid centerline of Elliott Avenue with the centerline of that portion of Alba Road, 50 feet wide, as opened and improved to the Southeast of Elliott Avenue.

The extension of Alba Road is hereby laid out 50 feet wide, that is to say 26 feet between curbs with a 12 foot wide sidewalk area on each side and including 10 foot radius corners at the intersection of North Hills Avenue.

Section 2. That the proper officers of the Township are authorized and directed to make a Report, together with a draft or survey of the said road, fixing the width as herein determined, and noting the improvements along the line thereof, and the names of the owners of property abutting thereon, in the Office of the Clerk of the Court of Quarter Sessions of Montgomery County, Pennsylvania, in accordance with the laws in such case made and provided.

APPROVED by the Board and enacted into an Ordinance this 11th day of March, 1953.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP

By: Henry Lee Willet,
President

Attest:
Richard M. Brown, Jr.,
Secretary

An Ordinance

No. 169

An Ordinance Amending Ordinance No. 41 Regulating Subdivision of Land, Etc.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township and it is hereby enacted by the authority of the same:

Section 1. That Section 4 entitled "Subdivision Regulations" including the "Land Subdivision Regulations" adopted thereunder be amended by providing for the payment to the Township of a contribution towards the cost of outfall sanitary storm sewers of the Township, by adding to Section 4 of Ordinance No. 41, adopted July 27, 1949 the following:

"That there shall be paid to the Township the sum of One Dollar (\$1.00) per foot for each foot of Sanitary Sewer built in any existing or proposed road as a contribution towards the cost of the Outfall Sanitary Sewers of the Township."

"That there shall also be paid to the Township the sum of One Dollar (\$1.00) per foot for each lineal foot of roadway shown upon the said plan other than improved highways already in existence, to be used as a contribution towards the cost of the Outfall Storm Water Sewers in the said Township.

Approved by the Board of Commissioners of Upper Dublin Township on the 8th day of April, 1958.

COMMISSIONERS OF
UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet,

President
Attest: Richard M. Brown, Jr.
Secretary

An Ordinance

NO 170

AN Ordinance Authorizing and Directing the Paving and Curbing of Alba Road Between North Hills Avenue and Elliott Avenue in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania.

WHEREAS, the Commissioners of Upper Dublin Township have classified the following street for paving and curbing and the assessing and collecting of the whole cost thereof from the owners of real estate abutting thereon by an equal assessment on the foot front, including the expense of necessary drainage; and appropriate petitions or requests from the adjoining property owners have been properly submitted to the Township authorities.

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

Section 1. That Alba Road, as laid out by Ordinance No. 163 adopted March 11, 1953, and hereinafter described, be paved with bituminous paving material in accordance with Township specifications, including necessary grading and construction of drainage or drainage facilities, storm sewers, curbing or other requisite work, the work to be done by contract awarded to the lowest responsible bidder, all under the supervision of the Township Engineer and the specifications of the Township and the general plan for paving and curbs along the street as is more particularly described as follows:

ALL THAT CERTAIN tract or continuous strip of land situate, lying and being in the Township of Upper Dublin, County of Montgomery, State of Pennsylvania, bounded and described according to a Survey made by George E. Mebus of Aurora Manor, dated May 10, 1946, and described as follows, to wit:

BEGINNING at a point at the intersection of the centerline of North Hills Avenue, as originally laid out 33 feet wide, with the centerline of Alba Road, proposed to be laid out 50 feet wide, excepting at a radius corner hereinafter to be delineated, said point of beginning being 550 feet Southwest of the point of intersection of the aforesaid centerline of North Hills Avenue with the centerline of Elliott Avenue, as laid out 50 feet wide; thence from the point of beginning along centerline of Alba Road North 43 degrees 22 minutes West 256 feet to a point of curvature; thence by a curved line bearing to the right in a Northwest to Northeast direction with a radius of 35 feet the arc distance of 133.52 feet more or less to the point of tangency; thence North 46 degrees 38 minutes East 465 feet to a point of termination at the intersection of the aforesaid centerline of Elliott Avenue with the centerline of that portion of Alba Road, 50 feet wide, as opened and improved to the Southeast of Elliott Avenue.

Section 2. The Township Engineer shall be and is hereby designated as the person in charge of said work, with full power to act for the Township in all things in connection with said work, and to estimate assessments.

Section 3. Any trees, pipes or other materials or substances interfering with the free and full construction of said work are hereby declared to be nuisances and may be removed, or changed by or under the direction of the Township Engineer.

Section 4. The cost and expenses of the entire work, including construction of drainage, storm sewers, or any other drainage or draining necessary to properly carry off the flow of surface waters, shall be paid as follows:

The whole cost by the owners of real estate fronting, abutting or bounding on the said street in accordance with the provisions of the First Class Township Code of 1949, May 27, P. L. 1955, Section 45, as amended by the Act of 1953, May 27, P. L. 220, Section 3, and any and all other appropriate provisions of the First Class Township Code its supplements and amendments.

Section 5. Curbs shall be constructed and the entire cost of such curbing and incidental grading in connection therewith shall be assessed against and collected from the abutting properties and property owners on the foot front rule as the sole cost of the property owners.

Section 6. Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township who shall cause thirty days' notice of the assessment of costs to be given to each party assessed, either by service on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and the Acts of Assembly in such case made and provided.

Section 7. If any assessment shall remain unpaid at the expiration of the notice, it shall be promptly reported and certified to the Township Solicitor, together with all pertinent information in connection therewith, who shall forthwith lien the land adjoining said unpaid owners for the cost assessed against the same, together with interest at six per cent from the time of completion and a penalty of five per cent, as provided by law, the same to be collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

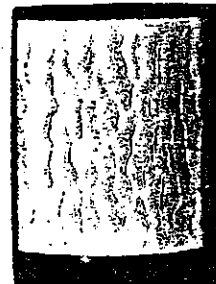
Section 8. All ordinances or resolutions, or parts thereof, inconsistent herewith be and the same are hereby repealed.

ENACTED into an ordinance this 13th day of May, 1953.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Nathan P. Bauman,
Vice President

Attest:
Richard M. Brown, Jr.,
Secretary



An Ordinance

NO. 171
An Ordinance Laying Out and Opening a Certain Road within the Township of Upper Dublin, Montgomery County, Pennsylvania, Being the Bed of Woodland Avenue, Extending Northwestwardly from Bernard Avenue to Paul Avenue Including a Small Portion of Paul Avenue at the Intersection which Provides for a Turn-around and More Specifically Set Forth in the Proposed Ordinance, A Full and Complete Copy of Which is As Follows:

WHEREAS, in the judgment of the Commissioners, Woodland Avenue between Bernard Avenue and Paul Avenue including a small portion of Paul Avenue at the intersection to provide for a turn-around, located in the Township of Upper Dublin, Montgomery County Pennsylvania, is necessary for the convenience of the public and should be maintained at public expense.

NOW, THEREFORE, BE IT ORDAINED and ENACTED in accordance with the authority provided by the laws of the Commonwealth of Pennsylvania, and it is hereby enacted by authority of the same, as follows:

Section 1. That the following tract of ground be and the same is hereby entered and received in the general plan of streets and lots known as and for a public highway, all in accordance with the Act of May 27, 1958, P. L. 220, as amended:

ALL THAT CERTAIN tract or strip of land, now known as Woodland Avenue, formerly called Tyson Lane, and a portion of Paul Avenue at its intersection with Woodland Avenue, as laid out on a plan of lots known as Tyson Terrace dated September 9, 1926, revised September 28, 1938, prepared by Albright and Mebus situate in the Township of Upper Dublin, County of Montgomery, State of Pennsylvania, more fully bounded and described according to a Plan and Profile of Woodland Avenue, dated May 28, 1958, revised July 7, 1958 prepared by William T. Weir, Registered Professional Engineer, Ambler, Pennsylvania, as follows, to wit:

BEGINNING at a point on the Northeast side of Woodland Avenue as originally laid out forty (40) feet wide, at the point of intersection of the aforesaid side of Woodland Avenue with the Northwest side of Bernard Avenue, forty (40) feet wide said point of intersection being North 47 degrees, 38 minutes, 20 seconds West 20 feet from a point on the centerline of Bernard Avenue, said line mentioned point being North 42 degrees 21 minutes 40 seconds East 122.2 feet from the point of intersection of the aforesaid centerline of Bernard Avenue with the centerline of Woodland Avenue presently opened Forty (40) feet wide Southeast of Bernard Avenue; thence from the point of beginning along the aforesaid Northwest side of Bernard Avenue South 42 degrees 21 minutes 40 seconds West 62.76 feet to a point of curvature of a radius corner on the Southwest side of Woodland Avenue; thence along the same the six (6) following courses and distanced line bearing to wit:

the left in a Northeast to Northwest direction with a radius of 10 feet the arc distance of 19.85 feet to a point of reverse curve, (2) by a curved line bearing to the right in a Northwestly direction with a radius of 110.38 feet the arc distance of 294.39 feet to a point of tangency, (3) North 47 degrees 38 minutes 20 seconds West 380 feet to a point of curvature, (4) by a curved line bearing to the left in a Northwesterly direction with a radius of 383.21 feet the arc distance of 184.94 feet to a point of tangency, (5) North 77 degrees 38 minutes 20 seconds West 18.51 feet by a curved line bearing to the right in a Northwesterly direction with a radius of 109.22 feet to the point of intersection of the aforesaid Southwest side of Woodland Avenue with the Southeast side of Paul Avenue, forty (40) feet wide; thence along the same South 55 degrees 33 minutes West 29.21 feet to the bed of Paul Avenue, North 34 degrees 23 minutes West 40 feet to a point on the Northwest side of Paul Avenue; thence along the same extended North 55 degrees 33 minutes East 91.45 feet to a point; thence crossing the bed of Paul Avenue South 34 degrees 25 minutes East 40 feet to a point on the Southeast side of Paul Avenue, a point of curvature of a radius corner on the Northwest side of Woodland Avenue; thence along the same the six (6) following courses and distance to wit: (1) by a curved line bearing to the left in a Southwest to Southeast direction with a radius of 10 feet the arc distance of 21.23 feet to a point of compound curvature, (2) by a curved line bearing to the left in a Southeastly direction with a radius of 304.69 feet the arc distance of 63.63 feet to a point of tangency, (3) South 77 degrees 38 minutes 20 seconds East 18.51 feet to a point of curvature, (4) by a curved line bearing to the right in a Southeastly direction with a radius of 383.21 feet the arc distance of 205.89 feet to a point of tangency, (5) South 47 degrees 38 minutes 20 seconds East 380 feet to a point of curvature, (6) by a curved line bearing to the left in a Southwesterly direction with a radius of 670.38 feet the arc distance of 311.04 feet to the point and place of beginning.

Section 2. That the proper officers of the Township are authorized and directed to make a Report, together with a draft or survey of the said road, fixing the width as herein determined, and noting the improvements along the line thereof, and the names of the owners of property abutting thereon, in the Office of the Clerk of Court of Quarter Sessions of Montgomery County, Pennsylvania, in accordance with the laws in such case made and provided, APPROVED by the Board and enacted into an Ordinance this 15th day of July, 1958.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Henry Lee Wilmet,

Attest: Richard M. Brown, Jr.,
Secretary

An Ordinance

NO. 172

An Ordinance Fixing the Grade, Averaging and Directing the Paving and Curbing of Woodland Avenue Extending Northwardly from Bernard Avenue to Paul Avenue and the Bed of Paul Avenue at the Intersection to Fayette For a Turnaround in the Township of Upper Dublin, Montgomery County, and State of Pennsylvania.

WHEREAS, the Commissioners of Upper Dublin Township have classed the following street for paving and curbing and the assessing and collecting of the whole cost thereof from the owners of real estate abutting thereon by an equal assessment on the foot front, including the expense of necessary drainage; and appropriate petitions or requests from the adjoining property owners have been properly submitted to the Township authorities; NOW, THEREFORE, be it and it is hereby enacted and ordained by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, as follows: Section 1. The grade for the centerline of Woodland Avenue from Bernard Avenue to Paul Avenue is described as follows:

BEGINNING at an elevation of 71.26 feet at Station 3+1.32 (centerline of Bernard Avenue equal Station 3+68.35); thence along the centerline of Woodland Avenue in a Northwesterly direction the following grades and distances: (1) with an ascending grade of 3.0 per cent for a distance of 88 feet to an elevation of 73.30 feet at a point of grade intersection of a 40 foot vertical curve; (2) with an ascending grade of 4.333 per cent for a distance of 150 feet to an elevation of 79.80 feet at a point of grade intersection of a 40 foot vertical curve; (3) with an ascending grade of 1.50 per cent for a distance of 87.90 feet to a point of grade intersection of a 120 foot vertical curve; (4) with an ascending grade of 1.0 per cent for a distance of 400 feet to a point of grade intersection of a 40 foot vertical curve; (5) with an ascending grade of 2.247 per cent for a distance of 250 feet to an elevation of 87.50 at a point of grade intersection of Paul Avenue and Woodland Avenue.

