

## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>  |
|------------|-------------|---|
| 400        | 03/1970     | Rezones Limekiln Pike between Norristown and Welsh Road, Welsh Road between Limekiln Pike and Norristown Road, and Norristown Road between Welsh Road and Limekiln Pike from CR-Commercial Retail District to SC-Shopping Center District |
| 401        | 05/1970     | Rezones Mitchell Tract from A-Residential to B-Residential District   |
| 402        | 05/1970     | Regulates office building in LIM Districts  |
| 403        | 05/1970     | Short term loan for Rose Valley Sewer Construction  |
| 404        | 05/1970     | An ordinance taking, acquiring and appropriating certain real property including any improvements thereon (Stevenson)   |
| 405        | 07/1970     | Transfer title of Burn Brae Golf Course to Upper Dublin Township  |
| 406        | 08/1970     | Financing of certain sewer facilities within the Rose Valley Sewer District   |
| 407        | 08/1970     | Rezones an area on the southeasterly side of Bethlehem Pike and the southeasterly side of Ardross Avenue from A-Residential to CR-Commercial  |
| 408        | 08/1970     | Changes areas abutting PA Avenue from B-Residential to Motel-Motor Inn-Motor Lodge District   |
| 409        | 08/1970     | Acquiring and appropriating certain real property for the purpose of making, enlarging and maintaining parks, recreation areas and facilities   |
| 410        | 09/1970     | Laying out a portion of Summit Ave between Logan and Linden Avenues – Edge Hill Land Association  |
| 411        | 09/1970     | Vacates a portion of Summit Avenue between Logan and Linden Avenues   |
| 412        | 09/1970     | Agreement between Upper Dublin Township as Lessee and UD Township Authority as Lessor of the Sewer System   |
| 413        | 10/1970     | Provides for RE-Recreational Districts  |
| 414        | 10/1970     | Ordinance repealing Ord. No. 409 (Gay Property)   |

## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>  |
|------------|-------------|---|
| 415        | 10/1970     | Acquires and appropriates certain real property for the purpose of enlarging and maintaining public parks, recreation areas and facilities                  |
| 416        | 12/1970     | Relinquishes the land taken and condemned by Ord. No. 404 (Stevenson)   |
| 417        | 12/1970     | Readopts Fire Prevention Code; Establishes Fire Board   |
| 418        | 12/1970     | Amends BOCA Basic Building Code with regard to sprinklers   |
| 419        | 12/1970     | Acquires and appropriates certain real property for the purpose of enlarging and maintaining public parks, recreation areas & facilities (Cedar Road Homes) |
| 420        | 12/1970     | Establishes street lighting tax for 1971  |
| 421        | 12/1970     | Adjustments in the 1970 budget  |
| 422        | 12/1970     | Fixes tax rate for 1971   |
| 423        | 01/1971     | Establishes meetings for 1981   |
| 424        | 02/1971     | Heights and developments within CR - Commercial Districts and general sign requirements   |
| 425        | 02/1971     | Rezones Manufacturers Country Club and LuLu Country Club from A-Residential to RE - Recreational District   |
| 426        | 03/1971     | BOCA Plumbing Code  |
| 427        | 03/1971     | Prevents dogs from running at large, imposes fines  |
| 428        | 03/1971     | Provides for sanitary sewer construction in Logan Avenue between Walnut Avenue and Summit Avenue  |
| 429        | 04/1971     | Acquires and appropriates real property for the purpose of enlarging public parks & recreation areas and facilities   |
| 430        | 05/1971     | No turn prohibition at Virginia Drive and Camp Hill Road  |
| 431        | 06/1971     | Outfall sewer contributions   |

## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>   |
|------------|-------------|--|
| 432        | 07/1971     | Rezones Butler Manor tract   |
| 433        | 07/1971     | Dedication of Clemens Avenue   |
| 434        | 08/1971     | Rezones to B-Residential area located on northeasterly side of Woodland Ave at intersection of Paul Avenue |
| 435        | 10/1971     | Fence regulations  |
| 436        | 10/1971     | Fence regulations – BOCA Code  |
| 437        | 10/1971     | Regulation of vehicular traffic at Virginia Drive and Camp Hill Rd   |
| 438        | 12/1971     | New zoning classification – Apartment House Special District Hi-Rise                                       |
| 439        | 12/1971     | Rezones NW side of Butler Pike at Morris Road to Apartment House Special District                          |
| 440        | 12/1971     | Amends Zoning Ordinance of 1956 – statement of community development objectives                            |
| 441        | 12/1971     | Makes changes in appropriations for 1971   |
| 442        | 12/1971     | Fixes tax rate for 1972  |
| 443        | 01/1972     | Establishes meeting dates for 1972   |
| 444        | 01/1972     | Assessment schedule for installation of sanitary sewers on Logan Avenue between Walnut and Summit          |
| 445        | 01/1972     | Provides flood plain overlay to zoning map   |
| 446        | 01/1972     | Changes boundary lines of wards  |
| 447        | 04/1972     | Requires house numbers   |
| 448        | 04/1972     | Issuance of \$500,000 General Obligation Bonds   |
| 449        | 04/1972     | Issuance of \$500,000 General Obligation Bonds   |
| 450        | 04/1972     | BOCA Basic Housing Code  |

## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>   |
|------------|-------------|--|
| 451        | 04/1972     | BOCA Fire Prevention Code  |
| 452        | 05/1972     | Prohibits hunting  |
| 453        | 07/1972     | Consolidation of sewer districts   |
| 454        | 06/1972     | Government Home Charter Study Commission   |
| 455        | 07/1972     | Rezones property at Susquehanna Road and 309 Expressway to Apartment House District (AH) (The Woods) |
| 456        | 08/1972     | Sewer Rental Schedule  |
| 457        | 08/1972     | Amends P&R Ordinance   |
| 458        | 08/1972     | Establishes Hi-Rise Apartment District   |
| 459        | 08/1972     | Rezones Louise E. Brown tract to Apartment House District  |
| 460        | 09/1972     | Adopts a plumbing fee schedule, licensing, registration & bonding                                    |
| 461        | 10/1972     | Changes sewer rental charges for large dwellings   |
| 462        | 10/1972     | Prohibits operation of trucks on North Hills Ave   |
| 463        | 12/1972     | Creates office of Township Manager   |
| 464        | 12/1972     | Changes in certain appropriations  |
| 465        | 12/1972     | Annual Budget for 1973   |
| 466        | 12/1972     | Fixes tax rate for 1973  |
| 467        | 12/1972     | Rezones a portion of the Eagano Tract  |
| 468        | 01/1973     | Regulates speed limits on Township roads   |
| 469        | 03/1973     | Restricts parking of trucks on residential streets   |
| 470        | 03/1973     | Treasurer's compensation   |
| 471        | 03/1973     | Fire House referendum  |



## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>  |
|------------|-------------|---|
| 472        | 04/1973     | Sewer rental charges for facilities having sewer meters                             |
| 473        | 05/1973     | Changes number of dwelling units permitted in AH District                           |
| 474        | 06/1973     | Rezones William Tract to B-Residential  |
| 475        | 07/1973     | Weed Ordinance  |
| 476        | 09/1973     | Regulates use of Township Park Lands  |
| 477        | 09/1973     | Provides for conversions of single-family dwellings in C-Residential Districts      |
| 478        | 09/1973     | Condominium regulations   |
| 479        | 09/1973     | Somerset House Rezoning to Apartment House  |
| 480A       | 10/1973     | Changes area at Fitzwatertown and Susquehanna from A-Residential to Apartment House |
| 480        | 10/1973     | Sump Pump ordinance   |
| 481        | 12/1973     | Referendum for Library  |
| 482        | 12/1973     | Installation of Alarm System  |
| 483        | 01/1974     | 1974 budget   |
| 484        | 01/1974     | 1974 Tax levy ordinance   |
| 485        | 01/1974     | Establishes meeting dates for 1974  |
| 486        | 02/1974     | Annual tax for building library   |
| 487        | 04/1974     | Amends Ord. #140, creating Section 1907, curative amendments, variances             |
| 488        | 04/1974     | Regulates minimum setback of accessory buildings                                    |
| 489        | 04/1974     | Regulates construction of swimming pools and artificial bodies of water             |
| 490        | 04/1974     | Defines building area   |

## UPPER DUBLIN TOWNSHIP ORDINANCES

| <u>No.</u> | <u>Date</u> | <u>Description</u>  |
|------------|-------------|---|
| 491        | 1974        | Fixes rate for street opening permits                           |
| 492        | 1974        | Summit Avenue reconstruction                                    |
| 493        | 1974        | Sale and leasing alarm devices                                  |
| 494        | 08/1974     | Montgomery Avenue Reconstruction                                |
| 495        | 08/1974     | Anti-loitering ordinance  |
| 496        | 10/1974     | Lays out Lincoln Avenue between Ave H & Queen of Peace property |
| 497        | 10/1974     | Vacates Lincoln Avenue  |
| 498        | 12/1974     | Adjusts 1974 budget   |
| 499        | 12/1974     | Establishes 1975 budget   |

## ORDINANCE NO. 400

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, BY AMENDING THE MAP THEREOF SO AS TO CHANGE THE AREAS ABUTTING LIMEKILN PIKE BETWEEN NORRISTOWN ROAD AND WELSH ROAD, WELSH ROAD BETWEEN LIMEKILN PIKE AND NORRISTOWN ROAD, AND NORRISTOWN ROAD BETWEEN WELSH ROAD AND LIMEKILN PIKE FROM CR-COMMERCIAL RETAIL DISTRICT, CLASS L AND/OR CLASS I, RESPECTIVELY, TO SC-SHOPPING CENTER DISTRICT.

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:

That the Zoning Map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE: The territory hereinafter described be and is hereby changed from CR-Commercial Retail District, Class L and/or Class I, respectively, to SC-Shopping Center District:

BEGINNING at a point on the southwesterly right-of-way line of Welsh Road, said point being south 46 degrees 31 minutes east 372.85 feet from the intersection of said right-of-way with the right-of-way of Norristown Road and also being the point of beginning of a 10 foot right-of-way widening strip; thence from said point of beginning crossing the 10 foot right-of-way widening strip and extending along the northwesterly line of lots #5 and #6 in Section #1 Plan of Wheatfield Tract, south 43 degrees 29 minutes west 300.00 feet to a point, thence northwesterly parallel to the right-of-way line of Welsh Road to a point 300 feet from the right-of-way line of Norristown Road; thence westerly parallel to the right-of-way line of Norristown Road to a point on the right-of-way line of Limekiln Pike; thence northerly along the right-of-way line of Limekiln Pike across Norristown Road to a point at the intersection of the right-of-way lines of Norristown Road and Limekiln Pike; thence westerly across Limekiln Pike to the right-of-way line of Norristown Road and along said right-of-way line of Norristown Road to a point 300 feet from the right-of-way line of Limekiln Pike; thence northerly parallel to the right-of-way line of Limekiln Pike to a point 300 feet from the right-of-way line of Welsh Road; thence northwesterly parallel to Welsh Road to a point; thence north 43 degrees 29 minutes east to a point on the right-of-way line of Welsh Road, said point being 400 feet north 46 degrees 31 minutes west of the intersection of

the right-of-way of Limekiln Pike with the right-of-way of Welsh Road and thence along the southwesterly right-of-way line of Welsh Road to the point of beginning.

ORDAINED and ENACTED this 30th day of March, A. D. 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By: *Samuel C. ...*  
President

Attest: *Arthur M. ...*  
Secretary

May 12, 1970

A stated meeting of the Board of Commissioners of Upper Dublin Township was held in the Township Building on Tuesday evening May 12, 1970 at 8:00 P.M.

In attendance Samuel C. Corey, President, Marvin S. Feller, Vice President, George A. Olsen and Thomas P. Glassmoyer, Commissioners, Elmer L. Menges, Solicitor, J. Harry Pfau, Engineer, R. M. Brown, Secretary.

Sealed bids for the erection of stone retaining walls on Highland Avenue were opened and read by the Secretary. On motion of Feller and Olsen the bids were referred to the Engineer and Public Works Committee for review and recommendation to the Board.

Sealed bids to furnish an automobile for the use of the Building Inspector were opened and read by the Secretary. On motion of Feller and Olsen the bids were referred to the Township Engineer and Public Safety Committee with authority to award a contract.

ENGINEER Mr. Pfau reported that several of the Township improvement projects have been halted because of a strike of construction workers, which is apparently spreading. Mr. Feller commented on the status of the State's project for the widening of the cart-way on Fort Washington Avenue.

On motion of Feller and Glassmoyer the Minutes for the April meetings were accepted as submitted and their reading dispensed with.

On motion of Olsen and Glassmoyer the reports of the Secretary, the Treasurer, the Building Inspector and the Plumbing Inspector were accepted as submitted. Copy of these reports are a part of the Official Minutes.

SOLICITOR Mr. Menges submitted for adoption a Resolution establishing conditions in connection with the rezoning of the Mitchell tract on Twining Road. On motion of Glassmoyer and Feller the Resolution was adopted as submitted.

Mr. Menges then submitted for adoption Ordinance #401 providing for the rezoning of the Mitchell tract from "A" Residential to "B" Residential. Ordinance #401 was adopted, as submitted, on motion of Feller and Olsen.

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ORDINANCE NO. 402

AN ORDINANCE TO REPEAL ORDINANCE NO. 147 OF THE TOWNSHIP OF UPPER DUBLIN AND TO AMEND ORDINANCE NO. 140, KNOWN AS THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, SO AS TO PERMIT "OFFICE BUILDINGS," OF A LIMITED SIZE, IN "LIM" LIMITED INDUSTRIAL DISTRICTS.

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. Repeal.

Ordinance No. 147, adopted February 12, 1957, as an amendment to "The Upper Dublin Township Zoning Ordinance of 1956," is hereby repealed.

SECTION 2. Amendment to Ordinance No. 140, titled "The Upper Dublin Township Zoning Ordinance of 1956," as amended.

A. That Section 1401 of Article XIV be amended by adding Paragraph E, as follows:

E. "Office Buildings" - to the extent of the use as provided in "Section 3 - Use Regulations" of Ordinance (OC - Office Center District) No. 382, Ordained and Enacted May 19, 1969, shall be permitted in "LIM" Limited Industrial Districts, provided, however, the following minimum and maximum conditions are strictly followed and maintained:

- (a) The lot area shall not be less than the minimum required for a lot in a "LIM" Limited Industrial District; and
- (b) The maximum building coverage of a lot shall not exceed twenty-five per cent (25%) of the lot area;

(c) The maximum height of any Office Building erected or enlarged in a "LIM" Limited Industrial District shall be limited to three (3) stories and a maximum height of 38 feet. The height of an Office Building shall be a building's vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and the lowest points of the main roof level. Increased height above the main roof is permitted to accommodate the following:

1. Parapets but not in excess of three (3) feet in mean height.
2. By a structure or structures limited to ten (10) feet in height and utilizing not more than ten (10) per cent of the roof area for only, (i) elevator penthouses (ii) air conditioning - heating - ventilating equipment of the integral unitized type with said equipment screened from public view.

(d) The gross floor area based on the outside perimeter of the building shall not exceed fourteen thousand five hundred (14,500) square feet per acre of lot area; and

(e) A minimum of one (1) parking space shall be provided for each two hundred (200) square feet of gross floor area; and

(f) With each side or rear yard and along said side or rear property line which is adjacent to a residential district, the owners shall place and maintain a planting area fifteen (15) feet

wide containing hedge, evergreens, shrubbery and suitable vegetation to provide appropriate screening and a green area. All evergreen vegetation implanted shall not be less than five (5) feet in height at the time of planting and shall be of such species that expected height at maturity shall not be less than fifteen (15) feet. All deciduous plants that may be implanted shall not be less than eight (8) feet in height or 2 inch caliper.

SECTION 3. Except as provided in Section 2 of this Ordinance, and except that no additional depth of minimum yard for a building over thirty (30) feet in height as provided in Section 1414 of the Zoning Ordinance of 1956 shall be required, all other provisions and requirements of the zoning ordinance and its amendments applicable to "LIM" Limited Industrial Districts shall apply to "Office Buildings" within a "LIM" Limited Industrial District.

Approved by the Commissioners and Enacted into an Ordinance  
this 14<sup>th</sup> day of April, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. Conroy

Attest Richard M. Bruf



ORDINANCE NO. 403  
OF THE  
BOARD OF COMMISSIONERS  
OF THE  
TOWNSHIP OF UPPER DUBLIN  
(Montgomery County, Pa.)

APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL LOAN AGREEMENT AMONG THE TOWNSHIP, UPPER DUBLIN TOWNSHIP AUTHORITY AND GIRARD TRUST BANK, PHILADELPHIA, PA., CONCERNING THE TEMPORARY FINANCING OF CERTAIN SEWER FACILITIES WITHIN THE ROSE VALLEY SEWER DISTRICT

WHEREAS, Girard Trust Bank, Philadelphia, Pa. (the "Bank"), in order to temporarily finance the cost of construction of certain sewer lines and appurtenant facilities within that portion of the Township created and designated as the Rose Valley Sewer District, has heretofore loaned to Upper Dublin Township Authority (the "Authority") the sum of \$800,000, upon the issuance by the Authority of its Bond Anticipation Note No. 3 ("Note No. 3") in a like principal amount, pursuant to a loan agreement dated as of November 1, 1968, as supplemented by loan agreement first supplemental thereto dated as of December 23, 1968 and loan agreement second supplemental thereto dated as of November 1, 1969; and

WHEREAS, Note No. 3 matured and became due on May 1, 1970; and

WHEREAS, Bank is willing to extend the term of the loan to August 1, 1970 upon the execution and delivery by the Authority of its Bond Anticipation Note No. 4 ("Note No. 4") in the like principal amount of \$800,000, to be dated May 1, 1970, to mature on August 1,

1970, to bear interest at the rate of 6 1/2% per annum, also payable August 1, 1970, issued in exchange for Note No. 3, pursuant to said loan agreement dated as of November 1, 1968 as further supplemented by supplemental loan agreement dated as of May 1, 1970 (the "Third Supplemental Loan Agreement"); and

WHEREAS, as a condition of the loan, the Bank has requested that the Township of Upper Dublin (the "Township") be a party to the Third Supplemental Loan Agreement;

NOW, THEREFORE, the Board of Commissioners of the Township hereby ORDAINS and ENACTS that:

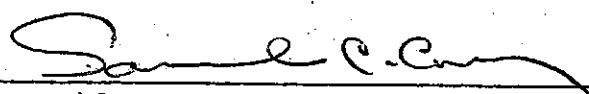
Section 1. The form, terms and conditions of the Third Supplemental Loan Agreement as presented to this meeting are hereby approved and the President or Vice-President of the Board of Commissioners of the Township and the Secretary thereof are hereby authorized and directed to execute, to affix thereto the corporate seal of the Township and to attest, the Third Supplemental Loan Agreement in substantially such form, with such changes therein as counsel may advise and the officers executing the same may approve, their approval to be evidenced by their execution thereof.

Section 2. The President and Vice-President of the Board of Commissioners of the Township and the Secretary and Treasurer thereof are hereby authorized and empowered to execute any and all papers and documents and to do or cause to be done any and all acts and things necessary or proper for the execution or carrying out of this Resolution and of the Agreement above referred to.

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

DULY ORDAINED and ENACTED at a public meeting of the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pa., held on the 12th day of May, 1970.

[SEAL]

  
\_\_\_\_\_  
President, Board of Commissioners

Attest:

  
\_\_\_\_\_  
Secretary

## ORDINANCE NO. 404

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; and

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 public park and/or recreation area and facility or facilities in the area of certain private property located on Susquehanna Road in the Township of Upper Dublin, beginning at a point approximately three hundred/sixty the center of feet Northwest of/Mundock Road; and

WHEREAS, the Township and the owners have been unable to agree on a purchase and sale of said land; and

WHEREAS, the owners or reputed owners are as follows:

John J. Stevenson and Margaret M. Stevenson, his wife, and Donald F. Stevenson, by virtue of Deed of Thomas G. Barlow and Alberta M. Barlow, his wife, dated April 2, 1957, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania, in Deed Book No. 2774, page 394.

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, as follows:

SECTION 1. That the area, as described in Deed between Thomas G. Barlow and Alberta M. Barlow, his wife, and John J. Stevenson and Margaret M. Stevenson, his wife, and Donald F. Stevenson, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania, in Deed Book No. 2774, page 394, including any improvements and fixtures thereon, is required and is necessary for the purpose of making, enlarging and maintaining a public park, recreation area or facility; that the said Township of Upper Dublin, by virtue of its powers and the Act of General Assembly, being the Act of 1931, June 24, P.L. 1206, Article XIX, Section 1901, as amended, hereby takes, acquires and appropriates, for the purpose of making, enlarging and maintaining a public park and/or recreation area or facility, the following described tract of land:

BEGINNING at a point in the centerline of Susquehanna Road (originally 33' wide) said point being located N 44° 14' 40" W 360.66' from the intersection of the centerline of Mundock Road (33' wide) with the centerline of said Susquehanna Road;

THENCE (1) from said point of beginning along the centerline of Susquehanna Road N 44° 14' 40" W 300' to a point on the dividing line between lands of Olive P. Sheppard and lands herein conveyed;

THENCE (2) by said line N 45° 28' 30" E 681.00' to a point, said point being a common corner between lands of Olive P. Sheppard, Percival Theel, Thomas G. Barlow and within described tract;

THENCE (3) by line of lands of Thomas G. Barlow S 44° 14' 40" E 300.00' to a point;

THENCE (4) through lands of John J. Stevenson of which this was a part S 45° 28' 30" W 681.00' to a point in the centerline of Susquehanna Road, the PLACE OF BEGINNING.

CONTAINING 4.686 Acres,

Which land is reputed to be the private property of the owners aforesaid.

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, including, but not necessarily limited to, the preparation and filing of a Declaration of Taking, etc.

Approved by the Commissioners and Enacted into an Ordinance this 12<sup>th</sup> day of MAY, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. Coey

Attest Richard M. Brey  
Secretary

ORDINANCE NO. 405  
OF THE  
BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN  
Montgomery County, Pennsylvania

DESIGNATING AN ADDITIONAL PROJECT FOR UPPER DUBLIN TOWNSHIP AUTHORITY, NAMELY, TO ACQUIRE, HOLD, CONSTRUCT, IMPROVE, MAINTAIN, OPERATE, OWN AND LEASE, EITHER IN THE CAPACITY OF LESSOR OR LESSEE, RECREATION GROUNDS AND FACILITIES; AND AUTHORIZING THE CONVEYANCE OF THE MUNICIPAL GOLF COURSE AND FACILITIES APPURTENANT THERETO TO THE AUTHORITY

WHEREAS, by Ordinance No. 72 enacted October 7, 1952 the Board of Commissioners of the Township of Upper Dublin (the "Township") created Upper Dublin Township Authority (the "Authority"); and

WHEREAS, by said Ordinance No. 72 the Township designated an initial project for the Authority, namely, to acquire, hold, construct, improve, maintain, operate, own and lease, either as lessor or as lessee, sewers, sewer systems or parts thereof and sewage treatment works, including works for treatment and disposing of industrial waste in Upper Dublin Township and for such other territory as it may be authorized to serve; and

WHEREAS, the Township now wishes to designate an additional project for the Authority; and

WHEREAS, the Township proposes to convey its existing golf course and facilities appurtenant thereto to the Authority;

NOW, THEREFORE, the Board of Commissioners of the Township hereby


ordains and enacts that:

Section 1. There is hereby designated an additional project for the Authority, namely, to acquire, hold, construct, improve, maintain, operate, own and lease, either in the capacity of lessor or lessee recreation grounds and facilities.

Section 2. The Township shall convey its existing golf course and facilities appurtenant thereto to the Authority for a consideration of the sum of \$1.00 and in the public interest.


Section 3. All ordinances or parts of ordinances in conflict or inconsistent herewith be and the same are hereby repealed absolutely.

DULY ENACTED by the Board of Township Commissioners of the Township of Upper Dublin this 14<sup>th</sup> day of July, 1970.

  
\_\_\_\_\_  
President, Board of Township  
Commissioners

[TOWNSHIP SEAL]

Attest:

  
\_\_\_\_\_  
Secretary

2.01

ORDINANCE NO. 406  
OF THE  
BOARD OF COMMISSIONERS  
OF THE  
TOWNSHIP OF UPPER DUBLIN  
(Montgomery County, Pa.)

APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FOURTH SUPPLEMENTAL LOAN AGREEMENT AMONG THE TOWNSHIP, UPPER DUBLIN TOWNSHIP AUTHORITY AND GIRARD TRUST BANK, PHILADELPHIA, PA., CONCERNING THE TEMPORARY FINANCING OF CERTAIN SEWER FACILITIES WITHIN THE ROSE VALLEY SEWER DISTRICT

WHEREAS, Girard Trust Bank, Philadelphia, Pa. (the "Bank"), in order to temporarily finance the cost of construction of certain sewer lines and appurtenant facilities within that portion of the Township created and designated as the Rose Valley Sewer District, has heretofore loaned to Upper Dublin Township Authority (the "Authority") the sum of \$800,000, upon the issuance by the Authority of its Bond Anticipation Note No. 4 ("Note No. 4") in a like principal amount, pursuant to a loan agreement dated as of November 1, 1968, as supplemented by loan agreement first supplemental thereto dated as of December 23, 1968, loan agreement second supplemental thereto dated as of November 1, 1969 and loan agreement third supplemental thereto dated as of May 1, 1970; and

WHEREAS, Note No. 4 matured and became due on August 1, 1970; and

WHEREAS, Bank is willing to extend the term of the loan to November 1, 1970 upon the execution and delivery by the Authority of its Bond Anticipation Note No. 5 ("Note No. 5") in the like principal amount of \$800,000, to be dated August 1, 1970, to mature on November 1,



1970, to bear interest at the rate of 6-1/2% per annum, also payable November 1, 1970, issued in exchange for Note No. 4, pursuant to said loan agreement dated as of November 1, 1968 as further supplemented by supplemental loan agreement dated as of August 1, 1970 (the "Fourth Supplemental Loan Agreement"); and

WHEREAS, as a condition of the loan, the Bank has requested that the Township of Upper Dublin (the "Township") be a party to the Fourth Supplemental Loan Agreement;

NOW, THEREFORE, the Board of Commissioners of the Township hereby ORDAINS and ENACTS that:

Section 1. The form, terms and conditions of the Fourth Supplemental Loan Agreement as presented to this meeting are hereby approved and the President or Vice-President of the Board of Commissioners of the Township and the Secretary thereof are hereby authorized and directed to execute, to affix thereto the corporate seal of the Township and to attest, the Fourth Supplemental Loan Agreement in substantially such form, with such changes therein as counsel may advise and the officers executing the same may approve, their approval to be evidenced by their execution thereof.

Section 2. The President and Vice-President of the Board of Commissioners of the Township and the Secretary and Treasurer thereof are hereby authorized and empowered to execute any and all papers and documents and to do or cause to be done any and all acts and things necessary or proper for the execution or carrying out of this Resolution and of the Agreement above referred to.

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

DULY ENACTED at a public meeting of the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pa., held on the 11<sup>th</sup> day of AUGUST, 1970.

Samuel C. Coen  
President, Board of Commissioners

[SEAL]

Attest:

Achard M. Gray  
Secretary

RECEIVED  
UPPER DUBLIN TOWNSHIP  
AUG 6 1970  
SECRETARY'S OFFICE

ORDINANCE NO. 407

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA ON THE SOUTHEAST-ERLY SIDE OF BETHLEHEM PIKE AND THE SOUTHEASTERLY SIDE OF ARDROSS AVENUE, IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, FROM A RESIDENTIAL TO CR-COMMERCIAL RETAIL, CLASS L.

BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is here-  
by ENACTED by authority of the same:

That the Zoning Map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE: The territory hereinafter described be and is hereby changed from A Residential to CR-Commercial Retail District, Class L:

BEGINNING at a point a corner formed by the intersection of the Easterly side of Bethlehem Pike (60.0' wide) and the Southerly side of Ardross Avenue (50.0' wide); thence from said beginning point along the Southerly side of Ardross Avenue S 86° 38' 30" E 205.15' to a point a corner; thence along lands of John Donofrio S 03° 23' 30" W 140.0' to a point a corner; thence along other lands of George W. Locketto, Sr., of which this was a part, N 86° 36' 30" W 196.11' to a point a corner on the Easterly side of Bethlehem Pike aforesaid; thence along the same N 00° 09' W 102.12' to a point of curve in said highway; thence along a curve to the Left in a Northerly direction with a radius of 1940.08' the arc distance of 38.18' to the first mentioned point and place of beginning.

CONTAINING 28,051 square feet of land.

ORDAINED and ENACTED this 11<sup>th</sup> day of AUGUST

A. D. 1970.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Samuel C. Conn  
President

Attest: Richard M. [Signature]  
Secretary

ORDINANCE NO. 408

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, BY AMENDING THE MAP THEREOF SO AS TO CHANGE THE AREAS ABUTTING PENNSYLVANIA AVENUE (TOWNSHIP LINE ROAD), BEGINNING APPROXIMATELY 532.21 FEET SOUTHEASTWARDLY FROM A POINT ON THE SOUTHEASTERLY SIDE OF SUMMIT AVENUE, AS LAID OUT 50 FEET WIDE, IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, FROM B RESIDENTIAL TO "MOTEL - MOTOR INN- MOTOR LODGE DISTRICT".

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:

That the Zoning Map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE: The territory hereinafter described be and is hereby changed from B Residential to "Motel - Motor Inn - Motor Lodge District":

BEGINNING at a point on the Northeasterly side of Pennsylvania Avenue, otherwise known as Township Line Road, which point is at the distance of 532.21 feet measured along the Northeasterly side of Pennsylvania Avenue from a point of its intersection with the Southeasterly side of Summit Avenue, as laid out 50 feet wide; thence by the following six (6) courses and distances, to wit: (1) North 44 degrees 45 minutes East 263.36 feet; (2) North 44 degrees 50 minutes East, computed at 246.16 feet; (3) North 45 degrees 36 minutes West, computed at 647.52 feet; (4) South 44 degrees 50 minutes West 245 feet; (5) North 45 degrees 40 minutes West 277.48 feet; and (6) South 44 degrees 45 minutes West 253.31 feet to a point on the Northeasterly side of Pennsylvania Avenue; thence along the Northeasterly side of Pennsylvania Avenue the following three (3) courses and distances, to wit: (1) North 45 degrees 15 minutes West 200 feet; (2) South 44 degrees 45 minutes West 10 feet; and (3) North 45 degrees 15 minutes West 170 feet to the first mentioned point and place of beginning.