Section 2. That Woodland Avenue, including a small portion of the bed of Paul Avenue, as laid out by Ordinance No. 171, adopted July 15th, 1958, and hereinafter described, be paved with bituminous paving material in accordance with Township specifications, including necessary grading and construction of drainage or drainage facilities, storm sewers, curbing or other requisite work, awarded to be done by contract bidder, all under the supervision of the Township Engineer and the specifications of the Township and the general plan for paving and curbs along the street as is more particularly described as follows:

ALL THAT CERTAIN tract or strip of land, now known as Woodland Avenue formerly called Tyson Lane, and a portion of Paul Avenue at its intersection with Woodland Avenue, as laid out on a plan of lots known as Tyson Terrace dated September 9, 1926, revised September 28, 1938, prepared by Albright and Mebus, situated in the Township of Upper Dublin,

County of Montgomery, State of Pennsylvania, more fully bounded and described according to a Plan and Profile of Woodland Avenue, dated May 28, 1958, revised July 1, 1958, prepared by William T. Weir, Registered Professional Engineer, Ambler, Pennsylvania, as follows, to wit:

BEGINNING at a point on the Northeast side of Woodland Avenue, as originally laid out forty (40) feet wide, at the point of intersection of the aforesaid side of Woodland Avenue with the Northwest side of Bernard Avenue forty (40) feet wide, said point of intersection being North 47 degrees 33 minutes 20 seconds West 20 feet from a point on the center line of Bernard Avenue, said last mentioned point being North 42 degrees 21 minutes 40 seconds East 12.22 feet from the point of intersection of the aforesaid centerline of Bernard Avenue with the centerline of Woodland Avenue presently opened forty (40) feet wide Southeast of Bernard Avenue; thence from the point of beginning along the aforesaid Northwest side of Bernard Avenue South 42 degrees 21 minutes 40 seconds West 62.76 feet to a point on the curvature of a radius of 353.21 feet on the Southwest side of Woodland Avenue; thence along the same six (6) following courses and distances to wit: (1) by a curved line bearing to the left in a Northeast to Northwest direction with a radius of 10 feet the arc distance of 19.85 feet to a point of reverse curve; (2) by a curved line bearing to the right in a Northwesterly direction with a radius of 71.98 feet the arc distance of 294.39 feet to a point of tangency; (3) North 47 degrees 38 minutes 20 seconds West 380 feet to a point of curvature; (4) by a curved line bearing to the left in a Northwesterly direction with a radius of 353.21 feet the arc distance of 184.94 feet to a point of tangency; (5) North 77 degrees 33 minutes 20 seconds West 18.51 feet to a point line bearing to the right in a Northwesterly direction with a radius of 344.69 feet the arc distance of 109.22 feet to the point of intersection of the aforesaid Southwest side of Woodland Avenue with the Southeast side of Paul Avenue; (40) feet wide; thence along the same South 55 degrees 35 minutes West 29.21 feet to a point; thence crossing the bed of Paul Avenue North 34 degrees 25 minutes West 40 feet to a point on the Northwest side of Paul Avenue; thence along the same six (6) following courses and distances to wit: (1) by a curved line bearing to the left in a Southwest to Southeast direction with a radius of 10 feet the arc distance of 21.28 feet to a point of compound curvature; (2) by a curved line bearing to the left in a Southeastly direction with a radius of 304.69 feet the arc distance of 63.63 feet to a point of tangency; (3) South 77 degrees 38 minutes 20 seconds East 18.51 feet to a point of curvature; (4) by a curved line bearing to the right in a South-

easterly direction with a radius of 392.21 feet the arc distance of 205.89 feet to a point of tangency; (5) South 47 degrees 38 minutes 20 seconds East 380 feet to a point of curvature; (6) by a curved line bearing to the left in a Southeastly direction with a radius of 670.38 feet the arc distance of 311.04 feet to the point and place of beginning.

Section 3. The Township Engineer shall be and is hereby designated as the person in charge of said work, with full power to act for the Township in all things in connection with said work, and to estimate assessments.

Section 4. Any trees, pipes or other materials or substances interfering with the free and full construction of said work are hereby declared to be nuisances and may be removed, or changed by or under the direction of the Township Engineer.

Section 5. The cost and expenses of the entire work, including construction of drainage, storm sewers, or any other drainage or carrying off the flow of surface waters, shall be paid as follows:

The whole cost by the owners of real estate fronting, abutting or bounding on the said street, in accordance with the provisions of the First Class Township Code of 1949, May 27, P. L. 1955, Section 45, as amended by the Act of 1958, May 27, P. L. 240, Section 3, and any and all other appropriate provisions of the First Class Township Code, its supplements and amendments.

Section 6. Curbs shall be constructed and the entire cost of such curbing and incidental grading in connection therewith shall be assessed against and collected from the abutting properties and property owners on the foot front rule as the sole cost of the property owners.

Section 7. Upon completion of the said project and determination of all costs in connection therewith, the Township Engineer shall deliver the same in writing to the Secretary of the Township, who shall cause thirty days' notice of the assessment of costs to be given to each party assessed, either by service, on the owner, or his or its agent, or left on the assessed premises, in accordance with the provisions of the First Class Township Code and the Acts of Assembly in such case made and provided.

Section 8. If any assessment shall remain unpaid at the expiration of the notice, it shall be promptly reported and certified to the Township Solicitor together with all pertinent information in connection therewith, who shall forthwith lien the land adjoining said unpaid owners for the cost assessed against the same, together with interest at six per cent from the time of completion and a penalty of five per cent, as provided by law, the same to be collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

Section 9. All ordinances or resolutions, or parts thereof, inconsistent herewith be and the same are hereby repealed.

ENACTED into an ordinance this 15th day of July, 1958.
COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP
By: Henry Lee Willet, President

Attest: Richard M. Brown, Jr.,
Secretary

Ordinance No. 173

AN ORDINANCE REQUIRING THAT CERTAIN OCCUPIED BUILDINGS ON NORTH HILLS AVENUE AND APEL AVENUE, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AS DEFINED IN ORDINANCE NO. 112 ADOPTED BY THE COMMISSIONERS OF UPPER DUBLIN TOWNSHIP ON APRIL 12, 1955, BE CONNECTED WITH THE SANITARY SEWER COLLECTION SYSTEM; MAKING IT UNLAWFUL TO CONSTRUCT OR MAINTAIN PRIVIES, CESSPOOLS, SEPTIC TANKS, OR OTHER DEVICES CONDUITS FOR THE DISCHARGE OF SEWAGE ACCEPTANCE INTO SAID SANITARY SEWERS; AND PRESCRIBING PENALTIES.

WHEREAS, the Board of Township Commissioners of Upper Dublin Township, in order to promote and benefit the people of the Commonwealth of Pennsylvania and of said Township, and more particularly the properties abutting on the North Hills Avenue beginning at the intersection of Spear Avenue and North Hills Avenue and thence in the bed of North Hills Avenue in a Southwesterly direction 1630 feet to a manhole approximately 100 feet Northeast of the middle of Jenkintown Road, and of Apel Avenue beginning at a manhole situate at the Northwesterly side of Pennsylvania Avenue at the intersection of Apel Avenue; thence continuing in the bed of Apel Avenue in a Southeasterly direction 557 feet which point of ending is approximately 534 feet from the Southwesterly side of Pennsylvania Avenue, caused the adoption of Ordinance No. 112 on the 12th day of April, 1955; and

WHEREAS, the Board of Township Commissioners in order to promote the health, safety and welfare of the people of said Township and of the Commonwealth of Pennsylvania, and more particularly the properties adjacent to North Hills Avenue and Apel Avenue, as aforesaid, and the purity of its waters, believing that the use thereof is generally unsafe and unsanitary, deems it advisable to prohibit the use of privies, cesspools, septic tanks or similar receptacles for receiving sewage within the area served from North Hills Avenue and Apel Avenue, as aforesaid, in that such use encourages the spread of disease and impairs public health, and to require connections to be made to said sewer collection system.

FOR RECEIVING SEWAGE OR BE IT ENACTED and ORDAINED by the Board of Township Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. Definitions:

(a) "Industrial waste" means and refers to the liquid waste from industrial processes as distinct from domestic sewage.

(b) "Lateral" means and refers to that part of the sewer system extending from a public main or street to curb line or property line if there is no curb, including the "Y" connection from the main sewer line.

(c) "Occupied building" means and refers to any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial waste, or either thereof, is or may be discharged.

(d) "Person" includes associations, partnerships, limited partnerships, joint stock companies and corporations.

(e) "Property accessible to the sewer system" means and refers to real estate which adjoins, abuts on, or is adjacent to the sewer system.

(f) "Sewage" means and refers to the normal water carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

(g) "Sewer system" means and refers to the sanitary sewer collection system and the appurtenant facilities constructed in or about North Hills Avenue and Apel Avenue, as defined in Section 1-a and 1-b of Ordinance No. 112 adopted by the

Commissioners of Upper Dublin Township on April 12, 1955, and any improvements, additions or extensions that hereafter may be made thereto by the Township, or any part or parts of any or all thereof.

(h) "Township" means and refers to Upper Dublin Township, Montgomery County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

Section 2.

(a) All persons owning any occupied building now erected upon property accessible to the sewer system shall at their own expense connect such building with the sewer system within ninety days after the effective date of this Ordinance.

(b) All persons owning any property accessible to the sewer system upon which a building is hereafter erected shall, at the time of the erection of such building and at their own expense, connect the same with the sewer system.

(c) All persons owning any occupied building upon property which hereafter becomes accessible to the sewer system shall at their own expense connect such building with the sewer system within ninety days after notice to do so from the Township.

Section 3. It shall be unlawful for any person owning any property accessible to the 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 after the expiration of the periods specified in Section 2 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facilities for the discharge of sewage except into the sewer system.

Section 4. Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, and which shall be required to connect thereto, or who otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this Ordinance, shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner provided by law.

Section 5. All connections with said sewer system shall be made only upon application and permit in prescribed form and shall be made in accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set at length in this Ordinance.

Section 6. After the expiration of the periods specified in Section 2 of this Ordinance, if any owner of an occupied building on property accessible to the sewer system shall have failed to connect such property with the sewer system as required by said Section 2, the Township may cause to be served on the owner of such property, so failing to connect to said sewer system, and also upon the occupants of the building in question a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied within ninety days from the date thereof.

Upon failure of any such owner, who has been duly notified as hereinabove provided, to comply with the requirements of any such notice or with the provisions of this Ordinance, the Board of Commissioners shall cause the necessary connection to be made, and upon completion of the work for the same shall render a bill covering the cost of said work to the owner of such premises, and file a duplicate thereof with the Township Treasurer, to whom

such bill shall be made payable for the use of the Township. All such bills shall contain a notice that, if said bills be not paid within thirty (30) days after the date thereof the same shall be collected in the manner provided by law. Upon the expiration of thirty days after said bills have been rendered to the owners of such premises, it shall be the duty of the Township Treasurer to refer to the Township Solicitor all such bills remaining unpaid, and the Township Solicitor shall thereupon take the necessary action to effect the collection of such unpaid bills in the manner provided by law.

Section 7. It shall be unlawful to discharge into the sewer system any industrial waste or other matter whatsoever injurious to the sewerage structures, or to the process of treating sewage, or any drainage resulting from rain water, surface water, springs, wells, streams or other ground water, or any sewage or drainage containing matter of any sort liable to form a deposit in the sewer or drain pipes or to create obstruction therein.

Section 8. The discharge of garbage in any form into the sewer system is prohibited, and no fixture or machine for grinding or disposal of garbage shall be connected directly or indirectly to the sewer system.

Section 9. No water used in the operation or in conjunction with any air-conditioning system shall be discharged into the sewer system.

Section 10. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall discharge or cause to be discharged into the sewer system or any lateral matter of any sort liable to form a deposit or to create obstructions therein, or who shall break into or otherwise make connections therewith without having first procured the permit required by this Ordinance, or who shall fail to comply with any of the requirements of any permit or of this Ordinance; or who shall fail to comply with any rule or regulation of the Board of Township Commissioners, or any authorized agent for the Board of Township Commissioners concerning the manner of making connections with the sewer system or the use of the same; or shall in any way violate any of the provisions of this Ordinance, shall be liable on conviction thereof to a fine or penalty of Ten Dollars (\$10.00) for each and every offense. Whenever any person shall have been notified by the Board of Commissioners or their duly authorized agent, or by service of summons in a prosecution, or in any other way, that a violation of this Ordinance or the rules and regulations of the Board of Township Commissioners is being committed by him or them, each day in which he or they shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty.

Such fines or penalties shall be collected as like fines and penalties are now collected by law.

Section 11. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

DULY ENACTED AND ORDAINED into an Ordinance this 15th day of July 1958.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By Nathan P. P. Bauman,
Vice-President
Attest Richard M. Brown, Jr.
Secretary

An Ordinance

No. 174

An Ordinance Establishing the Rate of Speed on Bethlehem Pike, Legislative Route No. 153, Between A Point In Line Dividing The Township of Upper Dublin With The Township of Lower Gwynedd and Ending At A Point In Line of Land Dividing The Township of Upper Dublin With The Township of Whitemarsh, In The Township Of Upper Dublin, Montgomery County, Pennsylvania.

WHEREAS, the Secretary of Highways of the Commonwealth of Pennsylvania has declared the established speed of thirty-five (35) miles per hour over Bethlehem Pike, otherwise designated as Legislative Route No. 153, from the line dividing the Township of Upper Dublin with the Township of Lower Gwynedd and the line dividing the Township of Upper Dublin with the Township of Whitemarsh as unwarranted; and

WHEREAS, the aforesaid Secretary of Highways of the Commonwealth of Pennsylvania has fixed the rate of speed on the aforesaid Bethlehem Pike between the points aforesaid at forty (40) miles per hour; and

WHEREAS, in obedience to the aforesaid direction, the Board of Commissioners of the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, does hereby ordain and enact:

Section 1. The maximum speed on Bethlehem Pike, otherwise designated as Legislative Route No. 153, in the Township of Upper Dublin, County of Montgomery, between the line dividing the Township of Upper Dublin with the Township of Lower Gwynedd and the line dividing the Township of Upper Dublin with the Township of Whitemarsh, is hereby fixed at forty (40) miles per hour.

Section 2. Speeds in excess of the maximum limit provided in Section 1 above shall be unlawful.

Section 3. Signs regulating the speed on the aforesaid highway within the Township of Upper Dublin shall be erected and maintained by the Township, the type of sign and location to be in accordance with the Vehicle Code of the Commonwealth of Pennsylvania now in existence or hereinafter enacted.

Section 4. Any person violating any of the provisions of this ordinance shall be guilty of a summary offense and when convicted before a Justice of the Peace shall be sentenced to pay a fine of Ten Dollars (\$10.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than five (5) days.

Section 5. The method of determining the rate of speed and the enforcement of this ordinance in general shall be provided by the terms of the Vehicle Code of the Commonwealth of Pennsylvania now in existence or hereinafter enacted.

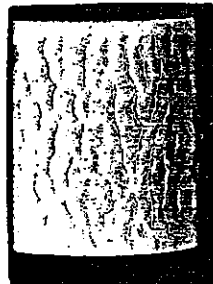
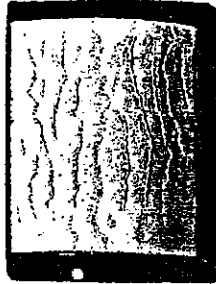
Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED and ENACTED this 15th day of July, 1953.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP
By: Henry Lee Willet

President

Attest: Richard M. Brown
Secretary



M.C.H.P.

Ordinance No. 175

AN ORDINANCE IMPOSING SEWER RENTALS FOR THE USE OF THE SEWERS AND THE SEWER SYSTEM SERVING THE MONTGOMERY COUNTY HOUSING AUTHORITY PROJECT AS PROVIDED IN ORDINANCE NO. 53 ADOPTED JANUARY 9, 1951 AND AMENDED BY ORDINANCE NO. 60 ADOPTED JULY 10, 1951; PROVIDING FOR THE COLLECTION THEREOF AND THE FILING OF LIENS THEREFOR; AND PROVIDING FOR RULES AND REGULATIONS.

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

SECTION I. IMPOSITION OF SEWER RENTALS.

There is hereby imposed upon each property located within the service area served by the sewer system serving the Montgomery County Housing Authority Project as provided in the Provisions of Ordinance No. 53 of the Township of Upper Dublin adopted January 9, 1951 and as amended by Provisions of Ordinance No. 60 adopted by Township of Upper Dublin on July 10, 1951 and having use thereof, an annual sewer rental payable as hereinafter provided, for the use, whether direct or indirect, of the sewer system, based on the rates hereinafter set forth.

SECTION II. SEWER RATES.

The annual sewer rental for properties within the aforesaid sewer area shall be billed semi-annually and shall be a charge of rental commensurate with the facilities in each connected property pursuant to the following schedule:

A. SINGLE FAMILY DWELLING UNITS

(1) MINIMUM RATES.

One basin, one sink, one water closet, one bathtub and one laundry tub or any one or any combination thereof (no substitutions being permitted) . . . \$30.00

B. MULTIPLE FAMILY DWELLING UNITS INCLUDING APARTMENT HOUSES.

The rates for multiple family dwelling units including apartment houses shall be the Minimum Rates and Additional Rates specified herein after.

(1) MINIMUM RATES

One basin, one sink, one water closet, one bathtub, and one laundry tub or any one or any combination thereof (no substitutions being permitted) . . . \$24.00

(2) ADDITIONAL RATES.

(Fixtures in addition to, or not included in, the fixtures listed under (1) above)

Basin	.....	\$3.00
Sink	.....	\$5.00
Water Closet	.....	\$3.00
Bathub	.....	\$4.00
Stall Shower	.....	\$4.00
Laundry Tub	.....	\$1.00
Dish Washer	.....	\$3.00
Automatic Washer	.....	\$3.00
Floor Drain	.....	\$5.00

(3) ADDITIONAL CLASSIFICATION.

Rates for additional classifications and for fixtures not enumerated above and modifications of the above schedule of sewer rates may be fixed and established by the Board of Health of the Township of Upper Dublin with the same force and effect as if set out herein.

SECTION III. TIME AND METHOD OF PAYMENT AND PENALTIES.

Sewer rental bills will be rendered semiannually on January 1 and July 1 of each year in advance covering the next half of the calendar year. The initial bill shall include only that portion of the half calendar year in which the connection to the Sewer System is made. Sewer rental bills are payable at par for 60 days after January 1, and July 1, and shall include a penalty of 5% if paid after 60 days and not more than six months thereafter. Such penalty shall be increased to 10% of the sewer rental bill if not paid until after six months after each January 1 or July 1.

Payments mailed as evidenced by the United States Post Office made on or previous to the end of the period during which the bills are payable at par will be deemed to be a payment within such period.

All persons connected to the Sewer System must give the Township their correct address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of the period during which bills are payable at face.

SECTION IV. LIENS, DELINQUENT SEWER RENTALS AND PENALTIES.

All sewer rentals, together with all penalties thereon, not paid on or before the end of one year from each January 1 and July 1 shall be deemed to be delinquent. All delinquent sewer rentals and all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Montgomery County and shall be collected in the manner provided by law for filing and collection of such liens.

SECTION V. RULES AND REGULATIONS.

The Township reserves the right to, and may from time to time, adopt, revise, and amend and re-adopt such rules and regulations as it deems necessary and proper for the use and operation of the Sewer System and all such Rules and Regulations shall be and become a part of this Ordinance.

SECTION VI. EFFECTIVE DATE.

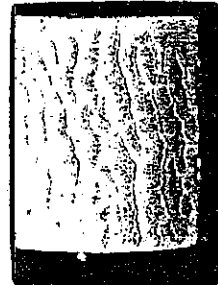
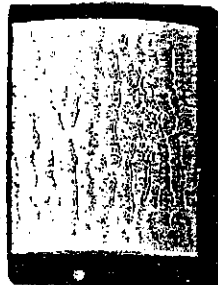
This Ordinance and the Rules and Regulations hereunder shall become effective at once and shall be applicable to the properties on Service Area as soon as they become connected with and have the right to use the Sewer System. Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

SECTION VII. CONSTRUCTION AND SEVERABILITY.

If any of the provisions, sections, sentences, clauses or parts of this Ordinance or the application of any provisions hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

DULY ENACTED by the Board of Township Commissioners of Upper Dublin Township this 19th day of August 1956.

By: Henry Lee Willet, President
Attest: Richard M. Brown, Jr., Secy



Ordinance No. 176

AN ORDINANCE PROHIBITING THE PARKING OF MOTOR VEHICLES UPON ANY STREET OR HIGHWAY IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA; PROVIDING FOR THE ERECTION OF OFFICIAL SIGNS AND PROVIDING PENALTIES FOR VIOLATION, EXCEPTING VIOLATIONS FROM PROSECUTION THEREUNDER UPON CERTAIN CONDITIONS.

The Board of Township Commissioners do hereby enact and ordain:

SECTION 1. The parking of any motor vehicle upon any street or highway in the Township of Upper Dublin, Montgomery County, Pennsylvania is hereby prohibited.

SECTION 2. The Board of Township Commissioners may, from time to time direct the proper officers of the Township to erect official "No-Parking" signs in accordance with the provisions of the Motor Vehicle Code upon such Township Highways or portion thereof as it shall deem necessary for the safety and welfare of the traveling public or the residents of Upper Dpblin Township.

SECTION 3. Any person parking a motor vehicle upon a street or highway in an area in which official "No-Parking" signs have been erected as aforesaid shall, upon summary conviction before a Justice of the Peace, be sentenced to pay a fine of not less than Two Dollars (\$2.00) nor more than Ten Dollars (\$10.00) and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than three (3) days in the Montgomery County Prison, excepting that in all cases where a police officer of the Township shall first give notice of the offense by either handing to the offending operator, or affixing securely to the motor vehicle in question, a ticket on which he has noted the time and place of the offense, the nature of the offense, and the license registration of the motor vehicle in question and bearing the statement that no prosecution shall be instituted for forty-eight (48) hours thereafter, and that if during said forty-eight (48) hour period, the offender shall voluntarily appear at the office of the Township Secretary, Township Building, 1111 Bethlehem Pike, Ambler, Pennsylvania, and voluntarily enter a plea of guilty, and pay a fine of Two (2) Dollars to the Township Secretary, then no prosecution for said offense shall thereafter be brought, provided, if during said forty-eight (48) hour period the offender shall voluntarily appear and pay a fine of Two (\$2.00) Dollars in compliance with the provisions of the said ticket.

The Chief of Police and the Township Secretary are hereby authorized to prepare a ticket in the form prescribed by this Ordinance and to cause a suitable number of such tickets to be printed for use by the police officers of the Township.

Enacted and ordained this 19th day of August, 1958.

BOARD OF TOWNSHIP
COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP
By: Henry Lee Willet, President
Attest: Richard M. Brown, Jr.,
Secretary

the actual amount of use and receipts of dumping fees in order that the Board could determine whether to continue this arrangement.

Mr. Wentz also reported that one of the trash trucks would be equipped with a snow plow attachment to increase the number of snow plows to three. He further noted the need to lower manhole covers on certain roads.

Public Safety - The Police Report for August was reviewed and approved.

It was reported that the Borough of Ambler had agreed to share in the construction and maintenance costs of a traffic signal system at Bethlehem Pike and Lindenwold Avenue if the survey requested by Upper Dublin indicates a need for such a system.

On motion of Bauman and Wentz, the Board adopted Ordinance No. 177 establishing the National Fire Code as the fire code for Upper Dublin Township. This ordinance also includes certain revisions to the code recommended by the Fire Board.

Mr. Willet submitted a letter from Major General A. J. Drexel Biddle requesting that the Township cooperate in the observance of United Nations Day, October 24th. On motion of Willet and Jenkins, Mr. Bauman was appointed Chairman of the United Nations Day Committee for Upper Dublin.

The Secretary was instructed to inform General Biddle of the Township's desire to cooperate and send a copy to the School District.

Mrs. Philip H. Peterson, Jr. reported that the Fort Washington Civic Assn. is requesting the assistance of the Keystone Automobile Club in obtaining the fencing of the Expressway where it crosses under Madison, Summit and Fort Washington Avenues. The Secretary was instructed to write to the Penna. Department of Highways indicating the Township's support of this request.

Mr. Willet reported that the Township is still attempting to have elevated sidewalks added to the Fort Washington Avenue bridge over the Expressway. It was noted that the contractor expects to open the bridges over Madison and Summit Avenues within two weeks.

Mr. Weir reported that he expects to have grills placed over the sewer openings in the Fairway Estates area.

The meeting was recessed at 9:13 P.M. to go into Executive Session.

The meeting was reconvened at 11:24 P.M.

On motion of Wentz and Tressler, the Board denied the petition for the rezoning of the Bleming property on Welsh Road at Kimball Ave. from Commercial District CR-L to Residential Retail District - RR. Mr. Bauman and Mr. Jenkins voted against this motion.

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An Ordinance

ORDINANCE NO. 178
An Ordinance To Provide Additional Revenue by Readopting Ordinance No. 103-B Adopted February 12, 1955, Readopted by Ordinance No. 126 Approved December 13, 1955, and Subsequent Amendments Thereto, Being the Real Estate Transfer Tax Ordinances.

By virtue of the Act of Assembly of June 25, 1947, P. L. 1145, as amended, be it ordained and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1. That the provisions of Ordinance 103-B approved February 12, 1955 and readopted by Ordinance No. 126 approved December 13, 1955, both of which imposed a tax to provide general revenue for township purposes upon certain documents transferring title to real property; upon the privilege of transferring title of real property; upon the transfer of title to and the acceptance of possession of real property, situate wholly or partly within the Township; imposing the tax upon the grantor, the transferrer and the party accepting possession; imposing duties and conferring powers on the collector; prescribing the method and manner of collecting the tax; providing certain exemptions; and imposing penalties; be and the same are reenacted without change to be effective for the year beginning January 1, 1959.

APPROVED by the Board of Commissioners and enacted into an ordinance this 9th day of December, A. D. 1958.

**BOARD OF COMMISSIONERS
OF UPPER DUBLIN TOWNSHIP**

By Henry Lee Willet, President
Attest:
Richard M. Brown, Jr., Secretary

An Ordinance

ORDINANCE 179

Appropriating and Making A Change in Certain Appropriations Heretofore Made by the Board of Township Commissioners of the Township of Upper Dublin Under Ordinance No. 165 Dated February 11, 1958.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Township Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 11th day of February, 1958, appropriated out of the estimated revenue and income available for said year, certain sums estimated by them to be required for the several specific purposes of Township Government, and

WHEREAS, Because of the difficulty in accurately determining the exact amount required for certain of the specific purposes of Township Government, which are or may be largely affected by unforeseen contingencies, the same appropriated to the following specific purposes to wit: Garbage, Ash and Rubbish Collection and Disposal; Streets and Bridges (Operation & Maintenance, and Purchase of Major Equipment); Street Lights; Insurance; Pensions; and Transfers to Sinking Funds have proved insufficient for such purposes, and

WHEREAS, The sums appropriated for the following specific purposes, to wit: Parks and Playgrounds, and Principal on Indebtedness are in excess of the requirements thereof, and

WHEREAS, The contribution received from the Commonwealth of Pennsylvania for transmittal to the Trustee for the Police Pension Fund was in excess of the amount anticipated as both a receipt and a disbursement, it now becomes necessary that the unappropriated funds be applied to meet the deficiency in the heretofore mentioned appropriation.