ORDAINED AND ENACTED this 11<sup>th</sup> day of AUGUST

A. D. 1970.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Samuel C. Coney  
President

Attest: Archie M. [Signature]  
Secretary

## ORDINANCE NO. 409

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; and

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 public park and/or recreation area and facility or facilities in the area of certain private property located on the Northwesterly side of Scott Lane, approximately 540 feet Northwestwardly from Camp Hill Road, in the Township of Upper Dublin, Montgomery County, Pennsylvania; and

WHEREAS, the Township and the owners have been unable to agree on a purchase and sale of said land; and

WHEREAS, the owners or reputed owners are as follows:

GEORGE B. GAY, being a portion of property described in Deed of George B. Gay, et ux, to George B. Gay, dated October 19, 1959, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 3009, page 57.

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, as follows:

SECTION 1. That the area, as described in Deed between George B. Gay, et ux to George B. Gay, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 3009, page 57, including any improvements and fixtures thereon, is required and is necessary for the purpose of making, enlarging and maintaining a public park, recreation area or facility; that the said Township of Upper Dublin, by virtue of its powers and the Act of General Assembly, being the Act of 1931, June 24, P.L. 1206, Article XIX, Section 1901, as amended, hereby takes, acquires and appropriates, for the purpose of making, enlarging and maintaining a public park and/or recreation area or facility, the following described tract of land:

BEGINNING at the intersection of the right-of-way lines of the North corner of Wenner Way and Scott Lane, both dedicated Township streets with 50 feet wide rights-of-way, the following two courses and distances: (1) North 52 degrees 45 minutes 30 seconds West 50.00 to a point of tangent; (2) thence in a Northwesterly direction along the arc of a circle whose radius is 292.00 feet, 115.38 feet to a point and place of beginning; thence the following seven courses and distances: (1) in a Northwesterly direction along the arc of a circle whose radius is 292.00 feet, 216.92 feet to a point; (2) thence North 25 degrees 24 minutes 30 seconds West 127.00 feet to a point in the centerline of Brooks Lane; (3) thence North 25 degrees 24 minutes 30 seconds West, 431.04 feet to a point at the corner of the lines of the lands of Edward Stainton and the Pennsylvania Railroad Company; (4) thence along the line of the lands of the Pennsylvania Railroad Company North 81 degrees 13 minutes 30 seconds East 640.88 feet to a point at the corner of the lines of the lands of the Pennsylvania Railroad Company and the now or late Zebedee Comly; (5) thence along the line of the lands of the now or late Zebedee Comly South 32 degrees 40 minutes 30 seconds East, 186.21 feet; (6)

thence along the line of the lands of the Gay Subdivision, Section No. 2 South 37 degrees 14 minutes 30 seconds West 444.90 feet to a point; (7) thence along the line of the lands of the Gay Subdivision Section #2, South 140 degrees 59 minutes West, 72.61 feet to the aforementioned point of beginning.

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, including, but not necessarily limited to, the preparation and filing of a Declaration of Taking, etc.

Approved by the commissioners and Enacted into an Ordinance this 11th day of August, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By: Samuel C. Corey  
President

Attest: Richard M. [Signature]  
Secretary

ORDINANCE NO. 410

AN ORDINANCE LAYING OUT A PORTION OF SUMMIT AVENUE, BETWEEN LOGAN AVENUE AND LINDEN AVENUE, EDGE HILL LAND ASSOCIATION, 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 requested to vacate said strip of ground; 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 effected 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:

BEGINNING at a point formed by the intersection which the Southwesterly side of Summit Avenue (50 feet wide) makes with the Southeasterly side of Logan Avenue (50 feet wide); thence along the Southeasterly side of Logan Avenue and crossing Summit Avenue North  $43^{\circ} 23'$  E 50 feet to a point a corner of Lot 587 of the Edge Hill Land Subdivision; thence South  $46^{\circ} 37'$  E and along Lot 587 and 594 and the northeast side of Summit Avenue, 220 feet to a point a corner of Lot 594 and the Southwest side of Linden

Avenue (50 feet wide); thence along the southwest side of Linden Avenue and crossing the aforesaid Summit Avenue, 50 feet to a point a corner of Lot 577 and the intersection of the southwest side of Summit Avenue and the northwest side of Linden Avenue; thence along Lots 577 and 548 and the southwesterly side of Summit Avenue 220 feet to the first mentioned point and place of beginning, the aforesaid area being a portion of Summit Avenue as shown on revised plan of Edge Hill Land Association, as recorded in Montgomery County, Pennsylvania, in Deed Book 360, page 426, 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 suchcase 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 8th day of September, A. D. 1970.

BOARD OF COMMISSIONERS OF UPPER  
DUBLIN TOWNSHIP

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary



ORDINANCE NO. 411

AN ORDINANCE VACATING A PORTION OF SUMMIT AVENUE, BETWEEN LOGAN AVENUE AND LINDEN AVENUE, EDGE HILL LAND ASSOCIATION, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, Summit Avenue, between Logan Avenue and Linden Avenue of the Edge Hill Land Association Subdivision, for a distance of 220 feet, is no longer a public convenience; and

WHEREAS, a public hearing has been held on the question of the vacation of Summit Avenue, as aforesaid, in conformity with Section 2207, with the Act of June 24, P.L. 1206, as amended; and

WHEREAS, in the judgment of the Board of Commissioners, the said Summit Avenue between Logan And Logan Avenues, and described as follows, to wit:

BEGINNING at a point formed by the intersection which the southwesterly side of Summit Avenue (50 feet wide) makes with the southeasterly side of Logan Avenue (50 feet wide); thence along the southeasterly side of Logan Avenue and crossing Summit Avenue North  $43^{\circ} 23'$  East 50 feet to a point a corner of Lot 587 of the Edge Hill Land Association Subdivision; thence South  $46^{\circ} 37'$  East and along Lots 587 and 594 and the northeast side of Summit Avenue 220 feet to a point a corner of Lot 594 and the southwest side of Linden Avenue (50 feet wide); thence along the southwest side of Linden Avenue and crossing the aforesaid Summit Avenue 50 feet to a point a corner of Lot 577 and the intersection of the southwest side of Summit Avenue and the northwest side of Linden Avenue; thence along Lots 577 and 548 and the southwesterly side of Summit Avenue 220 feet to the first mentioned beginning point, the aforesaid area being a portion of Summit Avenue as shown on revised plan of Edge Hill Land Association, as recorded in Montgomery County, in Deed Book 360, page 426, 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, to wit:

BEGINNING at a point formed by the intersection which the southwesterly side of Summit Avenue (50 feet wide) makes with the southeasterly side of Logan Avenue (50 feet wide); thence along the southeasterly side of Logan Avenue and crossing Summit Avenue North  $43^{\circ} 23'$  East 50 feet to a point a corner of Lot 587 of the Edge

Hill Land Association Subdivision; thence South 46° 37' East and along Lots 587 and 594 and the Northeast side of Summit Avenue, 220 feet to a point a corner of Lot 594 and the southwest side of Linden Avenue (50 feet wide); thence along the southwest side of Linden Avenue and crossing the aforesaid Summit Avenue 50 feet to a point a corner of Lot 577 and the intersection of the southwest side of Summit Avenue and the northwest side of Linden Avenue; thence along Lots 577 and 548 and the southwesterly side of Summit Avenue 220 feet to the first mentioned beginning point, the aforesaid area being a portion of Summit Avenue as shown on revised plan of Edge Hill Land Association, as recorded in Montgomery County, Pennsylvania, in Deed Book 360, page 426, 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 Summit Avenue, as aforesaid, 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 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 having handbills posted in conspicuous places along the line of the proposed vacation.

Approved by the Board and enacted into an ordinance this 8th day of September, A.D. 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary

ORDINANCE NO. 412  
OF THE  
BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN

AUTHORIZING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL AGREEMENT OF LEASE TO BE DATED AS OF OCTOBER 1, 1970, AS A SUPPLEMENT TO A LEASE DATED AS OF MAY 1, 1961, WITH THE TOWNSHIP OF UPPER DUBLIN, AS LESSEE, AND UPPER DUBLIN TOWNSHIP AUTHORITY, AS LESSOR, OF THE SEWER SYSTEM, OWNED BY THE AUTHORITY, AND THE PAYMENTS OF ADDITIONAL RENTAL THEREUNDER, AND APPROVING THE FORM OF THE SUPPLEMENTAL LEASE; PROVIDING FOR THE EXECUTION BY THE PROPER OFFICIALS OF THE TOWNSHIP OF ALL INSTRUMENTS NECESSARY AND PROPER FOR CARRYING OUT THE TERMS OF THIS ORDINANCE; AND PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pa., and it is hereby ordained and enacted by authority of the same, as follows:

Section 1. The Township of Upper Dublin (the "Township") shall enter into a supplemental agreement of lease (the "Supplemental Lease") with Upper Dublin Township Authority (the "Authority"), as Lessor, to be dated as of October 1, 1970, of the Authority's sewer system in the Fort Washington Sewer District as well as the Capital Additions thereto constructed in the Rose Valley Sewer District, as a supplement to the original lease (the "Original Lease") dated as of May 1, 1961, between Authority and Township. Under the terms of the Original Lease, and the Supplemental Lease, the Township shall charge and collect any revenues derived from or in connection with, such sewer system, all of which revenues shall be irrevocably pledged for the payment of the cost of the operation, maintenance, repair, alteration, inspection and other expenses in relation to the sewer system and of the rentals to be paid to the Authority under the Original Lease and the Supplemental Lease. Such additional rentals shall be, and they hereby are fixed, in the annual amounts and they shall be payable all as set forth in the form of the Supplemental Lease as submitted to this meeting.

Section 2. The form, terms and conditions of the Supplemental Lease, to be substantially in the form as presented at this meeting, are hereby approved. The proper officers of the Township are hereby authorized, empowered and directed on behalf of the Township to execute and deliver the Supplemental Lease with Authority in such form, and to execute any and all papers and instruments and to do and cause to be done any and all acts and things necessary and proper for the purpose of carrying out the provisions of this Ordinance and the covenants of the Township as contained in the Supplemental Lease.

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

DULY ENACTED by the Board of Commissions of the Township, this  
22<sup>nd</sup> day of SEPTEMBER, 1970.

Samuel C. Carey  
President, Board of Township  
Commissioners

[TOWNSHIP SEAL]

Attest:

Archie McAnis  
Secretary

3.06

I, CHARLES M. SWALK, Secretary of Upper Dublin Township Authority, Montgomery County, Pa., DO HEREBY CERTIFY that attached hereto is a true, correct, complete and conformed copy of an Agreement of Lease dated as of May 1, 1961, between the Authority, as lessor, and the Township of Upper Dublin, as lessee, of the Sewer System of the Authority, and of the assignment of said lease and the rentals payable thereunder to Girard Trust Corn Exchange Bank, Philadelphia, Pa., as Trustee under an Indenture of the Authority, dated as of May 1, 1961, securing Sewer Revenue Bonds - Series of 1961 of Authority, and that said Lease is substantially in the form presented to and approved at a public meeting of the Board of the Authority held, after notice thereof had been duly given as required by law, on the day of \_\_\_\_\_, 1961.

IN WITNESS WHEREOF, I have hereunto set my signature as such official and affixed the corporate seal of said Authority this day of \_\_\_\_\_, 1961.

\_\_\_\_\_  
Secretary

[ AUTHORITY SEAL ]

3.06

ASSIGNMENT

Upper Dublin Township Authority, Montgomery County, Pa., lessor named in a certain Lease dated as of May 1, 1961, between the Authority and the Township of Upper Dublin, Montgomery County, Pa., as lessee, of the Sewer System of Authority, does hereby transfer, assign and set over pursuant to the terms and provisions of the Trust Indenture between said Authority and Girard Trust Corn Exchange Bank, Philadelphia, Pa., Trustee, dated as of May 1, 1961, to said Bank, Trustee named in the Indenture, all of the Authority's right, title and interest in and to the Lease and the rentals payable under the Lease to it, the Authority, as lessor.

IN WITNESS WHEREOF, Upper Dublin Township Authority has caused this Assignment to be duly executed and its corporate seal to be hereunto affixed, duly attested as of the first day of May, 1961.

UPPER DUBLIN TOWNSHIP AUTHORITY

[AUTHORITY SEAL]

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

Washington Avenue and Finetown Road, thence along said major ridge line in a southwesterly direction, crossing Highland Avenue southeast of Hartman Avenue, to its intersection with Legislative Route 782, thence extending along Legislative Route 782 in a southerly direction to a point in line of the northeasterly extension of Commerce Drive, thence along said extension and along Commerce Drive in a southwesterly direction to its intersection with Pennsylvania Avenue, the township line between Upper Dublin and Whitman Pennsylvania Townships; thence along Pennsylvania Avenue and its extension in a northwesterly direction to its intersection with the easterly right-of-way line of the North Pennsylvania Railroad; thence along said North Pennsylvania Railroad in a northwesterly direction to its intersection with a southwesterly extension of the line of Ellerslie Avenue; thence along said extension and along Ellerslie Avenue in a northeasterly direction to its intersection with Bethlehem Pike in a northerly direction to its intersection with Stuart Farm Creek, at Paradise Avenue; thence along Stuart Farm Creek in a westerly direction to Trinity Place; thence along Trinity Place in a northerly direction to a point in line of the rear of the properties on the southerly side of Barnockburn Avenue, presently served by sanitary sewers; thence along the rear of said properties in an easterly direction to the Bethlehem Pike; thence along the Bethlehem Pike in a northerly direction to its intersection with Highland Avenue, 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, excepting thereout those properties provided or previously proposed to be provided with sanitary sewers, in the Township abutting on the outer side of the lines; and

TOGETHER with all additions, extensions and improvements which may be hereafter made thereto, all of which, including the land and all interests therein, are herein generally referred to as "Sever Sycam".

This Lease is made upon the following terms, covenants and conditions:

Section 1. Term: The term of this Lease is 40 years from the date hereof.

Section 2. Lease Rental: Township shall pay to Authority a minimum rental hereunder, out of the separate account provided in Section 4 hereof, the rental payable in installments on or before the dates, and for each of the years, as follows:

| <u>March 15</u> | <u>September 15</u> | <u>Year</u>      |
|-----------------|---------------------|------------------|
| \$ 25,000       | \$ 23,000           | 1953             |
| 23,000          | 21,000              | 1954             |
| 21,000          | 20,000              | 1955             |
| 20,000          | 20,000              | 1956-2000, incl. |
|                 | ---                 | 2001             |

Township agrees that, to the extent that on any rental payment date the amount to the credit of the separate account provided for in Section 4, shall be insufficient to pay the fixed rental then due, it will pay, or make provision for the payment of such deficiency out of any other available current revenues of the Township, and if such current revenues be insufficient for that purpose, Township will include the unpaid amount in its budget for the ensuing fiscal year.

It is understood and agreed that the annual rental payable hereunder shall continue to be payable at the times and in the amounts herein specified, without suspension or abatement of any kind notwithstanding that all, or any part or parts, of the Sewer System have not been completed or have been wholly or partially damaged, injured or destroyed, or, if so damaged or destroyed shall not have been repaired, reconstructed or replaced.

Authority hereby directs that said rental shall be paid to Girard Trust Corn Exchange Bank, Philadelphia, Pa., Trustee under Indenture (the "Indenture") from Authority to said Bank, as Trustee (the "Trustee"), dated as of May 1, 1961, securing an aggregate of \$1,050,000 principal amount of Sewer Revenue Bonds - Series of 1961 and Sewer Assessment Revenue Bonds - Series of 1961, to which, under the terms of the Indenture, this Lease and the rentals payable hereunder are assigned and pledged or to its successor trustee under the Indenture.

Township also assumes the payment of and will punctually pay out of the revenues of the Sewer System or other available funds, as if Township were primarily liable for the same and as additional rentals hereunder during the term of this lease, all taxes and assessments, including income, profits, property or excise taxes, which may now or hereafter be levied or assessed by Federal, State or Municipal Government against the Authority upon or by reason of the receipt of the payments herein agreed to be paid by Township to Authority, or upon this lease or upon the leased premises, or upon any franchises, businesses, transactions, income, earnings, receipts, gross or net or otherwise, of the Authority in connection with the Sewer System, for the payment or collection of which taxes or assessments the Authority would otherwise be liable or accountable under any lawful authority whatever by reason of its ownership of, or its earnings, profits or receipts from or the leasing of, the Sewer System.

The intention of this Lease is that the rental provided for in this Section 2 shall be a net rent available to the Authority, without diminution of any kind.

It is agreed that the amounts required to be paid by Township under this Section 2 and Section 4 shall be paid out of the revenues to be collected as provided in Section 3 hereof, and from any other moneys which may be available for that purpose, and that neither the credit nor the taxing power of the Township is pledged for the payment thereof; provided, however, that nothing herein contained shall prevent Township from making any additional payments hereunder from any funds which may properly and legally be made available for that purpose.

If there are sufficient funds available with the Trustee to meet the payments of interest on, and the principal of, all outstanding bonds secured by the Indenture and to meet all remaining obligations to the Authority and to the Trustee, the Authority or the Trustee under the Indenture shall so notify the Township, in writing, and the Township shall then be relieved of making any further payments hereunder.



Section 3. Sewer Rentals and Charges: Township covenants that it has enacted and will keep in full force and effect during the term of this lease an ordinance or ordinances imposing certain connection charges and annual sewer rentals and other charges upon the users of the Sewer System leased hereunder and an ordinance or ordinances which require and will, during the term of this lease at all times, require all owners of improved property adjoining or abutting on or adjacent to the Sewer System to connect with said Sewer System and impose and will impose fines or penalties or otherwise provide and will provide for the enforcement thereof as may be permitted by law. Township further covenants that the total of such connection charges and annual sewer rentals and charges made for the use of the Sewer System leased hereunder shall be at least such that the amounts which may reasonably be collected therefrom will be sufficient, together with any other money which the Township may make available, to provide funds in each lease year.

a) for the payment of the annual expenses for the operation, including any payments due under any agreements entered into for the transportation and treatment of sewage from the Sewer System, maintenance (including insurance, if any), repair, alteration, inspection and other ordinary expenses in relation to such Sewer System and for making necessary renewals and replacements and ordinary improvements thereto, in order to maintain adequate service, including income, profits, property or franchise taxes, if any, payable by the Township in relation to the Sewer System;

b) for the payment of rental payable in that year to the Authority under this lease or any supplements hereto, including taxes and assessments payable under Section 2 hereof; and

c) to establish a margin of safety of at least 5% of b above.

Should the amount collected or made available by the Township in any one lease year from, or in connection with, the Sewer System be less than the total requirements under a, b and c above, or should the same be required under Section 15 of this lease, Township covenants that it will increase the sewer rentals and other charges, or otherwise adjust the same so that the amounts to be collected therefrom, together with other available moneys, shall comply with the requirements of this Section 3 and Section 15 and shall make up any deficiencies for the previous year or years.

Township further covenants to enforce said ordinance or ordinances and the collection of such connection charges and sewer rentals and other charges thereunder and, in the event they are not paid, to take all the necessary steps to reduce them to liens and to enforce collection of the liens.

Section 4. Segregation of Sewer Revenues: Township shall deposit all such connection charges and sewer rentals and charges and all other moneys received under the ordinance or ordinances referred to in Section 3, as well as all other moneys received from, or in connection with, the Sewer System, together with any other moneys made available and appropriated by the Township under Section 3 above, (all thereof being hereinafter collectively called "revenues"), in an account, to be called "Sewer Revenue Account", separate and distinct from all other accounts of the Township. All revenues in such Sewer Revenue Account shall be, and they hereby are, pledged for the payment of the expenses and rentals referred to in items (a) and (b), respectively, of Section 3 hereof. Township shall withdraw from its Sewer Revenue Account, and from time to time, sufficient amounts which shall be used to pay the said expenses referred to in item (a) of Section 3 hereof and the installments of rent as they become due. To the extent that such moneys,

together with moneys in the Township Sewer Reserve Fund, are insufficient for these purposes, Township shall withdraw, from such moneys, or otherwise make available, from time to time, sufficient amounts which shall be used to make up and pay the deficiency. Immediately after each such withdrawal and payment from its Sewer Revenue account has been made, from time to time, all balances therein shall be transferred to, and be held in, a separate account to be called "Township Sewer Reserve Fund".

Township shall, from any balance in such Sewer Revenue account accumulate and maintain in the Township Sewer Reserve Fund an amount which, together with the amounts theretofore transferred to the Township Sewer Reserve Fund, shall be sufficient to pay (i) one-fourth of such expenses as are referred to in Section 3(a) hereof, as shall be set forth in the annual estimate by the Consulting Engineers, plus (ii) prior to May 1, 1964 the amount of the next six semi-annual installments of fixed rental payable under Section 2 of this lease and after May 1, 1964, the amount of the next semi-annual installment of fixed rental payable under Section 2 of this lease.

Pending the use thereof, such moneys in the Township Sewer Reserve Fund may be invested by the Township in direct obligations of the United States of America, maturing or being redeemable at the option of the holder not later than five years from the date of such investment. The securities so purchased shall be part of such Reserve Fund and, for the purposes of determining the amount thereof, shall be valued at their then market value. The income from such investment shall be added to such Reserve Fund and such income shall become part of the balance referred to in the next paragraph.

Any balance remaining in the Sewer Revenue Account at the end of the initial period and each lease year thereafter and not required to be accumulated and maintained in the Township Sewer Reserve Fund for the purposes of (i) or (ii) above of this Section 4, may be withdrawn by the Township and transferred to its general funds, to be used for Sewer System purposes only or may be paid to Girard Trust Corn Exchange Bank, Trustee as aforesaid, as rental in addition to that provided for in Section 2 hereof; provided, however, that should the revenues collected by Township from the Sewer System leased hereunder during any six months' period following the last preceding rental payment date, together with other available funds, be insufficient to pay said expenses enumerated in Section 3(a) hereof, and the then current installment of rent, Township shall from time to time withdraw from said Township Reserve Fund in such separate account sufficient money to make up the deficiency, and thereafter no transfers to the Township or to the trustee from any such balance shall be made unless and until the amount in said Reserve Fund is sufficient to comply with the requirements set forth in (i) and (ii) above.

Section 5. Operation, Maintenance and Repair: During the term of this lease, Township shall, out of the sewer revenues hereinbefore referred to, or out of any other moneys which may be available for that purpose, maintain the Sewer System and every part thereof in good repair, working order and condition; continuously operate the same; and make all needful and proper repairs, renewals and replacements and all ordinary improvements thereto in order to maintain adequate service. Township shall also pay all necessary reasonable administration and operating expenses of the Authority, to the extent such expenses exceed the amount set forth in Section 10 hereof.

Township covenants and agrees to comply with all valid acts, rules, and regulations, orders and directions of any legislative, executive, administrative or judicial body applicable to the Sewer System.

At the request of the Authority or of the Trustee under the indenture herein referred to, but no officer thereof every three years, Township shall furnish the Authority and the Trustee with a certificate of a recognized engineer or an independent engineering firm which may be the Consulting Engineers for the Township, satisfactory to the Trustee, stating that:

1) the Sewer System is in good repair, working order and operating condition, or

2) the Sewer System is not in good repair, working order and operating condition, and the approximate amount of additional expenditures and the approximate time which are required to place the Sewer System in good repair and condition.

If the certificate reads as in (b), Township shall, at its own expense, restore the Sewer System to good repair, working order and operating condition promptly and, upon such restoration, provide the Authority and the Trustee with a certificate of such engineer, stating that the Sewer System is in good repair, working order and operating condition.

Section 6. Records and Audits: Township covenants that it will keep accurate records of the revenues which it receives from, or in connection with, the Sewer System and of the expenses of the operation and maintenance thereof, and that such revenues shall be kept in an account separate and distinct from all other accounts of Township. Township further covenants that it shall cause a complete annual audit to be made of such revenues and expenses and of the books and records relating to the Sewer System by a Certified Public Accountant or a firm of independent Certified Public Accountants, the cost of which, and of preparing copies thereof, shall be paid out of the revenues, within 60 days after such complete annual audit, signed copies thereof shall be furnished to Authority and to the Trustee and unsigned copies thereof shall be furnished to holders of bonds secured by the revenues and shall be available for inspection at all reasonable times by users of the Sewer System.

Section 7. Insurance: Township agrees that, in addition to the payment of the net rent herein specified, it will, without cost to the Authority and at its own expense out of its sewer revenues or from such other funds as may be legally available for that purpose, take out, pay for and maintain from time to time for the period of this lease, insurance, not otherwise provided for, upon, or with respect to, the Sewer System in a responsible insurance company or companies satisfactory to Authority, qualified to do business under the laws of the Commonwealth of Pennsylvania, against such risks and in such amounts as are usually carried upon, or with respect to, like properties. Such insurance policies shall be non-assessable and shall be for the benefit of the Township, Authority and the Trustee, as their interest may appear, and all losses shall be made payable to, and be deposited with, and held by, the Trustee until disbursed as hereinafter provided, and the Trustee shall have the sole right to receive the proceeds of such policies and to collect and receipt for claims thereunder.

Authority and Township covenant that they will each take all actions and do all things or cause the same to be taken or done or operate in the taking of any such action which may be necessary to enable recovery to be made upon the policies of insurance covering the risk, in order that insurance moneys may be duly and properly collected and paid to the Trustee, and that they will hereby agree

in its own name and as Trustee of an express trust, to demand, collect, sue and receipt for the insurance money which may become due and payable under any such policy. Any appraisal or adjustment of any loss or damage and any settlement or payment therefor, which may be agreed upon between Authority, the Township and any insurer, and approved in writing by the Consulting Engineers retained under the Indenture by the Authority, shall be evidenced to the Trustee by a certificate signed by the Chairman or Vice-Chairman and Treasurer or Secretary of the Authority and the President or Secretary of the Township Commissioners and may be assented to, and accepted by, the Trustee.

Immediately after any damage, injury or loss to, or destruction of, the Sewer System or any part thereof which is covered by insurance shall have occurred, the Consulting Engineers shall determine and advise the Authority and Township in writing whether it is practicable and desirable to repair, reconstruct, or replace the damaged, injured or destroyed property. If the Consulting Engineers shall determine that such repair, reconstruction or replacement is practicable and desirable, the Authority or the Township shall proceed forthwith with such repair, reconstruction or replacement upon notice from the Consulting Engineers of any such determination. The Township will promptly notify the Authority and the Trustee of any damage or loss to the Sewer System which is covered by insurance and Authority will as promptly as possible advise the Trustee as to whether such damage or loss will be repaired, reconstructed or replaced.

If the amount collected with respect to any one loss shall exceed \$5,000, the funds so collected shall be paid out, from time to time, by the Trustee for the cost of such repair, reconstruction or replacement, substantially as provided in the Indenture for payments from the Construction Fund as directed by the Consulting Engineers' Certificate upon which the Trustee shall conclusively rely. If the amount collected upon any one loss shall be less than \$5,000, the Trustee shall, upon the request of the Authority and Township, pay the amount collected over to Authority for its use or for the use of the Township for the purpose of such repair, reconstruction or replacement and no Consulting Engineers' Certificate shall be required. Any balance remaining in the hands of the Trustee or Authority, after the completion of the repair, reconstruction or replacement of any loss or damage covered by insurance or which represents the proceeds of the insurance in cases where it has been determined that the repair, reconstruction or replacement of the damaged property is not practicable or desirable, shall be paid into the Bond Redemption and Improvement Fund provided for in the Indenture herein referred to.

Public liability and property damage insurance with respect to the Sewer System and the operation and maintenance thereof shall likewise be carried and maintained by the Township for the benefit of the Township and the Authority. The Township shall cause the Treasurer and all other officers and employees of the Township handling funds in connection with the operation of the Sewer System to be bonded in adequate amounts, by responsible bonding companies.

Township shall on or before May 1 of each year, beginning in the year 1963, deliver to the Authority and to the Trustee a certificate of the Consulting Engineers stating that, in the opinion of the signers, Township has complied with the requirements of this Section 7 and listing the insurance policies and the amounts and expiration dates thereof, and stating the insurance renewals and replacements which in their opinion should be made during the then current year.



year. Township covenants to make such renewals and replacements of insurance as may be recommended by such certificate.

Section 8. No Prior Charge: Township covenants and agrees that, during the term of this Lease, it will not create any charges on the revenues from the Sewer System prior to the obligations of Township under the preceding Sections 2 to 7, inclusive.

Section 9. No Competition: Township covenants and agrees that during the term of this Lease, it will not construct or permit or join in the construction of, a sewage system or any part thereof which will compete with the Sewer System of Authority leased hereunder.

Section 10. Pledge of Lease: It is agreed by the parties hereto that Authority has assigned, transferred and pledged this Lease and the rentals payable hereunder to Girard Trust Corn Exchange Bank, Trustee under an Indenture dated as of May 1, 1961, from Authority, to secure the payment of bonds to be issued thereunder (the proceeds of which will be used, among other things, and as set forth in the Indenture, for and toward the cost of the construction of the Sewer System by Authority) and for the payment to Authority of not more than \$1,000 for the period ending April 30, 1963 and \$1,000 in each lease year thereafter, for Authority's reasonable annual administration and operating expenses, IN TRUST, to be held and applied under and in accordance with the provisions of the Indenture; and Township hereby consents to such assignment, transfer and pledge and agrees to pay to the Trustee all rentals payable hereunder; provided, however, that any such assignment and pledge of this Lease shall not subject the Trustee to any of the obligations hereunder of Authority and that the rights of the Trustee under this Lease and assignment and pledge thereof to the Trustee shall not be subject to any defense, set-off, counterclaim or recoupment whatsoever arising out of any breach of any obligations of the Authority hereunder and the rights of the Trustee shall not be subject to any defense, set-off, counterclaim or recoupment whatsoever arising by reason of any indebtedness or liability at any time owing to the Township by the Authority.