NOW, THEREFORE, the Board of Township Commissioners of the Township of Upper Dublin do hereby enact and ordain:

Section 1. That the sum of \$6,500 of the Parks and Playgrounds appropriation be now transferred as follows:

\$5,500 to Streets and Bridges
\$1,000 to Street Lighting

Section 2. That the sum of \$7,336.00 of the Principal on Indebtedness appropriation be now transferred as follows:

\$2,500 to Insurance
\$1,500 to Garbage, Ash and Rubbish Collection
\$3,336 to Transfers to Sinking Funds

Section 3. That the estimated revenues be increased to reflect the receipt of an additional \$1,010.22 and the appropriation for Pensions be increased to reflect the disbursement of the additional \$1,010.22.

Adopted and enacted into an Ordinance this 9th day of December 1958, A. D.

BOARD OF COMMISSIONERS
OF UPPER DUBLIN TOWNSHIP
By Henry Lee Willet, President

Attest:
Richard M. Brown, Jr., Secretary

An Ordinance

No. 120

An Ordinance To Amend An Ordinance Approved August 20th, 1956, Designated As Ordinance per Dublin Township Zoning No. 140, and Known as the Ordinance of 1956, and a Map Hereof, So As To Extend the Boundaries of a Residentially Zoned B Area Into An A Area Along the Northerly Side of Fitzwatertown Road Beginning At Or About Its Intersection With North Hills Avenue, As Hereinafter Described.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same:

Section 1: That the Zoning Map adopted and approved as a part of the "Upper Dublin Township Zoning Ordinance of 1956" as amended, be further amended as follows:

(a) That the territory hereinafter described be changed from A Residential to B Residential:

BEGINNING at a point, an angle point in Fitzwatertown Road, said point being North 64 degrees, 23 minutes West 19.04 feet from a point in the middle of North Hills Avenue as now established 50 feet wide; thence along the middle of Fitzwatertown Road as here established 50 feet wide the two (2) following courses and distances to wit: (1) North 64 degrees 23 minutes West 342.25 feet to a point of curvature, (2) by a curved line bearing to the left in a

Northwest to Southwest direction with a radius of 185 feet the arc distance of 152.22 feet to a point; thence crossing the Northerly half of Fitzwatertown Road North 21 degrees 31 minutes 33 seconds West 25 feet to a point on the Northerly side of the same and in line of land of William and Ellen Meirs; thence along land of William and Ellen Meirs North 47 degrees 10 minutes East 629.01 feet more or less to a point a corner of land now or late of Katherine Canon Estate; thence along the same the three (3) following courses and distances to wit:—(1) South 33 degrees 35 minutes East 399.30 feet more or less to a point a corner. (2) South 37 degrees 5 minutes East 119.62 feet more or less to a point a corner at the Northeast corner of milk or springhouse. (3) South 19 degrees East 62.24 feet to a point in the middle of Fitzwatertown Road the Northwest side of which is to be established 25 feet from the middle of the same; thence along the said middle of Fitzwatertown Road South 69 degrees 13 minutes West 330.37 feet more or less to the point and place of beginning.

APPROVED by the Board of Commissioners of Upper Dublin Township this 13th day of January, A. D. 1959.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By Nathan P. Bauman,
V. President

Attest: Richard M. Brown,
Secretary 22 Jan 1959

ORDINANCE NO. 181

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND THE COMMONWEALTH OF PENNSYLVANIA, fixing the tax rate for the year 1959 and appropriating specific sums estimated to be required for the specific purposes of the Township government, hereinafter set forth, during the current fiscal year.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania:

SECTION 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for the Township purposes for the fiscal year 1959, as follows:

Tax rate for general Township purposes, the sum of Eleven and one-half (11½) mills on each dollar of assessed valuation, or the sum of one hundred fifteen (115) cents on each one hundred dollars of assessed valuation.

For Fire House purposes, the sum of Three quarters of one (¾) mill on each dollar of assessed valuation, or the sum of Seven and one-half (7½) cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

Purpose	Mills on each dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Township Purposes	11½	\$1.15
Tax Rate for Fire House	¾	.07½
Total	12¼	\$1.22½

SECTION 2. That for the expenses of the Township for the fiscal year 1959 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 — Schedule B.

GENERAL OPERATING FUNDS

Summary of Estimated Receipts

Cash and securities for Appropriation	\$ 46,411.14
Receipts from Current Tax Levy	142,105.14
Receipts from Taxes of Prior Years	8,248.82
Other Revenue Receipts	120,905.00
Miscellaneous non-revenue Receipts	29,500.00
Total Estimated Receipts and Cash	\$347,170.10

SUMMARY OF APPROPRIATIONS

	Oper. & Maint.	Capital Outlay	Total
General Government			
Administration	\$22,295.00	\$ 750.00	\$ 23,045.00
Treasurer and Tax Collector	1,800.00		1,800.00
Township Buildings	3,000.00	20,000.00	23,000.00
Total	27,095.00	20,750.00	47,845.00
Protection to Persons & Property			
Police	69,997.00	12,600.00	82,597.00
Fire	7,750.00		7,750.00
Building Regulation & Zoning	4,400.00		4,400.00
Total	82,147.00	12,600.00	94,747.00
Health and Sanitation			
Health Bureau	3,550.00		3,550.00
Rubbish & Garbage Collection & Disposal	36,374.00	9,000.00	45,374.00
Sanitary Sewers	5,300.00	30,966.56	36,266.56
Total	45,224.00	39,966.56	85,190.56
Highways			
Streets and Bridges	33,750.00	6,200.00	39,950.00
Street Lighting	6,000.00		6,000.00
Total	39,750.00	6,200.00	45,950.00
Library			
Total	300.00		300.00

Recreation			
Parks & Playgrounds	2,500.00	6,500.00	9,000.00
Total	2,500.00	6,500.00	9,000.00
Miscellaneous			
Insurance	6,460.00		6,460.00
Police Pension Fund	6,000.00		6,000.00
Firemen's Relief Fund	2,600.00		2,600.00
Total	15,060.00		15,060.00
Total for Operation, Maintenance and Capital Outlay			\$298,092.56
Debt Service			
Interest			175.00
Principal			25,000.00
Transfers to Sinking Fund			23,902.54
Total Debt Service			49,077.54
Total Appropriations from General Operating Funds			\$347,170.10

SEWER FUND

Summary of Estimated Receipts

Cash Balance for Appropriation	\$ 26,119.15
Receipts from Sewer Rents	24,181.50
Receipts from Non-Revenue Sources	4,500.00
Total Estimated Receipts and Cash	54,800.65

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	19,800.00
Capital Outlay	3,900.00
Other Non-Governmental	3,243.11
Total Appropriations from Sewer Fund	26,943.11
Operating Surplus	27,857.54

1957 Improvement Bonds Construction Fund

Summary of Estimated Receipts

Cash and securities for Appropriation	\$ 46,411.14
Receipts from Non-Revenue Sources	9,500.00
Total Estimated Receipts and Cash	115,007.25

SUMMARY OF APPROPRIATIONS

Capital Outlay (Estimated Costs of Projects)	100,100.00
Transfer to Revolving Fund	14,907.25
Total Appropriations	115,007.25

SINKING FUND

Summary of Estimated Receipts

Cash & Securities from Previous Year	12,694.54
Receipts from Current Tax Levy	9,147.07
Receipts from Taxes of Prior Years	50.00
Transfers from General Fund	23,902.54
Transfers from Sewer Fund	3,243.11
Total Estimated Receipts, Cash & Securities	49,037.26

SUMMARY OF APPROPRIATIONS

Interest to be Paid	5,968.13
Bonds to be Paid	23,000.00
Other Expenditures	150.00
Total Appropriations from Sinking Fund	34,118.13

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective Departments is on file in the office of the Secretary of the Township, 1111 Bethlehem Pike, Ambler, Pennsylvania.

SECTION 4. That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

Adopted this 16th day of February, A. D. 1959.
President of the Board of Township Commissioners

NATHAN P. BAUMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 181 enacted by the Commissioners of the Township of Upper Dublin on February 16, 1959.

RICHARD M. BROWN, JR., Secretary

An Ordinance

NO. 132

An Ordinance to Establish a Revolving Fund for Street, Sidewalk, Water Lines or Sewer Improvements.

Pursuant to the authority granted to townships of The First Class by the Act of General Assembly enacted 1931, June 24, P. L. 1206, Article XXVI p. 2601, and thereafter supplemented and amended, the Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, do hereby Ordain and Enact the following.

Section 1. That a revolving fund is hereby created for the Township of Upper Dublin and designated as the "Upper Dublin Township Revolving Fund."

Section 2. That the fund shall exist for the deposit of funds raised by the issuance of bonds; the assessment and collection of funds from owners of property adjoining or abutting upon certain hereinafter designated municipal improvements; and the levy and collection of an annual tax, when made, but not to exceed five mills on the dollar in any one year.

Section 3. That the fund shall be used for the cost and expense or any part thereof, of the construction of any permanent street, sidewalk, water lines, or sewer improvements.

Section 4. That when the cost and expense, or any part thereof, of the construction of any permanent street, sidewalk, or sewer improvement, which has been made under existing laws, and which has been aided in its construction from the said revolving fund hereby provided for, shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement, it shall be applied to the credit of the said revolving fund, to the extent of the withdrawal therefrom for such purpose.

ENACTED AND ORDAINED
the 10th day of March, 1959.

COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP

By: Nathan P. Bauman
President

Attest:

Richard M. Brown, Jr.
19 Mar 1959

An Ordinance

NO. 183

An Ordinance Providing for the Construction of Sanitary Sewers, Including Facilities, in the Bed of Loch Alsh Avenue and Hoffman Road, Township of Upper Dublin, Montgomery County, Pennsylvania.

The Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, does hereby enact and ordain the following:

WHEREAS, the Board of Commissioners of Upper Dublin Township did on July 25, 1946, adopt and ordain an Ordinance (12-a) establishing and maintaining a system of sewers, culverts, conduits, pipes, inlets and drainage, within the Township of Upper Dublin, Montgomery County, Pennsylvania; and

WHEREAS, it becomes necessary to extend the system of sewers and drainage into the bed of Loch Alsh Avenue and Hoffman Road, public roads and highways of the Township of Upper Dublin.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same, as follows:

SECTION 1. The system of sewers provided for in Ordinance 12-a, adopted July 25, 1946, shall be extended to and constructed in the bed of the following roads:

Hoffman Road beginning at a manhole located approximately 150 feet Northeast from a point of intersection of the centerline of Hoffman Road with the center line of Loch Alsh Avenue identified as Station 3+80 (Station 0+0 is the point of intersection of center of Loch Alsh Avenue with the center line of Cedar Road); thence over the bed of Loch Alsh Avenue in a Southeast direction to the terminal manhole at Station 31+10, a distance of approximately 2880 feet from the manhole in Hoffman Road, aforesaid, all in the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 2. Detailed plans and specifications for the sewer lines, including all facilities, such as a pumping station, etc., shall be prepared, and thereafter advertised for proposals for the construction of the same in accordance with the Ordinances of the Township and specifically Section 2 of Ordinance 12-a, aforesaid and the Act of Assembly in such case made and provided.

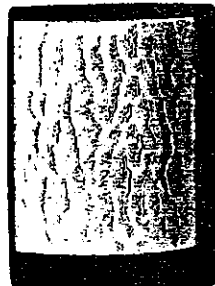
SECTION 3. Provisions for connections by property owners and assessments upon the abutting property owners, including the charges and rates to be paid, shall be ordained hereafter.

ENACTED AND ORDAINED this 10th day of March, 1959.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP
By: Nathan P. Bauman
President

Attest:
Richard M. Brown, Jr.
Secretary

19 Mar1ta50r



ORDINANCE NO. 184

An Ordinance to amend Ordinance No. 16, adopted November 27, 1946, to change the type of concrete required for curbs and sidewalks.

The Board of Commissioners of the Township of Upper Dublin, County of Montgomery, Pennsylvania, do hereby ordain and enact that Ordinance No. 16, adopted November 27, 1946, be amended, as follows:

SECTION 1. Delete "of concrete in the proportion of one part of cement to two parts of sand to four parts of gravel or stone shall be constructed" so that by the deletion and the amendment, Section 1 shall read as follows:

"Section 1." Curbs shall be constructed to conform to the lines and grades as furnished by the Township, and shall be six inches wide at the top and eight inches wide at the bottom and battered to the Street side, and shall have a depth of at least eighteen inches and shall be formed front and back for a full depth of eighteen inches. Forms shall be removed within twenty-four hours and the entire exposed surface of the curbing shall be finished to a smooth surface with a wooden float and all voids or holes to be properly finished. Where it is deemed advisable by the Highway Committee of the Township Commissioners, due to grades of ground conditions, an additional depth of six inches shall be excavated and course stone shall be laid in the trench and well tamped before constructing the curb. One-quarter inch expansion joints of premolded asphalt shall be paced at intervals not exceeding thirty feet and at all changes of grade and at ends of curved sections. Curbs to be in uniform lengths or blocks of ten (10) feet, being separated during construction by sheet steel templates one-eighth thick conforming to the size of the curbing, be placed vertical and removed as soon as the concrete develops initial set. The upper outer edge of the curbing shall be finished with a round nosing with a radius of one inch.