Section 11. Default and Remedies: In case Township shall default in any rental payment for a period of 15 days after the due date expressed therefor in Section 2 hereof, or shall fail to comply with any of the other covenants herein contained and such failure shall not have been remedied or made good within 30 days after written notice of such failure given to Township by registered United States mail, by Authority or the Trustee, the same shall constitute a default under the terms of this Lease. Hereafter Authority, and in case Authority is then in default under the Indenture, or is otherwise unable to act, the Trustee shall have the right to terminate this Lease or to take over the operation of the Sewer System with the exclusive right to charge and collect the rentals and revenues therefrom and to receive from the Township the assignment of any agreements hereafter entered into for the treatment, disposal and transportation of sewage by, from, into or through the Sewer System, and to take such other acts or steps as may be available under the Indenture or in law, equity or otherwise.

The acceptance by the Authority or the Trustee of any rent or portion thereof at any time after the same becomes due or any failure to enforce any of the rights herein referred to shall not be considered a waiver of the right to enforce any remedy hereunder at any time in accordance with the provisions hereof. No taking of possession of the Sewer System by the Authority or the Trustee shall be a bar to the recovery by the Authority or the Trustee from the Township of any rents

then or thereafter due and payable under the Lease or any other amounts required to be paid by the Township hereunder, and the Township shall remain liable for the same as if the Lease had not been terminated. As part of the consideration for the Lease, the Township hereby waives any exemption laws applicable to lessees now or hereafter in force.

In the event of the commencement of any action or other proceedings on the part of the Authority or the Trustee to enforce any of the provisions of the Lease or to foreclose or terminate the interest of the Township based upon a default hereunder or of any other action or proceedings on the part of the Authority or the Trustee wherein the appointment of a receiver may be permissible, then the Authority or the Trustee shall as a matter of right and immediately upon the institution of any such action or proceedings, upon notice to the Township, be entitled to the appointment of a receiver for their security and benefit of the Sewer System and of the rents, revenues and other income thereof, with such ample powers as the Court making such appointment may confer, subject, however, to the provisions of the Municipality Authorities Act of 1945 (May 2, 1945) P.L. 382, as amended.

Section 12. Redelivery of Possession: Upon the termination of this Lease under the provisions hereof, either by reason of default or by the expiration of the term, Township covenants it will deliver up peaceable possession of the Sewer System without delay upon demand made therefor by Authority or by the Trustee pursuant to the Indenture or by any other duly constituted representative of the holders of the bonds secured by the Indenture in the same good order and repair as the same now is, or will upon completion thereof, reasonable wear and tear excepted.

Section 13. Construction of the Sewer System: Authority covenants that it will proceed with the reasonable dispatch to construct and complete the Sewer System, all in accordance with plans and specifications therefor prepared by Albright & Priel, Inc., Consulting Engineers, Philadelphia, Pa. all of which plans and specifications have been approved by the Sanitary Water Board of the Commonwealth of Pennsylvania. Should the Authority require additional funds with which to complete any of the construction contemplated under this Section 13, Authority may also issue additional bonds upon compliance with the terms of the Indenture. The Sewer System at all times during construction and when completed shall be considered as part of the property leased hereunder.

Section 14. Improvements And Additions To The Sewer System: Should Township deem it necessary or advisable to make extraordinary repairs, renewals or replacements to the Sewer System or to construct or acquire new and additional permanent improvements, additions, extensions, enlargements and betterments thereto, not contemplated under or referred to in Section 13 of this Lease, it may request the Authority to construct or acquire the same and finance them from available moneys in an appropriate fund under the Indenture and/or through the issuance of additional bonds thereunder, or Township may determine to provide for the same from its general funds or by increasing sewer rentals or charges or otherwise. Any such request to the Authority shall be in writing, shall be signed by the President and Secretary of the Township Commissioners, shall set forth the amount requisitioned and shall be accompanied by:

- a) a resolution of the Township Commissioners stating that such extraordinary repairs, renewals or replacements or such permanent improvements, additions, extensions, enlargements or betterments as the case may be are deemed necessary, desirable or advisable in the proper maintenance and operation of the Sewer System and authorizing such requisition; and

b) a certificate of the Consulting Engineers stating

- 1) that such extraordinary repairs, renewals, or replacements or such permanent improvements, additions, extensions, enlargements or betterments as the case may be are necessary, desirable or advisable in the proper maintenance and operation of the Sewer System;
- 2) that the cost thereof cannot properly be paid out of the current revenues of the Sewer System without affecting the obligations of Township under this Lease;
- 3) the estimated costs of such repairs, renewals, replacements, improvements, additions, extensions, enlargements or betterments; and
- 4) in the event such requisition is for such improvements, additions, extensions, enlargements or betterments, the estimated annual costs of the operation and maintenance of, and the estimated revenues to be derived from such improvements, additions, extensions, enlargements or betterments after the completion thereof.

Upon receipt of the foregoing, the Authority shall determine, as promptly as possible, whether it is feasible, in order to comply with such request, to finance the same from available money under the Indenture or through the issuance of additional bonds thereunder or both. Township agrees to furnish all such further information in relation to the Sewer System and items contained in such requisition which the Authority may request. Upon favorable determination as to feasibility, Authority shall proceed with reasonable dispatch to make the necessary arrangements for constructing and acquiring said items and financing the same. Township agrees to cooperate with Authority in taking all necessary steps to comply with the requirements of the Indenture as to the withdrawal of moneys from the appropriate funds or the issuance of additional bonds or both.

Nothing in this Section 14 shall prevent the Township from making any extension to the Sewer System and financing the cost thereof from money available therefor or otherwise, without cost or requisition to the Authority. Any assessments or connection fees payable with reference to such extensions so financed (but not the revenues which may be received from the operation thereof); if the Township is not in default under any of the terms and conditions of this Lease, may be received by the Township for its own purposes, free of any pledge hereunder.

Section 15. Supplemental Lease: If Authority issues additional bonds for any of the purposes specified in either Section 13 or Section 14 or both thereof, or for any other purpose provided for in the Indenture and if, in connection therewith said Indenture so requires, Township shall, upon request of Authority, execute an appropriate supplemental lease providing for an extended term, if necessary and for rental payments, in addition to those required under Section 2 to Authority, and Township shall upon like request, take all other action as may be required under and to enable Authority to comply with the terms of, said Indenture. The supplemental lease and any additional rental payments thereunder to be made by Township may be pledged under said Indenture or any supplemental Indenture securing such additional bonds. The proceeds received from the sale of any such additional bonds shall be held and disbursed only in accordance with the provisions of said Indenture and any supplemental Indenture.

Section 16. Additional Leased Property: Any and all repairs, renewals, replacements, improvements, additions, extensions, enlargements and betterments which shall hereafter be made or acquired by Authority or Township in connection with the Sewer System leased hereunder, including any real estate, easements or rights of way which may hereafter be acquired or condemned while this Lease is in effect for or in connection with the Sewer System shall forthwith become the property of Authority and shall become part of the Sewer System leased hereby. Township agrees to execute all such instruments as may be requested by Authority to carry into effect the provisions of this Section 16.

Section 17. Consulting Engineers: Township agrees that, at all times during the term of this Lease, it will, for the purpose of performing and carrying out the duties imposed on the Consulting Engineers by this Lease, employ as Consulting Engineers an engineering firm or a professional engineer having a favorable repute for skill and experience in the construction and operation of sewer systems, registered in Pennsylvania and satisfactory to Authority, the cost of whose services shall be paid by Township out of the revenues.

Section 18. Funds From Commonwealth: Authority agrees that, while the Township is operating the Sewer System under this Lease, Authority will direct that moneys, if any, payable by the Commonwealth of Pennsylvania or any agency thereof, toward the cost of operating, maintaining, repairing, replacing or other expenses relating to, the Sewer System or any part thereof, shall be paid to Township. Any such moneys shall be held by the Township for the purposes provided for in, and pursuant to, Sections 3 and 4 hereof.

IN WITNESS WHEREOF, Upper Dublin Township Authority has caused this Lease to be executed by its Chairman or Vice-Chairman and its corporate seal to be hereunto affixed, attested by its Secretary or Assistant Secretary pursuant to a resolution duly adopted by the Board of said Authority, and the Township of Upper Dublin has caused this Lease to be executed by the President of its Board of Township Commissioners and its corporate seal to be hereunto affixed, attested by its Secretary of said Board, all as of the day and year first above written.

UPPER DUBLIN TOWNSHIP AUTHORITY

By \_\_\_\_\_  
Chairman

Attest:

[AUTHORITY SEAL]

\_\_\_\_\_  
Secretary

TOWNSHIP OF UPPER DUBLIN

By \_\_\_\_\_  
President  
Board of Township Commissioners

Attest:

\_\_\_\_\_  
Secretary

[SEAL]



EXHIBIT

used to and made a part of the System as described as of May 1, 1967 between Chicago Cubs and this Authority as set out at the records of Upper Main & ...

ALL THAT CERTAIN rectangular piece of land situated in the South Ward of Upper Dublin Township, Montgomery County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the westerly side of Donners Avenue (70 feet wide), said point being at a distance of sixty-six feet (68.00') measured south thirty-seven degrees, five minutes east (N. 37°05' E.) along the said westerly side of Donners Avenue from its intersection with the westerly side of Pennsylvania Avenue (60 feet wide);

thence southeasterly in a curve, arcs of 8 feet or more, fifty-nine degrees, fifty-five minutes east in 197.55' with a distance of thirty feet (30.00') to a point in the line of said Avenue of ...

thence southeasterly along the road line dividing lands of Grantor from lands and other of Grantor A. E. to north ... degrees, five minutes east in 377.00' with a distance of ... feet (377.00') to a point;

thence again extending to each end of Grantor's original to and distant perpendicular fifty-five feet (55.00') from the first herein described course and thence south fifty-two degrees, fifty-five minutes east (S. 52°55' E.) a distance of ... feet (30.00') to a point in the line of ... and

thence extending along the said westerly side of Donners Avenue, parallel to and distant perpendicular thirty feet (30.00') from the second herein described course and thence south thirty-seven degrees, five minutes, west (S. 37°05' W.) a distance of thirty-two feet (32.00') to the point of beginning.

CONTAINING 1650 square feet or 0.0273 acres, more or less.

ORDINANCE NO. 413

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED AUGUST 20, 1956, KNOWN AS ORDINANCE NO. 140, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, TO PROVIDE FOR "R.E. RECREATIONAL DISTRICTS".

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 A. Amend Section 300 of Article III of the Upper Dublin Township Zoning Ordinance of 1956, as amended, by adding R.E. Recreational District.

SECTION B. Amend the Upper Dublin Township Zoning Ordinance of 1956, as amended, by adding a new Article, to be known as Article 9-C, as follows:

ARTICLE 9-C

R.E. RECREATIONAL DISTRICTS

Section 1. 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 recreational districts to establish reasonable standards of performance and selection of uses permitted therein, in order to maintain and protect the desirable benefits which recreational uses have throughout the community.

Section 01. Use Regulations. Land may be used or occupied and buildings and structures, as accessory adjuncts thereto, may be erected or used, for any of the following purposes and no other: Private or public golf course, tennis court, swimming pool, ice skating rink, marina, playing field, and for like recreational uses. Provided that

such recreational facilities are conducted out of doors and are primarily used for owner, guests, membership or patron participation.

Section 02. Accessory Uses.

- A. A club house, provided that such is planned and used as an integral part of the principal recreational facility; and
- B. Dwellings occupied or intended for occupancy by the employees and/or guests of principal facility; and
- C. The accessory uses permitted in paragraphs A and B above shall not occupy more than Nine Per Cent (9%) of land area.

Section 03. Non-Conforming Use. No area shall be used for recreational uses if there exists in the area sought to be used for the defined recreational uses, a commercial and/or a permitted industrial use.

Section 04. Area Regulations.

- A. Land (lot) Area. No R.E. Recreational District shall have an area less than twenty-five (25) acres.

Section 05. on-site Parking. Adequate on-site all weather parking shall be provided for the accomodation of all persons customarily using the facilities afforded.

Section 06. Standards of Performance.

- A. Control of Noise. At no point on the boundary of a residential district shall the level of sound from a recreational use be such as to disturb the residential environment of the adjacent residences.

B. Control of Glare. Any operation producing glare shall be performed in such a manner as to be completely imperceptible from any point beyond the lot lines.

Section 07. Submission of Plan. Plans for any "R.E." Recreational Use shall be submitted to the Township Commissioners. Such plans shall be drawn to a uniform scale and shall show:

- (a) The boundaries of the area, the nature of the recreational facility, an outline of existing or proposed buildings, the parking area, the means of ingress and egress, the sanitary arrangements, and the provision for surface water drainage;
- (b) The shape and dimensions of all of the buildings or structures together with plans and specifications;
- (c) The appearance, preferably in color, of the buildings or structures on conversion or completion and of any signs to be attached thereto or to be located on the premises;
- (d) The landscaping of the premises.

Section 08. Approval of Plans. All plans shall be approved or disapproved by the Township Commissioners. If approved, copies thereof shall be filed among the Township records and the Commissioners may, at their discretion, require the owner to file for record in the Office of the Recorder of Deeds of Montgomery County, additional copies, or such other instruments as the Commissioners may require. If a plan or other instrument is required to be recorded, the recording thereof shall constitute the final step in the approval of such plan or plans. The cost of recording shall be paid by the owner.

Section 09. Effect of Approval of Plans. All plans finally approved, and whether or not recorded, shall be binding upon the owner, his heirs, executors, administrators, successors, and assigns; shall limit and control the issuance and validity of all building permits and use regulation permits and limit the use and operation of all land, buildings and structures, designated in such plans, to the

conditions appearing in such plans and the approval thereof.

Section 10. Amendment of Approved Plans. Approved plans may be amended pursuant to the same procedure and subject to the same limitations and requirements by which such plans were originally approved.

Section 11. Qualification as to Approval of Plans. The approval of plans shall not be construed as relieved the owner, or his successors in title, from strict compliance with, and liability under the provisions of the Ordinance to which this Ordinance is added and all other Ordinances of the Township of Upper Dublin.

ORDAINED and ENACTED this \_\_\_\_\_ day of  
A. D. 1970.

COMMISSIONERS OF THE TOWNSHIP OF  
UPPER DUBLIN

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary

ORDINANCE NO. 414

AN ORDINANCE TO REPEAL ORDINANCE NO. 409, ENACTED ON AUGUST 11, 1970.

NOW, THEREFORE, be it ORDAINED by the Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, and it is hereby ENACTED by authority of the same, as follows:

SECTION 1. That Ordinance No. 409, adopted August 11, 1970, be repealed in its entirety.

Approved by the Commissioners and ENACTED into an ordinance this 13<sup>th</sup> day of OCTOBER, 1970.

BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By: Samuel C. Corey  
President

Attest: Richard M. Boy  
Secretary

## ORDINANCE NO. 415

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; and

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 public park and/or recreation area and facility or facilities in the area of certain private property located on the Northwesterly side of Scott Lane, approximately 540 feet Northwestwardly from Camp Hill Road, in the Township of Upper Dublin, Montgomery County, Pennsylvania; and

WHEREAS, the Township and the owners have been unable to agree on a purchase and sale of said land; and

WHEREAS, the owners or reputed owners are as follows:

GEORGE B. GAY, being a portion of property described in Deed of George B. Gay, et ux, to George B. Gay, dated October 19, 1959, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 3009, page 57.

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, as follows:

SECTION 1. That the area, as described in Deed between George B. Gay, et ux, to George B. Gay, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 3009, page 57, including any improvements and fixtures thereon, is required and is necessary for the purpose of making, enlarging and maintaining a public park, recreation area or facility; that the said Township of Upper Dublin, by virtue of its powers and the Act of General Assembly, being the Act of 1931, June 24, P.L. 1206, Article XIX, Section 1901, as amended, hereby takes, acquires and appropriates for the purpose of making, enlarging and maintaining a public park and/or recreation area or facility, the following described tract of land:

BEGINNING at a point on the Northeasterly side of Scott Lane, a public highway, at a point measured as follows: BEGINNING at the intersection of the right of way lines of the North corner of Wenner Way and Scott Lane, both dedicated Township streets with 50 feet wide rights of way, the following two courses and distances: (1) North 52 degrees 45 minutes 30 seconds West, 50 feet to a point of tangency; (2) thence along said Northeast side of Scott Lane by a curved line bearing to the left in a Northwesterly direction with a radius of 297 feet the arc distance of 115.38 feet to the point of beginning; thence the following six courses and distances: (1) in a Northwesterly direction along the arc of a circle whose radius is 297 feet, 216.92 feet to a point; (2) thence North 25 degrees 24 minutes 30 seconds West 558.04 feet to a point at the corner of the lines of the lands now or late of Edward Stainton and the Pennsylvania Railroad; (3) thence along the line of the lands of the Pennsylvania Railroad North 81 degrees 13 minutes 30 seconds East 640.88 feet to a point at the corner of the lines of the lands of the Pennsylvania Railroad and now or late of Zebedee Comly; (4) thence along the line of the land now or late of Zebedee Comly South 32 degrees 40 minutes 30 seconds East 186.21 feet to a point a corner; (5) thence along the lines of the lands of a subdivision



known as the Gay Subdivision, Section #2, South 37 degrees 14 minutes 30 seconds West 444.90 feet to a point an angle; (6) thence still along the line of the lands of the aforesaid Gay Subdivision South 14 degrees 59 minutes West 72.61 feet to the first mentioned point and place of beginning.

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, including, but not necessarily limited to, the preparation and filing of a Declaration of Taking, etc.

Approved by the Commissioners and ENACTED into an Ordinance this 13<sup>th</sup> day of OCTOBER, A. D. 1970.

BOARD OF COMMISSIONERS OF UPPER  
DUBLIN TOWNSHIP

By: Samuel C. Coney  
President

Attest: Richard M. Bury  
Secretary

## ORDINANCE NO. 416

AN ORDINANCE RELINQUISHING THE LAND TAKEN AND CONDEMNED BY ORDINANCE NO. 404, ENACTED MAY 12, 1970.

WHEREAS, the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, by Ordinance No. 404, enacted May 12, 1970, did acquire a fee simple and/or absolute title to the land therein described, by virtue of the provisions of the Act of General Assembly of the Commonwealth of Pennsylvania and the method of acquiring private property in accordance with the Act of June 22, 1964, P.L. 84, as amended, which act is known as the Eminent Domain Code of 1964; and

WHEREAS, the purpose of acquiring the aforesaid land no longer exists; and

WHEREAS, the Township of Upper Dublin desires to avail itself of the privilege of relinquishing the property and returning the fee simple and/or absolute title to John J. Stevenson, Margaret M. Stevenson, his wife, and Donald F. Stevenson, the owners prior to condemnation by the Township.

NOW, THEREFORE, be it ORDAINED by the Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of the same, as follows:

SECTION 1-That the fee simple and/or absolute title to the hereinafter described land be returned to John J. Stevenson, Margaret M. Stevenson, his wife, and Donald F. Stevenson.

SECTION 2. That the Township of Upper Dublin does hereby relinquish all its right, title to and interest in the hereinafter described land, by virtue of its enactment of Ordinance No. 404, approved May 12, 1970, and the Declaration of Taking filed to No. 70-8860 in the Court of Common Pleas of Montgomery County, Pa.

SECTION 3. That the land is described as follows:

BEGINNING at a point in the centerline of Susquehanna Road (originally 33' wide), said point being located N 44° 14' W 360.66' from the intersection of the centerline of Mundock Road (33' wide) with the centerline of said Susquehanna Road;

THENCE (1) from said point of beginning along the centerline of Susquehanna Road N 44° 14' 40" W 300' to a point on the dividing line between lands of Olive P. Sheppard and lands herein conveyed;

THENCE (2) by said line N 45° 28' 30" E 681.00' to a point, said point being a common corner between lands of Olive P. Sheppard, Percival Theel, Thomas G. Barlow and within described tract;

THENCE (3) by line of lands of Thomas G. Barlow S 44° 14' 40" E 300.00' to a point;

THENCE (4) through lands of John J. Stevenson, of which this was a part, S 45° 28' 30" W 681.00' to a point in the centerline of Susquehanna Road, the PLACE OF BEGINNING.

CONTAINING 4.686 Acres.

SECTION 4. 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, including but not necessarily limited to, the preparation and filing of a Declaration of Relinquishment, etc.

ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, this 8<sup>th</sup> day of December, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. C.  
President

Attest Richard M. P.  
Secretary

## ORDINANCE NO. 417

AN ORDINANCE RE-ADOPTING A FIRE PREVENTION CODE GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; ESTABLISHING A FIRE BOARD AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES; PROVIDING FOR PENALTIES FOR VIOLATIONS AND THEIR COLLECTION.

The Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, do hereby ENACT and ORDAEN:

SECTION 1. Adoption of Fire Prevention Code.

There is hereby adopted by the Township of Upper Dublin for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code known as The BOCA BASIC FIRE PREVENTION CODE being particularly the SECOND EDITION 1970, and the whole thereof, as recommended by the Building Officials Conference of America, save and except such portions as are hereafter deleted, modified or amended, of which code not less than three (3) copies have been and now are on file in the office of the Secretary of the Township of Upper Dublin at 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, and the same are hereby adopted and incorporated as fully as if set out at length herein and from the date on which this ordinance shall take effect the provisions thereof shall be controlling within the limits of the Township of Upper Dublin, Montgomery County, Pennsylvania.

SECTION 2. Definitions.

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

a. Municipality - Township of Upper Dublin, Montgomery County, Pennsylvania.

b. Township - Township of Upper Dublin, Montgomery County, Pennsylvania.

c. Commissioners - Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania.

d. Corporation Counsel - Solicitor of the Township.

e. Fire Board - Board established by the Township of Upper Dublin (Ordinance No. 120, adopted October 11, 1956, and amendments thereto).

f. Bureau of Fire Prevention - Fire Board and/or Fire Marshal.

g. Fire Official - Fire Marshal.

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

i. Fire Department - The Fire Department of Upper Dublin Township, the department established by Ordinance No. 120, aforesaid.

### SECTION 3. Enforcement.

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

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

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

SECTION 4. Amendments to Fire Prevention Code.

The Fire Prevention Code is amended and changed in the following respects:

a. There shall be added to Article 12, following Section F-1210.0, the following:

F 1210.1 - It shall be unlawful to park any vehicle within a "NO PARKING" area adjacent to a commercial, institutional, or any building to which the public is invited. It is the intent that there should be, at all times, space available to permit proper egress by occupants from the building and adequate space for Fire Equipment.

F 1210.2 - Each "NO PARKING" area shall be determined and decreed by the Fire Marshal. His direction and approval shall be indicated on a plan, furnished by owner, in triplicate, but prepared and certified by a duly licensed civil or landscape engineer.

F 1210.3 - Each "NO PARKING" area shall be indicated by surface painted lines or approved strips, and a sufficient number of "No Parking by order of Fire Marshal". The number, size, type and construction of each sign shall be determined by the Fire Marshal and provided by the owner of lot at the owner's expense. The Fire Marshal shall be empowered to require the lot owner to replace any sign and/or require a restoration thereof, so as to permit a clear and legible reading of the words thereon.

F 1210.4 - The Fire Marshal is hereby given authority to adopt and enforce temporary parking regulations to cover emergencies or special conditions in any public or private street, lane, alley or shopping center if he shall determine that the parking of motor vehicles is liable to interfere with the operations of the Fire Department. He shall post signs on such street, lane, alley, or shopping center reading "NO Parking Temporary Fire Regulation by order Fire Marshal of the Township of Upper Dublin".

F-1210.5 - Any person parking a motor vehicle or other vehicle in disregard of any sign erected by the Fire Marshal, as provided herein, shall be guilty of a violation of this Ordinance and subject to the fines and penalties.

SECTION 5. Fire Protection Equipment.

Add to Article 15, the following:

F-1500-2 - KITCHEN PROTECTION. All institutional and commercial kitchen hood and exhaust duct systems shall be protected against grease fires by a pressure operated Underwriters Laboratories Listed Automatic Dry Chemical or Underwriters Laboratories Listed Automatic fire extinguishing system. The system shall also have a manual control so that the plenum area behind the filters and the exhaust duct system can be flooded with a high concentration of extinguishing agent to eliminate the possibility of fire being sustained and expanded.

The exhaust fan in the said duct system shall be either automatically turned off when the system is activated or allowed to continue operating in accordance with the recommendation of the manufacturer and approval of the Fire Marshal.

After the effective date of this Fire Code, all future installations of fire extinguishing systems shall be provided for the protection of duct systems, grease removal devices, and hoods. Cooking equipment which may be a source of ignition of grease in the hood, grease removal device, or duct (such as fat fryers, ranges, griddles and broilers) shall also be protected by approved extinguishing equipment.

An automatic shut-off shall be installed that will automatically stop the flow of energy (gas or Electric) when the fire protection system is activated.

F-1500-3 APPROVAL OF PLANS. Before any automatic fire protection equipment is installed or altered in any kitchen, detailed plans thereof shall first be submitted to and approved in writing by an approved rating bureau and thereafter the said plans shall be submitted to and approved in writing by the Fire Marshal. Nothing contained herein shall be construed to prevent the installation of other types of automatic fire protection restaurant equipment than those specified herein, when such equipment is approved in writing by an approved rating bureau and by the Fire Marshal.

F-1500-4 INSPECTION AND TESTS. At least annually all fire protection systems in kitchens shall be thoroughly inspected and checked for proper operation by a competent engineer or inspector. Regular service contracts with the manufacturer or installing company are desirable and recommended. The goal of such inspections and testing shall be not only to insure that the system is in full operating condition but also to indicate the probable continuance of that condition until the next inspection. Attention at each inspection shall be given to any extension of the hazard protected by the system.

Suitable discharge test shall be made when any inspection indicates their advisability. The engineer's report, with recommendations, shall be filed with the owner. Between the regular service contract inspection or tests, the system shall be inspected visually or otherwise by approved or competent personnel following an approved schedule.

At least semi-annually the contents of all expellant gas containers shall be checked by pressure or weight as stipulated by the manufacturer against the required minimum. Also, at least semi-annually the dry chemical in the system shall be examined to determine whether it is in freely running powder condition.



F-1500-5 MAINTENANCE. All automatic fire protection systems in kitchens shall be maintained in full operating condition at all times. Impairment and restoration of the system must be reported promptly to the Fire Marshal. Any difficulties or impairments shall be corrected at once by competent personnel.

F-1500-6 INSTRUCTION. All persons who inspect, test, maintain, or operate automatic fire protection systems in kitchens shall be thoroughly trained and kept thoroughly trained in the functions they are expected to perform. Training programs approved by the Fire Marshal shall be established for this purpose.

F-1500-7 FIRE ALARM SYSTEMS, SYSTEMS REQUIRED IN CERTAIN BUILDINGS. Automatic central station fire alarm systems, approved by the Fire Marshal shall be installed in all existing school dormitories, homes for children, sanitariums, nursing homes, convalescent homes, and homes for the aged having over five guests, housing bed or ambulatory patients.

F-1500-8 MINIMUM REQUIREMENTS. The following minimum requirements for an approved fire alarm system are hereby established but additional requirements may be imposed by either the Fire Marshal or Building Official when more stringent regulations are deemed necessary;

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

(b) Automatic fire detecting equipment shall be installed at the top of the basement or cellar stair-

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

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

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

F-1500-9 AFTER-RING FIRE ALARM. All coded fire alarm systems required by the Department of Labor and Industry of the Commonwealth except "Pre-signal" systems shall be provided with a relay that will sound all alarm devices automatically and continuously after the code cycle is completed and until the system is turned off manually at the main control panel.

F-1500-10-1 REGULATIONS APPLYING TO ALL FIRE HYDRANTS WITHIN TOWNSHIP OF UPPER DUBLIN. The following specifications shall apply to all Fire Hydrants installed or replaced after the effective date of this Ordinance, which are on Public water systems. The following Specifications shall also apply to Private fire hydrants which are

on private property but are served by a public water system.

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

All fire hydrants shall adhere to the following specifications: 4 ½" V.O. A-24009-17 hydrants, with two 2 ½" Jones-snap couplings, one 4 ½" Pumper Nozzle &-547, One 9/16" Pent Nut Open Right and either 6" Hub shoe or 6" Mech jt shoe. The Jones-snap couplings have Pitch Diam. 4.132" Major Diam. of nozzle 4.215", Minor Diam. of nozzle 4.031" and are 8 Threads to the inch.

The 4 ½" F-547 Pumper nozzle, Pitch Diam. 5.571" Major Diam. of nozzle 5.735", Minor Diam. 5.392", 4 Threads to the inch.

F-1500-10-2 All Private Yard Hydrants which are on a private water system or are metered from a public water system shall be of the Yard Hydrant Type with two 2 ½" Gated Valves with Jones-snap fittings and caps. No Pumper connection will be permitted.

F-1500-10-3 ~~CONDUCT PROHIBITED~~ It shall be unlawful for any person to draw water from a Fire Hydrant for any purpose other than to extinguish a fire, or to wilfully permit water from a fire hydrant to be wasted, or to damage or break a fire hydrant, or to hinder or obstruct any fireman or any vehicle of the Fire Department from passing along the streets to or from a Fire, or from conducting fire-fighting operations at a fire.

F-1510.0 MAINTENANCE OF EQUIPMENT, add the following:

F-1510.1 DEFINITIONS. Telephone Dial Alarm Systems.

Any alarm device which automatically dials any telephone number and uses a pre-taped or pre-recorded verbal message which alerts the Police and/or Fire Departments that an emergency exists or the services of those Departments are needed and operates through direct wires or transistorized type device using radio frequencies.

F-1510.2 No such alarm device heretofore installed, sold and/or leased, nor hereafter installed, sold and/or leased shall make contact in any manner directly with the Police of Upper Dublin and will not use police emergency phone number MI 6-2100 nor any other present or future police emergency phone numbers, nor with any part of the Fire Department nor use the fire emergency phone number MI 6-2100 nor any other present or future fire emergency phone numbers.

SECTION 6. Add to Article 17 (FLAMMABLE LIQUIDS) under subparagraph No. 5, as follows:

F-1700.1 PERMITS REQUIRED.