SECTION 2. Delete "They shall be constructed of concrete in the following proportions: one part cement, two parts sand, and four parts stone or gravel," so that by the deletion and the amendment, Section 2 shall read as follows:

"Section 2." Sidewalks shall have a width of at least four (4) feet; however, this width may be increased when determined by the

Township. The thickness shall be at least four (4) inches. They shall be constructed to conform to the lines and grades as determined and furnished by the Township and shall have a slope towards the curb of one-quarter inch to the foot. The concrete shall be thoroughly compacted and the surface shall be float finished with a wooden float. The walks shall be so constructed so that the edge nearest the property or street line shall be one (1) foot from said property or street line unless otherwise directed by the Township. Where it is deemed advisable by the Highway Committee of the Township Commissioners, the sidewalks shall be constructed on a prepared base of at least four inches of cinders well tamped.

SECTION 3. Add "All concrete curbs and concrete sidewalks shall be constructed of concrete having a minimum compressive strength of 2,500 pounds per square inch when tested at 28 days; the cost of such test or tests shall be borne by the owner except that the requirement of the test may be waived when concrete is supplied by a producer of concrete employing a registered professional engineer certifying to a minimum strength of each batch of concrete manufactured," so that by the addition and amendment, Section 3 shall read as follows:

"Section 3." All curbs and sidewalks shall be constructed under the supervision of the Highway Committee of the Township Commissioners or its authorized representative and shall be made to conform strictly with Sections No. 1 and No. 2 of this Ordinance.

All concrete curbs and concrete sidewalks shall be constructed of concrete having a minimum compressive strength of 2,500 pounds per square inch when tested at 28 days; the cost of such test or tests shall be borne by the owner except that the requirement of the test may be waived when concrete is supplied by a producer of concrete employing a registered professional engineer certifying to the minimum strength of each batch of concrete manufactured.

ORDAINED and ENACTED this 9th day of June A. D. 1959.

Commissioners of
Upper Dublin Twp.
By **NATHAN P. BAUMAN**
President

Attest:
RICHARD M. BROWN JR.
Secretary

20Aug1ta50r

ORDINANCE NO. 185

An Ordinance re-establishing a system of sewers within the Township; authorizing the construction of sewers there and therein; prohibiting the erection, construction, use and maintenance of privies, cesspools, sink-holes, septic tanks or other receptacles for receiving sewage by owners or occupiers of properties adjoining or adjacent to sewers within the said sewer areas; requiring connections to sewers; requiring permits; prohibiting certain uses; providing for rules and regulations; providing for the establishing of sewer rentals; providing for penalties; and providing for the collection of assessments, rentals, including penalties and interest, by lien, etc.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby ORDAINED and ENACTED by authority of the same, as follows:

Section 1. Definitions. Unless otherwise expressly stated the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this Section.

A. Township means the Township of Upper Dublin, Montgomery County, Pennsylvania.

B. Sewer District means such area as shall have been heretofore defined or designated, or shall (herein or) hereafter be defined or designated, from time to time, by the Commissioners of the Township of Upper Dublin for the drainage and disposal of sewage.

C. Sewage means the normal water-carried household and toilet wastes from residences, business buildings, institutions, and industrial establishments.

D. Sewer System means the sanitary sewer collection system and sewage treatment plant or plants together with the appurtenant facilities heretofore or hereinafter constructed and any improvements, additions, or extensions that hereafter may be made thereto by the Township or an Authority of the Township, or to any part or parts of any or all thereof.

E. Property Accessible means each lot or piece of land adjoining, abutting on, or which is adjacent to, the Sewer System.

F. Person means or includes individuals, associations, partnerships, limited partnerships, joint stock companies and corporations.

G. Ordinances shall mean such Ordinances of the Township of Upper Dublin herein, or heretofore, or hereafter adopted concerning the collection and disposal of sewage.

H. Industrial Waste means and refers to the liquid waste from industrial processes as distinct from domestic sewage.

I. Lateral means and refers to a part of the sewer system extending from a public main or street to curb line or property line if there is no curb, including the "Y" connection from the main sewer line.

J. Occupied Building means and refers to any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage and industrial waste, or either thereof, is or may be discharged.

Section 2. Sewer Area. A system of sewers and drainage is hereby established and ordained to be constructed for said Township for the purpose of disposing of domestic drainage and sewage by disposal plant, or any other form, method or disposal that the Board of Commissioners may hereafter set forth.

Section 3. The location of sewers or any extension thereof shall be designated by ordinance and said ordinance shall incorporate by reference thereto the general provisions of this ordinance and any amendments thereto.

Section 4. The system of sewers and drainage heretofore, (or herein) or hereinafter established, and designated on the maps or plans, which are made part of this and any Ordinance adopted, shall be laid, as far as practicable along and within the lines of the public roads and highways of said Township, as on said plans or maps designated, and where such system diverges from said public roads or highways, as shown on the plan and maps, and passes through private property, the consent of the owners of such private property shall be first obtained, if possible, and if not, such sewerage system shall be constructed through such private property upon providing for compensation in accordance with the Act of Assembly in such case made and provided.

Section 5. In all cases where it becomes necessary to extend the Township sewers into an adjoining Borough or Township for the purpose of disposing of said sewage, the Commissioners of Upper Dublin Township shall enter into

an agreement with such Borough or Township, or any of their authorized agencies, regarding rights of way through private property, ownership, maintenance and joint use of such lines.

Section 6. The extension of the system of sewers and drainage hereby established so as to cover additional portions of the Township, shall be hereafter, from time to time, adopted and approved by the Board of Township Commissioners, and when such extensions and additions have been thus approved and ordained, the same shall become a part of the system of sewers and drainage hereby established.

Section 7. That the said sanitary sewer shall be constructed in accordance with the plans, drawings, and specifications prepared by the Township Engineer or an engineer employed by the Township and in accordance with the approval of the proper health authorities.

Section 8. Advertisement shall be duly made for proposals for the construction and laying of the said sanitary sewers in accordance with the law, and the contracts for construction thereof shall be awarded to the lowest responsible bidder. The Board of Commissioners of Upper Dublin Township reserves the right to reject the bids submitted and to re-advertise.

Section 9. The cost and expenses of the construction of said sewers, including engineering, legal, advertising, and similar expenses, as is legally chargeable upon the properties accommodated or benefited hereby, shall be and are hereby assessed and charged upon the said properties an assessment per front foot upon the frontage of each said property abutting on said sewers.

When an owner has two or more lots against which there is an assessment, all of such lots may be embraced in one claim.

Section 10. The Township shall cause calculations of said charges or assessments to be made and a schedule thereof to be prepared giving: (a) the total length of said sewer in feet and the total cost thereof; (b) the frontage of each lot abutting on the said sewer; (c) the amount of assessment charged thereon and the name of the owner or owners of such lot.

Section 11. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days' written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he be found within the Township, or if he can not be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent, or party in possession, it may be posted on the most public part of the assessed premises.

Section 12. A. All persons owning an occupied building now erected upon property accessible to the sanitary sewers shall at their own expense connect such building with the sewer system within ninety days after notice to do so from the Township.

B. All persons owning a property accessible to the sanitary sewer upon which a building is later erected shall upon the time of such erection and at their own expense connect such building with the sewer system.

C. All persons owning any occupied building upon property which hereafter becomes accessible to the sanitary sewer shall at their own expense connect such building to the sewer system within ninety days after receipt of notice to do so.

Section 13. It shall be unlawful for any person owning any property accessible to the sanitary sewer system to erect, construct or use or maintain or cause to be erected, constructed, used or maintained, any privy, cesspool, sink-hole, septic tank or other receptacle on such premises for receiving sewage after the expiration of the periods specified in Section 12 hereof, or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facilities for the discharge of sewage except into the sewer system.

Section 14. Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, and which shall be required to connect thereto, or who otherwise erects, constructs, uses or maintains any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sewage in violation of this Ordinance shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner approved by law.

Section 15. All connections with said sewer system shall be made only upon application and permit in prescribed form and shall be made in accordance with such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set at length in this Ordinance.

Section 16. All aforesaid assessments shall be payable to the Treasurer of the Township for use of the Township in reimbursing it for the cost and expenses of the construction and laying of the said sanitary sewers. A copy of the schedule of the assessment shall be delivered to the Township Treasurer and on receipt of any payment on account thereof the Township Treasurer shall note the same on his copy of the schedule and notify the Secretary of the Board of Township Commissioners thereof who shall also note the same on his copy of the schedule.

Section 17. After the expiration of the periods specified in Section 12 of this Ordinance if any owner of an occupied building on property accessible to the Sewer System shall have failed to connect such property with the Sewer System as required by said Section 12, the Township may cause to be served on the owner of such property, so failing to connect to said Sewer System, and also upon the occupants of the building in question, a copy of this Ordinance and a written or printed notice requiring such connection to be made, and such notice shall further state that its requirements shall be complied with within ninety (90) days from the date thereof.

Upon failure of any such owner, who has been duly notified as hereinabove provided, to comply with the requirements of any such notice or with the provisions of this Ordinance, the Board of Commissioners shall cause the necessary connection to be made and upon completion of the work for the same, shall render a bill covering the cost of said work to the owner of such premises, and file a duplicate thereof with the Township Treasurer, to whom such bill shall be made payable for the use of the Township. All such bills shall contain a notice that, if said bills be not paid within thirty (30) days after the date thereof the same shall be collected in the manner provided by law.

Section 18. In the event that any property owner shall fail to pay the assessment as hereinabove provided, it will be the duty of the Township Treasurer to refer to the Township Solicitor all such bills remaining unpaid, and the Township Solicitor shall thereupon take the necessary action to effect the collection of such unpaid bills in the manner provided by law.

Section 19. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement. The certificate of the Sewer Engineer supervising the construction of the said sewers, filed with the Secretary of the Board of Township Commissioners in the office of the said Commissioners shall be conclusive of the time of the completion thereof.

Section 20. It shall be unlawful to discharge into the Sewer System any industrial waste or other matter whatsoever injurious to the sewage structure, or to the process of treating sewage, or any drainage resulting from rain water, surface water, springs, wells, streams or other ground water, or any sewage or drainage containing matter of any sort liable to form a deposit in the sewer or drain pipes or to create obstruction therein.

Section 21. The provisions of this Ordinance are declared to be for the health, safety and welfare of the citizens of the Township and any person who shall discharge or cause to be discharged into the sewer system or any lateral, matter of any sort liable to form a deposit or create an obstruction or obstructions therein, or who shall break into or otherwise make connections therewith without having first procured the permit required by this Ordinance, or who shall fail to comply with any of the requirements of any permit or of this Ordinance; or who shall fail to comply with any rule or regulation of the Board of Township Commissioners, or of any authorized agent for the Board of Township Commissioners concerning the manner of making connections with the Sewer System or the use of the same; or shall in any way violate any of the provisions of this Ordinance shall be liable on conviction thereof to a fine or penalty of Twenty-five Dollars (\$25.00) for each and every offense. Whenever any person shall have been notified

by the Board of Commissioners or their duly authorized agent, or by service of summons in a prosecution or in any other way, that a violation of this Ordinance or the rules and regulations of the Board of Township Commissioners is being committed by him or them, each day in which he or they shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines and penalties are now by law collected.

Section 22. Sewer Rates. The annual sewer rental for properties within the sewer areas shall be fixed and ordained, and when ordained shall be subject to the following requirements:

(a) The rent shall be billed semi-annually and shall be a charge of rental on each connected property.

(b) Time and Method of Payment and Penalties. Sewer rental bills will be rendered semi-annually on January 1 and July 1 of each year in advance covering the next half of the calendar year. The initial bill shall include only that portion of the half calendar year in which the connection to the Sewer System is made. Sewer rental bills are payable at par for 60 days after January 1, and July 1, and shall include a penalty of 5% if paid after 60 days and not more than six months thereafter. Such penalty shall be increased to 10% of the sewer rental bill if not paid until after six months after each January 1 or July 1.

Payments mailed, as evidenced by the United States Post Office, on or previous to the end of the period during which the bills are payable, at par, will be deemed to be a payment within such period.

All persons connected to the Sewer System must give the Township their correct mailing address. Failure to receive bills will not be considered an excuse for non-payment nor permit an extension of the period during which bills are payable at face.

(c) Liens. Delinquent Sewer Rentals and Penalties. All sewer rentals together with all penalties thereon, not paid on or before the end of one year from each January 1 and July 1 shall be deemed to be delinquent. All delinquent sewer rentals and all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Montgomery County and shall be collected in the manner provided by law for filing and collection of such liens.

(d) Rules and Regulations. The Township reserves the right to, and may from time to time, adopt, revise, and amend and re-adopt such rules and regulations as it deems necessary and proper for the use and operation of the Sewer System and all such Rules and Regulations shall be and become a part of this Ordinance.