5. No permits shall be issued for Bulk Plants in Upper Dublin Township.

SECTION 7. Add to Article 22 (LIQUEFIED PETROLEUM GASES), the following:

F-2200.2 Bulk Plants for the storage of Liquefied Petroleum Gases are not permitted in the Township of Upper Dublin.

Add to Section F-2210.0 FIRE SAFETY REQUIREMENTS, the following:

F-2210.9 USED AS FUEL FOR SPACE HEATERS FOR DRYING AND WINTER PROTECTION DURING CONSTRUCTION WORK. Only Interstate Commerce Commission shipping cylinders not exceeding 100 pounds capacity shall

be used as containers for liquefied petroleum gas. In addition, the valve on the cylinders shall be protected when in storage or transportation by a protective cap or other device approved by the Fire Marshal in order to give adequate protection against valve damage.

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

Each heater shall have installed thereon a 100 per cent shut-off safety valve.

Only two braid neoprene hose shall be used for connecting the supply cylinder to the heater. Such hose shall be fitted at each end with threaded hose unions and the hose with fitting shall withstand a pre-pressure test of 250 pounds per square inch. The length of the hose shall not exceed 20 feet and shall be protected from damage.

Heaters shall be placed at least six feet from any cylinders or any combustible material in any horizontal direction and at least ten feet from any tarpaulin cover. They shall not be placed on unprotected wood flooring nor used in any unventilated areas.

No excess storage of liquefied petroleum gas is permitted in the same area where heaters are being used. Excess

cylinders shall be stored in a separate storage structure satisfactory to the Fire Marshal. Such structure shall be kept securely locked when not in actual use, and shall be provided with fire extinguishers in accordance with National Fire Protection Association Standard No. 10. All cylinders empty or full shall be treated alike and handled in the same manner.

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

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

The placement and operation of the heaters shall be under the supervision of two persons whose names are to be registered with the Fire Marshal.

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

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

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

F-2210-10 USED FOR TEMPORARY SPACE HEATING IN FIELD OFFICES, SHANTIES, TRAILERS OR SIMILAR ENCLOSURES IN CONNECTION WITH CONSTRUCTION WORK, AND TEMPORARY TENTS. Cylinders in use shall be

adequately supported and braced in an upright position, outside of the structure wherein the liquefied petroleum gas is being used.

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

Cylinders shall be of a type complying with Interstate Commerce Commission Specifications for the Storage of Liquefied Petroleum Gases, and of a container capacity not to exceed 100 pounds.

Only two braid neoprene hose shall be used for connecting the supply cylinder to the heater. Such hose shall be fitted at each end with threaded hose unions and the hose with fitting shall withstand a pre-pressure test of 250 pounds per square inch. The length of the hose shall not exceed 20 feet and shall be protected from damage.

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

Where field office trailers are constructed with the heating equipment as an integral part including copper tubing, the liquefied petroleum gas supply shall be connected to the copper tubing protruding from the trailer with a threaded fitting in accordance with the requirements of Subsection F-2210-10, paragraph 4.

No excess storage of liquefied petroleum gas will be permitted in the same area where heaters are being used. Excess cylinders shall be stored in a separate storage structure satisfactory to the Fire Marshal. Such structure shall be kept securely locked

when not in actual use and provided with fire extinguishers in accordance with National Fire Protection Association Standard No.

10. All Cylinders, empty or full, shall be treated alike and handled in same manner.

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

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

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

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

F-2210-11 USED AS A FUEL FOR HEATING TAR KETTLES. Only Interstate Commerce Commission shipping cylinders not exceeding 100 pounds capacity shall be used as containers for the liquefied petroleum gas.

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

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

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

Each portable tar kettle unit shall be provided with an extinguisher of the Carbon Dioxide or Dry Chemical Type containing



at least four pounds of extinguishing agent.

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

In any building or on roofs of any structure unless the roof is of non-combustible construction;

Within 15 feet of a fire hydrant;

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

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

SECTION 8. Add to Article 29 (GENERAL PRECAUTIONS AGAINST FIRE), the following:

F-2910-2 All permitted fires shall be kindled or maintained between sunrise and sunset, except by a special permit for burning after sunset issued by the Fire Marshal.

F-2910-3 The burning of leaves on Saturday between Sunrise and Sunset and on Sunday from 12 Noon to Sunset shall be permitted, provided, however, that because of unusual drought conditions the burning of leaves may be banned throughout the Township by the Fire Marshal.

F-2910-4 The burning upon a paved section of any public highway within the Township is prohibited.

#### SECTION 9. MODIFICATIONS.

The Fire Board shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are

practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Fire Board thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

**SECTION 10. APPEALS.**

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

**SECTION 11. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.**

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

**SECTION 12. VIOLATIONS.**

A. Any persons who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or

permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Fire Board or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, be guilty of a summary offense, punishable by a fine of not more than \$300.00, or in default of payment thereof, by imprisonment for not more than five (5) days. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

B. Violation for Parking within a "No Parking" area shall be punishable as follows:

Any person parking a motor vehicle within a "No Parking" area shall, upon summary conviction before a District Judge, be sentenced to pay a fine of Five (\$5.00) Dollars and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment for not more than five (5) 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 ten (10) days thereafter, and that if during said ten (10) days period, the offender shall voluntarily

appear at the office of the Township Secretary, Township Building, 801 Loch Alsh Avenue, Fort Washington, Pa., and voluntarily enter a plea of guilty, and pay a fine of Five (\$5.00) Dollars to the Township Secretary, then no prosecution for said offense shall thereafter be brought.

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.

SECTION 13. REPEAL OF CONFLICTING ORDINANCES.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the code hereby adopted are hereby repealed.

SECTION 14. The Board of Township Commissioners of the Township of Upper Dublin hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Board of Township Commissioners that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

ENACTED and ORDAINED this 8<sup>th</sup> day of November, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By: Samuel C. Crey

Attest: Richard M. Prof

ORDINANCE NO. 418

AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 357, ENACTED JULY 9, 1968, AS AMENDED BY ORDINANCE NO. 398, ENACTED MARCH 10, 1970, WITH REFERENCE TO "THE BOCA BASIC BUILDING CODE OF 1970."

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

SECTION 1. That Ordinance No. 398, adopting the Fifth Edition of the "Boca Basic Building Code of 1970", as enacted on March 10, 1970, be amended as follows:

A. Add to Section 201.0 of ARTICLE 2, the following definition:

"Substantially Altered" means any substantial structural alteration in or addition to the supporting or structural members of a building, such as bearing walls, bearing columns, bearing beams, or bearing girders; provided, that a substantial alteration shall not include, inter alia, repairs to roof, walls, or interior; exterior or interior painting or re-decoration; elimination, moving or construction of new partitions within an existing building; air conditioning; repairs or replacement of heating systems; modernization of kitchens or bathrooms, including moving or replacement of utility lines, gas, water, sewer and electricity; and installation or replacement of kitchen or bathroom equipment. A structural alteration not increasing the square footage of a building more than 20 per cent shall not be considered a substantial alteration.

B. Add to Section 901.0 of ARTICLE 9, the following definition:

"Fire-Resistive Building" means a building in which

the walls are of approved masonry or reinforced concrete and the structural members of which have fire-resistance ratings sufficient to withstand the hazard involved in the occupancy, but not less than a four hour rating for bearing walls, fire walls, party walls, isolated piers, columns, and wall-supporting girders; a three hour rating for walls and girders other than above specified and for beams, floors, and roofs; and a two hour rating for fire partitions; and in which all floor openings are protected by effective fire-resistance enclosures.

"Major Kitchen" means a kitchen with an area of 500 square feet, or more, in any building except a single-family or a two-family dwelling.

C. Add to Section 1200.4 of ARTICLE 12, the following definition:

"Approved Rating Bureau" means an insurance inspection bureau, department or organization, including the American Insurance Association, Factory Insurance Association, Associated Factory Mutual Fire Insurance Companies, and Middle Department Association of Fire Underwriters, and any other such organization hereafter duly approved by resolution of the Board of Commissioners.

D. Add to Section 1213.0 of ARTICLE 12, the following sections:

1213.2 - AUTOMATIC SPRINKLER EQUIPMENT REQUIRED THROUGHOUT CERTAIN BUILDINGS. Automatic sprinkler equipment shall be installed and maintained throughout buildings of the types set forth below hereafter erected, converted, or substantially altered:

High hazard occupancy buildings;

Hospitals and other institutional buildings, school dormitories;

Sanitariums, nursing homes, convalescent homes and

homes for the aged, housing bed or ambulatory patients for over 5 guests;

Bowling alleys;

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

Fire-resistive buildings having an undivided floor area of 10,000 square feet, or more, per floor, used in whole or in part for the manufacture, storage or sale of combustible goods, wares or merchandise, including, inter alia, stores, restaurants and supermarkets, (all Fire-resistive buildings over five (5) floors in height, including inter alia office buildings, apartments, schools, stores, and retirement type homes);

Non-fire resistive buildings having an undivided floor area of 5,000 square feet, or more, per floor, used in whole or in part for manufacture, storage, or sale of combustible goods, wares or merchandise, including, inter alia, stores, restaurants and supermarkets;

Fire-resistive buildings having an undivided floor area of 10,000 square feet, or more, per floor, used for the housing of automobiles, not including open deck garages unless the same are over two stories in height;

Non-fire resistive buildings having an undivided floor area of 6,000 square feet, or more, per floor, used for the housing of automobiles.

1213.3 - AUTOMATIC SPRINKLER EQUIPMENT REQUIRED IN CERTAIN PARTS OF CERTAIN BUILDINGS. Automatic sprinkler equipment

shall be installed and maintained in cellars, sub-cellars, basements, sub-basements, storage rooms, major kitchens and chutes of buildings of the types set forth below, hereafter erected or substantially altered;

Apartment houses and apartment hotels.

Schools and other buildings used for educational purposes, provided, however, that in such buildings automatic sprinkler equipment shall also be installed and maintained in stairways and corridors;

Public buildings;

Churches and chapels.

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

1213.4 - Location and Size of Sprinkler Heads, Valves and Pipes, Water Supply. The location and size of sprinkler heads, pipes and other fire extinguishing equipment, appliances and devices shall comply with the standards set forth in the National Fire Protection Association No. 13. Such equipment shall be connected to an adequate water supply, as determined by an approved rating bureau and the Fire Marshal.

1213.5 - APPROVAL OF PLANS. Before any automatic sprinkler equipment is installed or altered in any building, detailed plans thereof shall first be submitted to and approved in writing by an approved rating bureau, and thereafter the said plans shall be submitted to and approved in writing by the Fire Marshal. Nothing



contained herein shall be construed to prevent the installation of other types of automatic fire protection in writing by an approved rating bureau and the Fire Marshal.

1213.6 - EXEMPTIONS. Nothing herein contained shall be construed to require the installation of automatic sprinkler equipment in: (I) safe deposit or other vaults, (II) rooms or buildings used for the sale, manufacture or storage of aluminum powder, calcium carbide, calcium phosphide, metallic sodium, potassium quicklime, magnesium powder, sodium peroxide, or like substances to which the application of water will cause or increase the fire hazard, or (III) any other location where the installation of such equipment may in the opinion of an approved rating bureau and the Fire Marshal increase the hazard to life or property, or for any other reason be impractical due to existing conditions.

ORDAINED and ENACTED this

8<sup>th</sup>

day of

December

A. D. 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By

Samuel C. Coney

Attest

Arthur M. Murphy

## ORDINANCE NO. 419

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; and

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 public park and/or recreation area and facility or facilities in the area of certain private property located between Limekiln Pike and Fitzwatertown Road, in the Township of Upper Dublin, beginning at a point approximately 217 feet Northwest of the intersection of the Northwest side of Fitzwatertown Road with the Northeast side of Jenkintown Road; and

WHEREAS, the Township and the owner have been unable to agree on a purchase and sale of said land; and

WHEREAS, the owner or reputed owner is as follows:

Cedar Road Homes, Inc., by virtue of Deed from Naomi Peterman, Singlewoman, dated March 3, 1966, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 3418, page 651.

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, as follows:

SECTION 1. That the area, as described in Deed between Naomi Peterman, Singlewoman, and Cedar Road Homes, Inc., and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania, in Deed Book 3418, page 651, including any improvements and fixtures thereon, is required and is necessary for the purpose of making, enlarging and maintaining a public park, recreation area or facility; that the said Township of Upper Dublin, by virtue of its powers and the Act of General Assembly, being the Act of 1931, June 24, P.L. 1206, Article XIX, Section 1901, as amended, hereby takes, acquires and appropriates, for the purpose of making, enlarging and maintaining a public park and/or recreation area or facility, the following described tract of land:

BEGINNING at a point on the Northeasterly side of Limekiln Pike, said point being measured the two following courses and distances from a point formed by the intersection of the Northeasterly side of Jenkintown Road with the Northwesterly side of Fitzwatertown Road (1) leaving Fitzwatertown Road partly along the Northeasterly side of Jenkintown Road and Limekiln Pike North 27 degrees 7 minutes West 150.28 feet more or less to a point an angle on the Northeast side of Limekiln Pike and (2) along the Northeasterly side of Limekiln Pike North 17 degrees 6 minutes West 66.79 feet more or less to the point of beginning; thence extending from said point of beginning Northwesterly along the Northeasterly side of Limekiln Pike crossing the bed of a Creek North 17 degrees 6 minutes West 753.97 feet more or less to a point; thence extending North 70 degrees 55 minutes 30 seconds East 188.44 feet more or less to a point; thence extending Southeast 71 feet more or less to a point at or near the Northerly side of the aforesaid Creek; thence crossing and recrossing the bed of the aforesaid Creek North 73 degrees 19 minutes 28 seconds East 1019.38 feet more or less to a point; thence extending South 43 degrees 32 minutes West 1414.57 feet more or less to the first mentioned point and place of beginning.

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, including but not necessarily limited to, the preparation and filing of a Declaration of Taking, etc.

Approved by the Commissioners and ENACTED into an Ordinance this 8<sup>th</sup> day of December, 1970.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By *Samuel C. Conroy*  
President

Attest *Richard M. Boy*  
Secretary

ORDINANCE NO. 470

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY AND COMMONWEALTH OF PENNSYLVANIA, FIXING THE ASSESSMENT FOR STREET LIGHTING FOR THE YEAR 1971.

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, and State of Pennsylvania, as follows:

SECTION 1. That the cost and maintenance of street lighting along any street or highway, or portion thereof, within the Township of Upper Dublin, is hereby assessed for the year 1971 by an equal assessment on all property benefitted by such lighting, in proportion to the number of feet the same fronts on the street or highway, or portion thereof lighted, as follows:

- A. Residential zoned property, with improvements thereon, at eleven (11¢) cents per lineal foot frontage; and
- B. Residential zoned property without improvements thereon, at three (3¢) cents per lineal foot; and
- C. Other than residential zoned property with improvements thereon, twenty-four (24¢) cents per lineal foot; and
- D. Other than residential zoned property without improvements thereon, six (6¢) cents per lineal foot.