(e) Effective Date. The Rules and Regulations shall become effective upon adoption and shall be applicable to all properties in the Sewer Service Areas, including those properties heretofore connected with and have the right to use the Sewer System. The Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

Section 23. Conflicts and Prior Ordinances. It is not intended by this Ordinance to repeal, abrogate, annul, or interfere with any existing Ordinance or enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any provision of this Ordinance; provided, that under no circumstances shall it be interpreted to effect or change an obligation of the Township under any contract or obligation to the present or future holders of Bonds issued or to be issued to finance any portion of the sewer system.

Section 24. Construction and Severability. If any of the provisions, sections, sentences, clauses or parts of this Ordinance or the application of any provisions hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

DULY ENACTED by the Board of Township Commissioners of Upper Dublin Township this 10th day of August, 1959.

By: NATHAN P. BAUMAN
President
Attest: RICHARD M. BROWN, JR.
Secretary
17Sept1TA100R

ORDINANCE NO 186

An Ordinance providing for the construction of sanitary sewers in the bed of Pennsylvania Ave., Upper Dublin Township, Montgomery County, Pa., between manholes located 120 feet northwest of the centerline of Weldy Ave. and extending southeasterly 740 feet to a terminal manhole 270 feet southeast of the center line of Bala Ave. and a manhole of a connecting sewer line in the bed of Weldy Ave. in Springfield Township, 54.5 feet southwest of the center line of Pennsylvania Ave.; assessing the cost; upon abutting property owners; prescribing the method of collection; providing for connection to sewers; prohibiting certain uses; establishing the rentals; providing for penalties; and the filing of Mens, etc.

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

SECTION 1. That the system of sewers heretofore authorized to be constructed in the Township of Upper Dublin shall be extended from a point in the bed of Pennsylvania Avenue, beginning at a terminal manhole located 120 feet Northwest of the center line of Weldy Ave., and extending 740 feet in the southeasterly direction to a terminal manhole located 270 feet southeast of the center line of Bala Ave. and a connecting sewer line to an existing manhole located in the bed of Weldy Ave. in Springfield Township, Montgomery County, Pennsylvania located 54.5 feet southwest of the center of Pennsylvania Ave; said Pennsylvania Ave. at that point being the line dividing the Townships of Upper Dublin and Springfield; all in accordance with plan and profile of proposed sanitary sewer in Pennsylvania Avenue, prepared by William T. Weir, Township Engineer, and dated June 1, 1959.

SECTION 2. The cost and expenses of the construction of said sewers, including engineering, legal, advertising, and similar expenses, as is legally chargeable upon the properties accommodated or benefited thereby, shall be, and is, hereby assessed and charged upon the said properties by an assessment per front foot upon the frontage of each said property abutting on said sewer.

SECTION 3. The Township shall cause calculations of said charges or assessment to be made and a schedule thereof to be prepared giving: (a) the total length of the said sewer in feet and the total cost thereof; (b) The frontage of

each lot abutting on the said sewer; and (c) the amount of assessment charges thereon and the name of the owner or owners of such lot.

SECTION 4. A schedule of all assessments shall be filed with the Township Secretary as soon as conveniently may be after the completion of the work of constructing the said sewers. Upon receipt of said schedule, the Secretary shall give thirty (30) days' written or printed notice to each party assessed that the assessments are due and payable. Said notice shall be served upon the owner if he be found within the Township, or if he can not be found within the Township, said notice may be served upon his agent or the party in possession of the property, or if there be no agent or party in possession, it may be posted on the most public part of the assessed premises.

SECTION 5. All said assessments shall be payable to the Township within thirty (30) days of the date of notice that the assessments are due and payable.

SECTION 6. If anyone shall fail to pay the assessments as hereinabove provided, there shall be imposed in addition to legal interest a penalty of five per centum for failure to pay within the time provided. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

SECTION 7. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement. The certificate of the sewer Engineer supervising the construction of the said sewers, filed with the Secretary of the Board of Township Commissioners in the office of the said Commissioners shall be conclusive of the time of the completion thereof.

SECTION 8. No connection between any property and any Township sewer shall be permitted or made under any circumstances unless and until the terms of this ordinance providing for the payment of assessments and connection fees shall have been complied with.

SECTION 9. Assessments herein authorized together with penalty and interest, when collected, shall be deposited in the Revolving fund of the Township.

SECTION 10. All connections of properties with said sewer shall be made only upon application or permit in prescribed form and shall be made in accordance with

such rules and regulations and upon such terms and conditions as the Board of Commissioners shall from time to time adopt and prescribe. Said rules and regulations when adopted shall have the same force and effect as if set out at length in this ordinance.

SECTION 11. It shall be unlawful for any owner of property connecting with said sewer, to make any attachment thereto, or to the house drainage system, or open any cellar drain, whereby rain water or surface sub-soil water shall be permitted to pass into said sewer.

SECTION 12. Sewer Rates, Time and Method of Payment, Delinquent Sewer Rentals, Liens, and Penalties.

The annual sewer rentals, the time and method of payment, time of delinquency, and the collection of the same by lien and the imposition of penalties, for the properties within the aforesaid sewer area, shall be as set out in Ordinance No. 175, adopted August 19, 1956, made a part hereof to the same extent as though set out in full in this ordinance.

SECTION 13. EFFECTIVE DATE. This ordinance and the rules and regulations hereunder shall become effective at once and shall be applicable to the properties on Service Area as soon as they become connected with and have the right to use the Sewer System. Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

SECTION 14. CONSTRUCTION AND SEVERABILITY. If any of the provisions, sections, sentences, clauses or parts of this Ordinance or the application of any provisions hereof shall be held invalid, such invalidity shall not effect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder of this Ordinance shall be and remain in full force and effect.

DULY ENACTED by the Board of Township Commissioners of Upper Dublin Township this 14th day of July 1959.

Upper Dublin Township
By NATHAN P. BAUMAN,
President.

Attest:
RICHARD M. BROWN, JR.,
Secretary.

30July1959

An Ordinance

NO. 187

An Ordinance Defining and Establishing the Fitzwatertown Sewer Area A, Authorizing the Construction of Sewer Therefor and Therein When Specifically Designated by Ordinance, Etc.

WHEREAS, Upper Dublin Township and Abington Township have entered into an agreement whereby Abington agrees to accept sewage from Upper Dublin Township of the normal drainage area tributary to the Abington Treatment Plant; and

WHEREAS, the Board of Township Commissioners now wishes to designate and create a certain area in the Township in which area-sewers may from time to time be designated by ordinance and constructed.

NOW, THEREFORE, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby ORDAIN and ENACT, as follows:

SECTION 1. There is hereby created in Upper Dublin township a sewer area to be known as Fitzwatertown Sewer Area to be bounded and described as follows:

BEGINNING at the intersection of North Hills Avenue and Jenkintown Road and thence extending in a northwesterly direction along Jenkintown Road for a distance of 170 feet to a point; thence in a northeasterly direction along the lot line between lots 1 and 2 of Fairway Estates Sub-division 225 feet to the rear lot corner of lot 1; thence in a northwesterly direction along the rear of the properties fronting on the northeast side of Jenkintown Road 1,478.24 feet to a point, the southwest corner of lot 18 of Fairway Estates Sub-division; thence in a northeasterly direction along the rear of the properties fronting on the southeasterly side of Fitzwatertown Road 638.03 feet to a point, the southwest corner of lot 24 of Fairway Estates Sub-division; thence in a northwesterly direction, along the southwesterly side-line of said lot 24, 225 feet to the middle of Fitzwatertown Road; thence in a northeasterly direction, partly along the middle of Fitzwatertown Road where its course is a straight line, and partly along an extension of said straight portion, 1,320 feet to the middle of Sandy Run Creek, thence along the middle of Sandy Run Creek in an easterly direction approximately 1,300 feet to the point of intersection of Sandy Run Creek with Fitzwatertown Road; thence in a northeasterly direction along Fitzwatertown Road 370 feet to a point a corner of land of Dr A. M. Dannenberg; thence along the same in a southeasterly direction 846.16 feet to a point on the Township Line between Abington and Upper Dublin Townships; thence along the same in a southwesterly direction 4,470 feet to a point in the middle of Jenkintown Road; thence in a northwesterly direction, along Jenkintown Road 145.2 feet to the point and place of beginning.

The above description is intended to include not only the properties within the lines so described, but all properties in the Township abutting on the other side of the lines.

SECTION 2. Sewers within the above area shall be constructed following ordination by the Township, and when constructed shall be paid for, used and rented pursuant to the ordinances of the Township in such cases made, enacted and adopted.

DULY ENACTED this 14th day of July, A. D. 1959, by the Board of Township Commissioners of Upper Dublin Township.

UPPER DUBLIN TOWNSHIP
By NATHAN P. BAUMAN
President

Attest:
RICHARD M. BROWN, JR.,
Secretary

6 Aug1959

ORDINANCE NO. 188

An Ordinance imposing sewer rentals on areas served by un-metered sewage flowing by gravity to the Abington, Montgomery County, sewage disposal system, providing for the collection thereof and the filing of liens therefor, and providing for rules and regulations.

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

SECTION 1. That in such sewer areas where sewage flows by gravity into the Abington, Montgomery County, Sewer System, without being measured by meter, the hereinafter rates shall govern, unless otherwise specifically ordained.

SECTION 2. SEWER RATES

The annual sewer rental for properties served by the Sewer System shall be a charge or rental commensurate with the facilities in each connected property pursuant to the following schedule:

A. Single Family Dwelling Units

(1) **Minimum Rates**
One basin, one sink, one water closet, one bath tub, and one laundry tub, or any combination thereof, (no substitute being permitted), \$22.00.

(2) **Additional Rates**
For fixtures in addition to or not included in the fixtures listed under (1) above:

Basins, each	\$1.50
Catch basins, each	2.00
Sinks, First	3.00
Sinks, Two Part	5.50
Sinks, Additional	2.50
Slop Sinks, each	1.00
Bar Sinks, each	1.00
Developing Sinks, each	1.00
Combination Sink and Tray	4.00
Water Closets, each	3.00
Bath Tubs, each	2.50
Shower baths, each	2.50
Bidets, each	1.50
Foot Baths, each	1.00
Refrigerators, each	1.50
Laundry Tubs, each	1.00
Laundry Tubs, Two Part	2.00
Dish Washer, each	2.00
Electric Washing Machine	2.00
Garages, each car	5.00
Water-cooled Refrigerator	5.00

B. Multiple Family Dwelling Units, including Apartment Houses

The rate for multiple family dwelling units including apartment houses shall be the Minimum Rates and Additional Rates specified in A above for each dwelling unit multiplied by the number of dwelling units served by a single connection to the Sewer System.

C. Schools

For each teacher and pupil thereof (based on the average number of teachers and pupils enrolled during the preceding six months period); \$0.60 each.

D. Commercial, Industrial, and Institutional (Other than Schools) Establishments:

\$10.00 plus \$0.20 per thousand gallons water used as measured by water meter reading.

SECTION 3. The time, method of payment, delinquencies, and filing of liens shall be pursuant to the provisions of Ordinance No. 185, the Rules and Regulations adopted thereby and thereunder, and any and all amendments thereto.

SECTION 4. EFFECTIVE DATE. This Ordinance and the Rules and Regulations hereunder shall become effective as of July 1, 1959, and shall be applicable to the properties in service area. The Township reserves the right to make such changes from time to time as in its opinion may be desirable or beneficial, and to amend this Ordinance or to change the rates or charges in such manner and at such times as in its opinion may be advisable.

SECTION 5. CONSTRUCTION AND SEVERABILITY. If any of the provisions, sections, sentences, clauses or parts of this Ordinance or the application of any provisions hereof shall be held invalid, such invalidity shall not effect or impair any of the remainder of this Ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

DULY ENACTED by the Board of Township Commissioners of Upper Dublin Township this 14th day of July, 1959.

Upper Dublin Township
By **NATHAN P. BAUMAN**
President

Attest:
RICHARD M. BROWN, JR.
Secretary

10ct1TA250R

An Ordinance

ORDINANCE NO. 189

An Ordinance Amending Ordinance No. 187 Adopted July 14, 1959, for the Purpose of Deleting a Portion Thereof.

BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF UPPER DUBLIN TOWNSHIP, and it is hereby enacted by authority of the same, as follows:

SECTION ONE. That there be deleted from Section 1 of Ordinance No. 187, enacted the fourteenth day of July, 1959, the last sentence thereof, which reads as follows:

"The above description is intended to include not only the properties within the lines so described, but all properties in the Township abutting on the other side of the lines."

SECTION TWO. That all other provisions of Ordinance No. 187 be and remain as enacted.

DULY ENACTED this tenth day of August, A. D. 1959, by the Board of Township Commissioners of Upper Dublin Township.
TOWNSHIP OF UPPER DUBLIN
By: Nathan P. Bauman
President

Attest:
Richard M. Brown, Jr.,
Secretary

13 Aug 1959

On motion of Glassmoyer and Jenkins, the Application & Agreement was accepted and its execution by the proper officers approved.

The Solicitor reported that he had prepared information against Mr. Stanley Gill covering an alleged violation of the Building Code, and information covering an alleged violation of the Subdivision Code. Mr. Thomas B. M. Porter, Jr., Attorney for Mr. Gill, acknowledged that his client may have been guilty of a Building Code violation but denied any violation of the Subdivision Code. He noted that prosecution for violation of the Subdivision Code amounted to the unreasonable penalizing of his client. Mr. Porter was informed that the alleged violations had been reported at the meeting of November 2, and the Building Inspector instructed to prosecute Mr. Gill for violation of the Building Code. The question of violation of the Subdivision Ordinance had been suggested but no decision had been made as yet to press a charge for violation. Mr. Porter stated that in his opinion there had been no actual violation of the Subdivision Code, and Mr. Gill stated that he had not actually sold any houses nor subdivided the property. Mr. Porter asked that the Board consider waiving charges for violation of the Subdivision Ordinance.

Mr. Menges recommended that the Board adopt Ordinance #190 regulating the installation of oil burning and gas fired equipment. Several minor changes were noted and corrected as follows: Section 6 was changed to read "applicant" rather than "application." Section 8 was amended to show capitalized headings, one for Oil Burning Equipment and one for Gas Fired Equipment. The wording was increased to show that the permit would be "for Oil Burning Equipment" or "for Gas-Fired Units", as required under the separate headings. Several sections were changed to place the enforcement of this ordinance under the Plumbing Inspector rather than the Building Inspector. It was noted that in the administration of this ordinance, the Plumbing Inspector should be assured of the qualifications of the individual or company which will install the equipment. On motion of Jenkins and Glassmoyer, the Commissioners adopted Ordinance #190, as amended.

Mr. Menges recommended the adoption of condemnation ordinances covering the properties to be used by Abington Township for a pumping station site on Kimball Avenue and a land fill and buffer strip on Fitzwatertown Road. He read the proposed agreement between Abington and Upper Dublin regarding the condemnation of the Kimball Avenue property by Upper Dublin and the arrangements for reimbursement of Upper Dublin for condemnation costs. It was noted that although it was not specifically mentioned in the agreement, earlier assurances had been made that the proposed pumping station would not be objectionable in appearance. On motion of Jenkins and Glassmoyer, the Board approved the execution by the proper officers of the agreement covering the pumping station site.

On motion of Glassmoyer and Jenkins, the Board adopted Ordinance No. 191 covering condemnation of the Kimball Avenue pumping station site.

ORDINANCE NO. 191

Taking, Acquiring, and appropriating for the Purpose of the Construction and use of a Sewerage Disposal System, including a Pumping Station and Right-of-way, of Certain Real Property, including Improvements and Fixtures, located in Upper Dublin Township, County of Montgomery, and Commonwealth of Pennsylvania, and more particularly described herein.

WHEREAS, the Township of Upper Dublin is a body politic and corporate existing by virtue of the laws of the Commonwealth of Pennsylvania, and is a Township of the First Class; and

WHEREAS, by virtue of the laws in such case made and provided, the Township of Upper Dublin and the Township of Abington have entered into an agreement to authorize the Township of Abington to provide for the disposition of the sewage and drainage and carrying the same beyond the limits of the Township of Abington into the Township of Upper Dublin, for the mutual benefit of the public in the Township of Abington and the public in the Township of Upper Dublin; and

WHEREAS, by virtue of the agreements of the aforesaid Townships, the Township of Upper Dublin is to acquire certain real property within the Township of Upper Dublin for the construction, use and operation of a sewer pumping station and rights-of-way; and

WHEREAS, the Township of Upper Dublin, by the provisions of the Act of General Assembly of the Commonwealth of Pennsylvania, is vested with the power to acquire by right of eminent domain any real property, including improvements and fixtures, for the public purposes set forth in the Act of General Assembly in the manner herein provided; and

WHEREAS, the Township of Upper Dublin and the Township of Abington are desirous of acquiring land for the construction and use thereof for a sewerage disposal system, including a pumping station and right-of-way; and

WHEREAS, the hereinafter described real property, including improvements and fixtures, if any, is situate within the Township of Upper Dublin, and has been selected by the Townships of Upper Dublin and Abington for the construction and use of a sewerage disposal system, including a pumping station and right-of-way, for public benefit; and

WHEREAS, the owners or reputed owners of certain real property, including improvements and fixtures, and the Townships of Upper Dublin and Abington, have been unable to agree upon a price or consideration for said property.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Upper Dublin, in the County of Montgomery and Commonwealth

of Pennsylvania, and it is hereby ordained and enacted by authority of the same;

SECTION 1. That the hereinafter described real property, including improvements and fixtures, if any, is required and is necessary for the construction and use of a sewerage disposal system including a pumping station and right-of-way for the benefit of the public within the Townships of Upper Dublin and Abington; and that the said Township of Upper Dublin, by virtue of its powers in the Act of General Assembly of the Commonwealth of Pennsylvania, hereinbefore set out, hereby takes, acquires and appropriates for the purpose of the construction and use of a suitable sewerage disposal system including a pumping station and right-of-way, all that piece or parcel of land with the improvements and fixtures thereon, the same being the private property reputed to be owned by as hereinafter set forth:

ALL THAT CERTAIN triangular piece of land, reputedly owned by Tulio Mignogna, situate in Upper Dublin Township, Montgomery County, Pennsylvania, described in accordance with a plan prepared by Albright & Friel, Inc., Consulting Engineers of Philadelphia on October 12, 1959, as follows:

BEGINNING at a point in the easterly side of Kimball Avenue (60 feet wide) distant 49.82 feet from the northerly side of Goentner Road (50 feet wide), as measured along the said easterly side of Kimball Avenue including one-half of the curve having a radius of 25 feet and an arc length of 39.27 feet, which forms the north-easterly corner of the intersection of said Kimball Avenue and Goentner Road. Thence extending along the said easterly side of Kimball Avenue north 9 degrees 21 minutes 0 seconds east 128.287 feet to a point. Thence extending through the property of Grantor south 80 degrees 39 minutes 0 seconds east 83.338 feet to a point in the easterly property line of Grantor Thence extending along the easterly property line of Grantor south 42 degrees 21 minutes 31 seconds west 152.980 feet to the point of beginning.

CONTAINING 5,345.591 square feet or 0.123 acres, more or less.

SECTION 2. That the officers of the Township of Upper Dublin be and are hereby authorized and directed to take such other and further steps in Court or elsewhere as may be necessary to carry out the provisions of this Ordinance.

ORDAINED AND ENACTED this 10th day of November, A. D., 1959.

Commissioners of
Upper Dublin Township
By: NATHAN F. BAUMAN
President

Attest:
RICHARD M. BROWN, JR.
Secretary

26Nov1T2A50R

ORDINANCE NO. 192

Taking, acquiring, and appropriating for the purpose of the construction and use of a sewerage disposal system, including treatment facilities and rights-of-way, of certain real property, including improvements and fixtures, located in Upper Dublin Township, County of Montgomery, and Commonwealth of Pennsylvania, and more particularly described herein.

WHEREAS, the Township of Upper Dublin is a body politic and corporate existing by virtue of the laws of the Commonwealth of Pennsylvania, and is a Township of the First Class; and

WHEREAS, by virtue of the laws in such case made and provided, the Township of Upper Dublin and the Township of Abington have entered into an agreement to authorize the Township of Abington to provide for the disposition of the sewage and drainage and carrying the same beyond the limits of the Township of Abington into the Township of Upper Dublin, for the mutual benefit of the public in the Township of Abington and the public in the Township of Upper Dublin; and

WHEREAS, by virtue of the agreements of the aforesaid Townships, the Township of Upper Dublin is to acquire certain real properties within the Township of Upper Dublin for the construction, use and operation of sewerage way; and

treatment facilities and rights-of-way;

WHEREAS, the Township of Upper Dublin, by the provisions of the Act of General Assembly of the Commonwealth of Pennsylvania, is vested with the power to acquire by right of eminent domain and real property, including improvements and fixtures, for the public purposes set forth in the Act of General Assembly in the manner herein provided; and

WHEREAS, the Township of Upper Dublin and the Township of Abington are desirous of acquiring land for the construction and use thereof for a sewerage disposal system, including sewerage treatment facilities and rights-of-way; and

WHEREAS, the hereinafter described real property, including is situate within the Township of Upper Dublin, and has been selected by the Townships of Upper Dublin and Abington for the construction and use of a sewerage disposal system, including sewerage treatment facilities and rights-of-way, for public benefit; and

WHEREAS, the owners or reputed owners of certain real property, including improvements and fixtures, and the Townships of Upper Dublin and Abington have been unable to agree upon a price or

consideration for said property.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Upper Dublin, in the County of Montgomery and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by authority of the same;

SECTION 1. That the hereinafter described real property, including improvements and fixtures, if any, is required and is necessary for the construction and use of a sewerage disposal system including sewerage treatment facilities and rights-of-way for the benefit of the public within the Townships of Upper Dublin and Abington; and that the said Township of Upper Dublin, by virtue of its powers in the Act of General Assembly of the Commonwealth of Pennsylvania, hereinbefore set out, hereby takes, acquires and appropriates for the purpose of the construction and use of a suitable sewerage disposal system including sewerage treatment facilities and rights-of-way, all those pieces or parcels of land with the improvements and fixtures thereon, the same being the private property reputed to be owned by as hereinafter set forth:

ALL THOSE CERTAIN lots or pieces of land reputedly owned by Lewis E Weiss and Suki Weiss, his wife, situate in Glenside Heights, Upper Dublin Township, Montgomery County, State of Pennsylvania, on a certain plan of lots known and designated as the Glenside Heights Plan, which Plan is recorded in Montgomery County, Pennsylvania, Recorder of Deeds office at Norristown in Deed Book 892, page 600, and particularly known and designated on said plan as Lots Number 104 and 105, Block H.

ALL THOSE CERTAIN lots or pieces of land reputedly owned by The Real Estate Trust Company of Philadelphia situate in Glenside Heights, Upper Dublin Township, Montgomery County, State of Pennsylvania, on a certain plan of lots known and designated as the Glenside Heights Plan, which Plan is recorded in Montgomery County, Pennsylvania, Recorder of Deeds Office at Norristown in Deed Book 892, page 600, and particularly known and designated on said plan as Lots Number 103, 106, 107, and 108, Block H.

ALL THOSE CERTAIN lots or pieces of land reputedly owned by Joseph M. Ratti and Helen M. Ratti, his wife, known and designated as Lots Number 48, 49, and 50, Block H, on a certain "Plan of lots known as 'Glenside Heights,' Upper Dublin Township, Montgomery County, Pennsylvania," and recorded in Norristown in Deed Book No. 892, page 600, and bounded and described as follows:

BEGINNING at the northerly corner of Fitzwatertown Road and Brookside Drive, and extending thence (1) North 43 degrees east along the northwesterly line of Fitzwatertown Road 60.3 feet to a stake; thence (2) North 45 degrees 30 minutes West 101.6 feet to a stake set in the side line of lot number 104, Block H; thence (3) South 44 degrees 30 minutes West along said side line 75 feet to a stake set in the northeasterly line of Brookside Drive; thence (4) in a southeasterly direction measured along the northeasterly line of Brookside Drive 92 feet to the place of beginning.

ALL THAT CERTAIN tract or piece of ground, reputedly owned by Mahlon S. Weil, situate in Upper Dublin Township, Montgomery County, Pennsylvania, beginning at a point in the original center line of Fitzwatertown Road (originally 33 feet wide, but widened to 41.5 feet by the addition of 8.5 feet on the northerly side) when the said original center line of Fitzwatertown Road is intersected by the southerly side of Brookside Drive, 50 feet wide, produced; thence along the original center line of Fitzwatertown Road South 41 degrees 19 minutes West 161.07 feet to a point; thence still along the same South 69 degrees 18 minutes West 492.08 feet to a point; thence by land now or late of Bernhard Klabe et al, North 50 degrees 14 minutes West 475.68 feet to a point; thence along the Southeasterly side of Brookside Terrace, 50 feet wide, North 39 degrees 50 minutes East 115 feet to a point; thence along the Southwesterly side of Park Place, 50 feet wide, South 50 degrees 10 minutes East 150.11 feet to a point; thence Northeasterly along the Southerly side of Brookside Drive, 50 feet wide, by a line curving to the right with a radius of 575 feet for a distance of 784.07 feet to a point in the Northeasterly side of Fitzwatertown Road; thence South 43 degrees 41 minutes East 25 feet to a point in the center line thereof, the place of beginning. Containing 5.383 acres.

SECTION 2. That the Officers of the Township of Upper Dublin be and are hereby authorized and directed to take such other and further steps in Court or elsewhere as may be necessary to carry out the provisions of this Ordinance.

ORDAINED AND ENACTED this 10th day of November, A.D. 1959.

COMMISSIONERS OF UPPER

DUBLIN TOWNSHIP

By: NATHAN P. BAUMAN

President

Attest:

RICHARD M. BROWN, JR.

Secretary

26Nov1t2a50r

ORDINANCE NO. 193

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED AUGUST 20, 1956, DESIGNATED AS ORDINANCE NO. 140 AND KNOWN AS THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AND THE MAP THEREOF, SO AS TO EXTEND THE BOUNDARIES OF AN EXISTING COMMERCIAL AREA INTO AN ADJACENT RESIDENTIAL AREA LOCATED AT THE INTERSECTION OF DRESHERTOWN ROAD AND LIMEKILN PIKE, IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

BE IT ORDAINED and enacted by the Commissioners of Upper Dublin Township, and it is hereby enacted by authority of the same.

SECTION 1. The Zoning Map adopted and approved as the part of the "Upper Dublin Township Zoning Ordinance of 1956," as amended, be further amended as follows:

(a) That the territory hereinafter described be changed from Residential A to CR-L, Commercial Retail:

BEGINNING at a point on the Southeasterly side of Dreshertown Road, said side now established 25 feet from the original centerline of Dreshertown Road as laid out 33 feet wide, said point of beginning being North 40 degrees 10 minutes East approximately 20 feet from the point of intersection of the aforesaid side of Dreshertown Road with the Northeast side of Limekiln Pike, 50 feet wide; thence from the point of beginning along the aforesaid Southeast side of Dreshertown Road North 40 degrees 10 minutes East 240 feet to a point; thence leaving the Southeasterly side of Dreshertown Road at a right angle South 49 degrees 50 minutes East 319.46 feet to a point in line of land now or late of Loretta Restiluta, said land presently zoned Commercial Retail CRL; thence along the same North 86 degrees 45 minutes West 399.57 feet to the point and place of beginning.

Approved by the Board of Commissioners of Upper Dublin Township this 30th day of November, 1959.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: NATHAN P. BAUMAN
President

Attest: RICHARD M. BROWN, JR.
Secretary

ORDINANCE NO. 194

An Ordinance re-imposing a Tax for the Year 1960 to provide General Revenue for the Township of Upper Dublin, Montgomery County, Pennsylvania, upon any deed, instrument, or writing whereby any Lands, Tenements, or Hereditaments within the Township of Upper Dublin, regardless of where the instruments making the Transfer are made, executed, or delivered or where the Actual Settlements on such Transfers take place, being a re-enactment of the Provisions of Ordinance No. 103-B adopted February 12, 1955, and re-adopted thereafter each year until and including the Year 1959; re-defining the Definition of "Value" therein.

By virtue of the Act of Assembly of June 25, 1947, P. L. 1145, and the amendments thereto, BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by authority of the same:

SECTION ONE. That the provisions of Ordinance No. 103-B, approved by the Commissioners of Upper Dublin Township, on February 12, 1955, and re-enacted each year thereafter until and including the year 1959, be and is hereby re-enacted for the year beginning January 1, 1960, and ending December 31, 1960, to the same extent and effect as though the same be set out in full herein, subject only to the following change:

(a) Re-define (d), "Value" under Section 2 as follows:

(d) VALUE. The gross amount of the consideration for the lands, tenements, or hereditaments or interest therein, including the amount of any lien or other encumbrances thereon and ground rents, if any or a commensurate part of the liens or other encumbrances thereon and ground rents where such lien or other encumbrances and ground rents also encumber or are charged on other lands, tenements, or hereditaments: PROVIDED, that where such "documents" shall set forth a consideration other than the actual monetary worth, the "value" thereof shall be determined from the actual monetary worth of the property granted, bargained, sold, or otherwise conveyed. The "actual monetary worth" shall include, inter alia, (1) the price set forth in or actual consideration for the contract of sale, and (2) the fair market value of the lands, tenements, or hereditaments, or interests therein to be conveyed, and (3) the price of a contract which incorporates or is contingent or dependent upon the construction of a structure on the land, tenements, and hereditaments to be conveyed.

SECTION 2. The provisions of this Ordinance are severable, and if any portion thereof is held to be invalid, the decision of the court shall not affect or impair any of the remaining portions 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 invalid portion had not been included herein.

APPROVED by the Board of Commissioners and enacted into an ordinance this 8th day of December, A. D. 1959.

Commissioners of
Upper Dublin Township
By: NATHAN P. BAUMAN
President

Attest:
RICHARD M. BROWN, JR.
Secretary

17Dec1TA50R

ORDINANCE NO. 195

An Ordinance amending Section 15 of Ordinance No. 36, approved by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, on December 1, 1948, increasing the rates thereof.

The Board of Township Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, in regular meeting met, do hereby enact and ordain:

SECTION ONE. That Section 15 of Ordinance No. 36 "an ordinance regulating the connection with, the use and maintenance of sewers in the Township of Upper Dublin; establishing a schedule of rates for the use thereof;" etc. be and the same is hereby amended, to read as follows:

Section 15. All owners of properties connecting with and using the sewer shall pay an annual rate or rental therefor, in accordance with the following schedule of standard and special classified rates:

STANDARD RATES. For single occupancy dwelling, a minimum charge of \$28.00 for each structure, provided the fixtures shall not exceed the following: one basin, one sink, one water closet, one bath tub and one laundry tub.

Additional charges shall be made as follows:

Basin	\$1.50 each
Sink	2.50 each
Water closet	3.00 each
Bath tub	2.50 each
Laundry tub	1.00 each
Slop sink	1.00 each
Urinal	1.00 each
Shower bath	2.50 each
Bidets	1.50 each
Foot bath	1.00 each
Watercooled refrigerator	5.00 each
Dishwasher	2.00 each
Electric washing machine	2.00 each
Garage - 1 car	3.00 each

For multiple dwellings, apartments and in all cases in which the above rates are not exactly applicable, the Commissioners or their authorized agent shall fix an applicable rate with the same force and effect as if set out herein.

The said rental shall be ascertained from time to time in accordance with the foregoing rates, after inspection of fixtures and shall be paid semi-annually in advance at the Township Building on the first days of January and July of each year. All rental charges and penalties shall be lien against the property until paid.

A penalty of five (5) per cent, shall be added after sixty (60) days from the date of the bills, and an additional ten (10) per cent, shall be added after six (6) months.

SECTION TWO. That all other terms and provisions of Ordinance No. 36 as aforesaid be and remain the same as therein provided and as adopted.

Approved by the Board and enacted into an ordinance this 8th day of December, 1959.

By: **NATHAN P. BAUMAN**
President

Attest:
RICHARD M. BROWN, JR.
Secretary

17Dec1TA100R

ORDINANCE NO. 198

An Ordinance appropriating and making a change in certain appropriations heretofore made by the Board of Township Commissioners of the Township of Upper Dublin under Ordinance No. 181 dated February 16, 1959.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Township Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 16th day of February, 1959, appropriated out of the estimated revenue and income available for said year, certain sums estimated by them to be required for the several specific purposes of Township Government, and

WHEREAS, Because of the difficulty in accurately determining the exact amount required for certain of the specific purposes of Township Government, which are or may be largely affected by unforeseen contingencies, the same appropriated to the following specific purposes, to wit: Building Regulation and Zoning; Garbage, Ash and Rubbish Collection and Disposal (Purchase of Major Equipment); have proved insufficient for such purposes, and

WHEREAS, The sums appropriated for the following specific purposes, to wit: Township Buildings (Land Purchase and Improvement), are in excess of the requirements thereof.

NOW, THEREFORE, the Board of Township Commissioners of the Township of Upper Dublin do hereby enact and ordain:

Section 1. That the sum of \$4,000.00 of the Township Buildings (Land Purchase and Improvement) appropriation be now transferred as follows:

\$2,000.00 to Building Regulation and Zoning

\$2,000.00 to Garbage, Ash and Rubbish Collection and Disposal (Purchase of Major Equipment)

ADOPTED and enacted into an Ordinance this 8th day of December, A. D., 1959.

Board of Commissioners
of Upper Dublin Township
By: NATHAN P. BAUMAN
President

Attest:
RICHARD M. BROWN, JR.
Secretary

17Dec1TA50R

ORDINANCE NO. 197

An Ordinance regulating solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, traveling junk dealers and similar occupations in the Township of Upper Dublin, Montgomery County, Pennsylvania, declaring it to be a nuisance for those engaging in such pursuits to go in or upon private residences without having been requested or invited to do so; providing penalties for the violation thereof; and repealing all ordinances in conflict herewith.

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

SECTION 1. That the practice of going in and upon private residences in the Township of Upper Dublin, Pennsylvania, by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, traveling junk dealers and similar occupations not having been requested or invited to do so by the owner or owners, occupant or occupants of said private residence for the purpose of soliciting orders for the sale of goods, wares, and merchandise and disposing of and/or peddling or hawking the same is declared to be a nuisance and punishable as such nuisance as a summary offense.

uwfrpe arydmNNrd

SECTION 2. The Police of the Township of Upper Dublin are hereby required and directed to suppress the same, and to abate any such nuisance as is described in Section 1 of this ordinance.

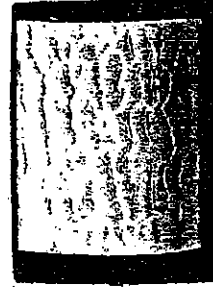
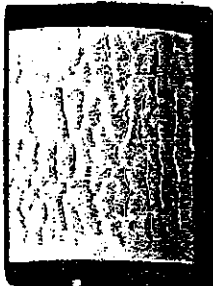
SECTION 3. The provisions of this ordinance shall not apply to the sale or soliciting of order for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden produce as far as the sale of the commodities named herein is now authorized by law.

SECTION 4. Any person, firm, corporation or association violating any of the provisions of this Ordinance, upon summary conviction before a Justice of the Peace, shall be liable to a fine not exceeding Fifty (\$50.00) Dollars, not less than Ten (\$10.00) Dollars, and in default thereof be sentenced to the County Jail for a period not exceeding ten (10) days.

Enacted into an ordinance this 8th day of December, A. D. 1959.
By **NATHAN P. BAUMAN**
President

Attest:
RICHARD M. BROWN, JR.
Secretary

17Dec1TA150R



ORDINANCE NO. 198
An Ordinance Establishing Dates of
Regular Meetings for the Commis-
sioners of the Township of Upper
Dublin, Montgomery County, Penn-
sylvania.

BE IT ORDAINED AND ENACTED
by the Commissioners of Upper Dub-
lin Township, Montgomery County,
Pennsylvania, and it is hereby enact-
ed by authority of the same.

SECTION ONE. The regular meet-
ings of the Commissioners are fixed
as follows:

The second Tuesday of each month
beginning January 12, 1960, at eight
o'clock P. M. prevailing time.

SECTION TWO. Supplemental meet-
ings may be held, when deemed
necessary, on the Monday preceding
the day prior to the day of the reg-
ular meeting at eight-thirty o'clock
P. M. prevailing time.

SECTION THREE. All meetings
shall be held in the Township Build-
ing, 1111 Bethlehem Pike, Ambler,
Pennsylvania, unless otherwise speci-
fically directed.

ORDAINED AND ENACTED this
twelfth day of January, A. D. 1960.

**COMMISSIONERS OF UPPER
DUBLIN TOWNSHIP**

By: Nathan P. Bauman
President

Attest:
RICHARD M. BROWN, JR.,
Secretary

21Jan1ta50R

ORDINANCE NO. 199

An Ordinance to amend An Ordinance approved August 20, 1955, designated as Ordinance No. 140 and known as the Upper Dublin Township Zoning Ordinance of 1956 by redefining agricultural uses, uses for special exceptions, and deleting miscellaneous uses when authorized by the approval of the Board of Commissioners, etc.

Be it ORDAINED and ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by authority of the same:

SECTION 1. Section 501 of Article V of the Upper Dublin Township Zoning Ordinance of 1956, approved August 20, 1956, and designated as Ordinance No. 140, be amended so that when amended, it will read as follows:

Section 501. Permitted Uses on Each Lot in AA, A and B Residential Districts:

1. Single family detached dwelling.
2. Agricultural except commercial greenhouses or establishments for sale of farm or agricultural products other than uses accessory to agriculture as provided in Section 406 hereinabove.
3. Any of the following uses when authorized as special exceptions:
 - A. Churches, chapels, including their adjunct residential dwellings, or other places of worship.
 - B. Educational, including schools, colleges, universities, other institutions of learning and their adjunct dormitories, both public and private, but excluding correctional or penal institutions.
 - C. Medical and surgical hospital, medical centers and sanitarium other than for contagious diseases, provided any such use is not prejudicial to the public health or welfare; rest or convalescent homes.
 - D. Golf course and golf house, excluding golf driving range and miniature golf course.
 - E. Public utility facilities, provided the exterior architectural design shall be of a residential character, and provided the property shall at no time be used for the storage of equipment or ve-

hicles or that it be used for other commercial purposes.

F. Non-commercial recreational uses.

G. Day nurseries.

H. Club house, lodges or fraternity houses, provided that the principal activity shall not be one which is customarily carried on as a business and provided that all services shall be for members and their guests.

Any of the aforesaid uses granted by way of special exception shall be subject to such reasonable conditions as may be determined by the Board of Adjustment, after hearing, among which conditions are the following: reasonable set backs as to front, side and rear yards; percentage of lot occupancy; adequate off-street parking on approved paved surfaces; provided no conditions shall be valid which are less restrictive as to height of structure, percentage of lot usage, and off-street parking than those required within the zoning district in which the property is located.

Any special exception granted hereunder by the Board of Adjustment shall not be contrary to the ordinances of the Township but shall be subject to the applicable ordinances of the Township and the rules and regulations adopted thereunder.

4. Accessory Use on the same lot with their customary incidental use to any permitted use.
5. Permitted uses subject to approval of the Board of Commissioners:
 - A. Passenger station for public transportation and any public utility use other than a public utility facility authorized in Paragraph 3 hereinabove when such use is directly related to and necessary for service within the Township.

ORDAINED and ENACTED this 12th day of January, 1966.

Board of Commissioners
of Upper Dublin Township
By NATHAN P. BAUMAN
President

Attest:
RICHARD M. BROWN, JR.
Secretary

21Jan17A-200R