Approved by the Board of Commissioners of Upper Dublin Township and ORDAINED and ENACTED into an Ordinance this 28<sup>th</sup> day of December, 1970.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

BY Mar. Heller  
President

Attest Richard M. Brey  
Secretary

ORDINANCE NO. 421

An ordinance appropriating and making a change in certain appropriations heretofore made by the Board of Commissioners of the Township of Upper Dublin under Ordinance No. 392 dated December 29, 1969.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 29th day of December, 1969 appropriated out of the estimated revenue and income available for year 1970, 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: Police Protection, Fire Protection, Health Bureau, Garbage & Rubbish Collection and Disposal, Sanitary Sewers, Highways, Street Lighting, Insurance and Pensions have proved insufficient for such purposes, and

WHEREAS, The sums appropriated for the following specific purposes, to wit: Administration, Township Building, Principal on Indebtedness (Temporary Loans) are in excess of the requirements thereof.

NOW, Therefore, the Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain:

SECTION I. That the sum of \$6,000.00 of the Administration appropriation be now transferred as follows:

\$4,500.00 to Insurance and Pension  
\$1,500.00 to Street Lighting

SECTION II. That the sum of \$3,500 of the Township Building appropriation be now transferred as follows:

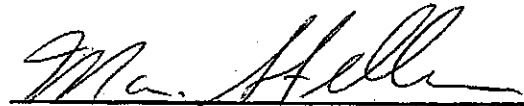
\$3,500.00 to Sanitary Sewers

SECTION III. That the sum of \$78,500.00 of Principal on Indebtedness appropriation be now transferred as follows:

\$15,000.00 to Police Protection  
\$ 2,500.00 to Fire Protection  
\$ 2,000.00 to Health Bureau  
\$ 9,000.00 to Garbage & Rubbish Collection  
and Disposal  
\$50,000.00 to Highway

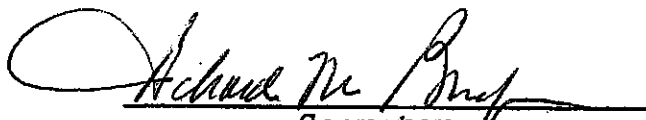
ADOPTED and enacted into an Ordinance this 28<sup>th</sup> day of ~~1970~~

December 1970

  
\_\_\_\_\_  
President, Board of Commissioners

(Seal)

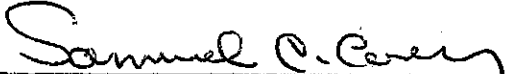
Attest:

  
\_\_\_\_\_  
Secretary

(4)

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 28th day of December, A. D., 1970

  
\_\_\_\_\_  
President of the Board of Township Commissioners

CERTIFICATION

To the Secretary of Community Affairs:

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 422 enacted by the Commissioners of the Township of Upper Dublin on December 28, 1970.

  
\_\_\_\_\_  
Township Secretary



ORDINANCE NO. 422

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, COUNTY OF MONTGOMERY and the Commonwealth of Pennsylvania, fixing the tax rate for the year 1971 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 1971, as follows:

Tax rate for general Township purposes, the sum of twenty one and one-half (21½) mills on each dollar of assessed valuation, or the sum of two hundred fifteen cents (215) cents on each one hundred dollars of assessed valuation.

For Fire Protection purposes, the sum of one mill on each dollar of assessed valuation, or the sum of ten (10) cents of each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

| Purpose                                   | Mills on Each<br>Dollar of Assessed<br>Valuation | Cents on Each<br>One Hundred<br>Dollars of<br>Assessed Valuation |
|---|--|--|
| Tax Rate for General<br>Township Purposes | 21½ Mills  | \$ 215. Cents  |
| Tax Rate for Fire Protection              | <u>1</u> Mill                                    | <u>10.</u> Cents   |
| Total                                     | 22½ Mills  | \$ 225. Cents  |

SECTION 2. That for the expenses of the Township for the fiscal year 1971 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

(2)

|                                       |    |                |
|---------------------------------------|----|----------------|
| Cash and securities for Appropriation | \$ | 75,760.80      |
| Receipts from Current Tax Levy        |    | 910,020.00     |
| Receipts from Taxes of Prior Years    |    | 13,000.00      |
| Other Revenue Receipts                |    | 410,250.00     |
| Miscellaneous non-revenue Receipts    |    | 150,304.20     |
| Total Estimated Receipts and Cash     |    | \$1,559,335.00 |

SUMMARY OF APPROPRIATIONS

|  | <u>Operation &amp;<br/>Maintenance</u> | <u>Capital<br/>Outlay</u> | <u>Total</u> |
|--|--|---------------------------|--------------|
| <b>General Government:</b>                 |  |                           |              |
| Administration                             | 101,799.50                             | 1,500.00                  | 103,299.50   |
| Treasurer and Tax Collector                | 4,000.00                               |                           | 4,000.00     |
| Township Buildings                         | 22,000.00                              | 8,000.00                  | 30,000.00    |
| TOTAL                                      | 127,799.50                             | 9,500.00                  | 137,299.50   |
| <b>Protection to Persons and Property:</b> |  |                           |              |
| Police                                     | 312,665.00                             | 17,000.00                 | 329,665.00   |
| Fire                                       | 32,275.00                              |                           | 32,275.00    |
| Building Regulation and Zoning             | 16,015.00                              |                           | 16,015.00    |
| TOTAL                                      | 360,955.00                             | 17,000.00                 | 377,955.00   |
| <b>Health and Sanitation:</b>              |  |                           |              |
| Health Bureau                              | 20,900.00                              |                           | 20,900.00    |
| Garbage Collection and Disposal            | 178,500.00                             | 18,000.00                 | 196,500.00   |
| Ash & Rubbish Disposal                     |  |                           |              |
| Sanitary Sewers                            | 37,500.00                              | 84,000.00                 | 121,500.00   |
| TOTAL                                      | 236,900.00                             | 102,000.00                | 338,900.00   |
| <b>Highways:</b>                           |  |                           |              |
| Streets and Bridges                        | 294,700.00                             | 21,500.00                 | 316,200.00   |
| Street Lighting                            | 30,000.00                              |                           | 30,000.00    |
| TOTAL                                      | 324,700.00                             | 21,500.00                 | 346,200.00   |
| Library: - TOTAL                           | 41,000.00                              |                           | 41,000.00    |
| <b>Recreation:</b>                         |  |                           |              |
| Parks and Playgrounds                      | 67,670.00                              | 5,000.00                  | 72,670.00    |
| Swimming Pools & Other Facilities          | 2,000.00                               | 5,000.00                  | 7,000.00     |
| TOTAL                                      | 69,670.00                              | 10,000.00                 | 79,670.00    |
| <b>Miscellaneous:</b>                      |  |                           |              |
| Insurance                                  | 50,500.00                              |                           | 50,500.00    |
| Pensions                                   | 45,000.00                              |                           | 45,000.00    |
| Refunds - O.P. Tax                         | 2,000.00                               |                           | 2,000.00     |
| TOTAL                                      | 97,500.00                              |                           | 97,500.00    |

|   |              |
|---|--------------|
| Total for Operation, Maintenance and Capital Outlay | 1,418,524.50 |
| Debt Service:                                       |              |
| Interest  | 67,810.50    |
| Principal   | 73,000.00    |
| TOTAL DEBT SERVICE                                  | 140,810.50   |
| Total Appropriations from General Operating Funds   | 1,559,335.00 |

SEWER FUND  
SUMMARY OF ESTIMATED RECEIPTS

|                                     |            |
|-------------------------------------|------------|
| Cash Balance for Appropriation      | 52,187.74  |
| Receipts from Sewer Rents           | 62,500.00  |
| Receipts from other Revenue Sources | 6,000.00   |
| Receipts from Non-Revenue Sources   | 175,000.00 |
| Total Estimated Receipts and Cash   | 295,687.74 |

SUMMARY OF APPROPRIATIONS

|                                      |            |
|--------------------------------------|------------|
| Operation and Maintenance            | 88,247.00  |
| Capital Outlay                       | 5,000.00   |
| Total Appropriations from Sewer Fund | 93,247.00  |
| Operating Surplus                    | 187,440.74 |
| Disposition of Surplus               |            |
| Transfer to General Fund             | 15,000.00  |

SINKING FUND  
SUMMARY OF ESTIMATED RECEIPTS

|   |           |
|---|-----------|
| Cash and Securities from previous Year        | 15,984.32 |
| Interest on Deposits and Securities           | 425.00    |
| Total Estimated Receipts, Cash and Securities | 16,409.32 |

SUMMARY OF APPROPRIATIONS

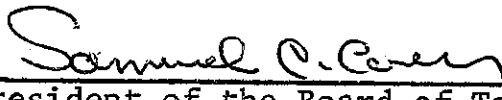
|  |          |
|--|----------|
| Interest to be Paid                    | 478.15   |
| Bonds to be Paid                       | 5,000.00 |
| Other Expenditures                     | 125.00   |
| Total Appropriations from Sinking Fund | 5,603.15 |

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 of Upper Dublin, Fort Washington, Pennsylvania.

(4)

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 28th day of December, A. D., 1970

  
\_\_\_\_\_  
President of the Board of Township Commissioners

CERTIFICATION

To the Secretary of Community Affairs:

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 422 enacted by the Commissioners of the Township of Upper Dublin on December 28, 1970.

  
\_\_\_\_\_  
Township Secretary

ORDINANCE NO. 423

An ordinance establishing the dates of regular meetings of the Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, during the year 1971.

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. The regular meetings of the Commissioners for the year 1971 are fixed as follows:  
The second Tuesday of each month, beginning January 12, 1971 at 8 P.M. prevailing time.

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

Ordained and enacted this 12<sup>th</sup> day of January, 1971.

  
\_\_\_\_\_  
President, Board of Commissioners

Attest:

  
\_\_\_\_\_  
Secretary

## ORDINANCE NO. 424

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED AUGUST 20, 1956, KNOWN AS ORDINANCE NO. 140, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, SO AS TO PROVIDE FOR AMENDMENTS AS TO HEIGHTS AND DEVELOPMENT REQUIREMENTS WITHIN COMMERCIAL DISTRICTS AND, ALSO, AMENDMENTS TO THE GENERAL SIGN REQUIREMENTS.

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 laws of the Commonwealth of Pennsylvania, as follows:

That Ordinance No. 140, approved August 20, 1956, known as "The Upper Dublin Township Zoning Ordinance of 1956," as amended, be further amended as follows:

SECTION ONE. ARTICLE XII. That Section 1203, Paragraph 2, be amended to read as follows:

Section 1203. 2. Side Yards. On a lot abutting any Residential District there shall be a side yard abutting the District having a width of twenty (20) feet or a width equal to that required on the Residential District, whichever is larger. On each corner lot there shall be a side yard abutting the street having a width of not less than forty (40) feet.

SECTION TWO. ARTICLE XII. That Section 1204, Article XII, be amended to read as follows:

Section 1204. The maximum number of floors and the maximum height of any building erected or used in this District shall be as follows:

- a. Floors - two
- b. Height - 30 feet

SECTION THREE. ARTICLE XII. That a new Section 1205, Article XII, be added to read as follows:

Section 1205. Development requirements and Plan Approval. No permit for the erection or use of any building within the District shall issue until the following conditions are met:

1. Provisions are made to serve the building by public water and a public sanitary sewer collection and disposal system; and
2. Provisions are made for adequate on-site parking for the ultimate and maximum use and occupancy of the building, including invitees thereto, but not less than one space for every two hundred (200) square feet of total floor area; and
3. Provisions are made for adequate loading and service areas which shall be exclusive of parking and traffic lane areas; and
4. Provisions are made to store all materials, including trash, supplies, rubbish, refuse, etc. within the building. They shall not be handled so as to give rise to smoke, odor or litter; and
5. The provisions, as hereinabove are provided, are assured to and approved by the Board of Commissioners at a public meeting by guarantees in a form and to the extent as required by the Board of Commissioners, and provided there is no use or occupancy of the building until a certificate of occupancy, as required by the ordinances of the Township, is obtained.

SECTION FOUR. ARTICLE XVI. That Section 1603, Article XVI, be amended so as to read as follows:

Section 1603. General Sign Restrictions. The following shall apply to permitted signs in all Districts unless specifically authorized and/or restricted or regulated by the ordinance creating the District:

1. No sign, other than an official traffic sign or similar sign, shall be erected within the lines of any street.
2. No sign shall project over any public sidewalk nor shall any sign extend beyond any property line.
3. No sign or other advertising structure shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
4. No ground sign shall exceed 20 feet in height and ground signs shall have a space of not less than three feet between the base line of said sign and the ground level. No wall sign shall be permitted to extend more than 15 inches beyond the building line and shall not be attached to a wall of a height of less than 10 feet above the ground level.
5. No sign shall be erected or painted on the roof of any building nor shall it project above the height of the wall of the building to which it pertains.



6. No sign, erected or maintained on any property, shall advertise anything other than is offered for sale on said property.
7. The following types of signs or advertising practices shall be prohibited: curb or sidewalk signs; signs painted, attached or suspended from any outdoor bench, chair or other article; real estate directional signs; advertising by tacking, pasting or other wise affixing posters or other advertising upon poles, trees, buildings, fences or other structures, or by stringing outdoor lights.
8. No animated sign, nor signs that revolve, swing or have movable partes, or have or appear to have flashing lights or reflectors, shall be permitted after the effective date of this Ordinance, and no advertising sign, banner, pennant, balance, spinners or display constructed of cloth, canvas, light fabric, cardboard, wall board or other like materials shall be erected, suspended or hung on any property except as follows: The Zoning Hearing Board may permit as a special exception the use of advertising signs, banners, valances or displays constructed of cloth, canvas, light fabric, or other like materials for a period of not more than 30 days in any one calendar year.

SECTION FIVE. ARTICLE XVI. That Section 1604, Article XVI, be amended so as to read as follows:

Section 1604. Illumination of Permitted Signs. Sign illumination shall be governed by the following:

A. In all Residential and Recreational Districts, the following permitted signs may be illuminated and no other:

1. Professional sign of a physician, dentist, and such other person whose services in emergency are customarily considered essential to the public health, safety, and welfare, provided that the illumination is white light only, and provided further that the total illumination for any such 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, Shopping Center Districts, Office Center Districts, Motel Districts and Limited Industrial Districts, any permitted sign may be illuminated subject to the following:

1. No sign shall be illuminated by any type of illumination, whether internal or external, before seven o'clock A.M., local time nor

later than one-half hour after the time at which the premises is closed to the public, except when authorized as a special exception by the Zoning Hearing Board in any case where, in the judgment of the Department of Public Safety of the Township of Upper Dublin, such illumination is necessary for public safety and the protection of property.

2. Total illumination shall be limited so as not to reflect or cast light beyond the limits of the premises.

SECTION SIX. ARTICLE XVI. That a new Section 1605, Article XVI, be added to read as follows:

Section 1605. Outside lighting, including sign lighting. The following provisions shall apply with respect to outside lighting and sign illumination.

1. All outside lighting, including sign lighting, shall be arranged, designed and shielded or directed so as to protect an adjoining property or street from direct glare so that the light does not constitute a nuisance to an adjoining property or a hazardous condition on a street.
2. No outside illumination by a bare bulb shall be permitted and flood-lighting shall be so shielded that the source of the light shall not be visible from any point off the lot on which the sign, building, structure or area being illuminated is erected. Reflectors and lights permitted in conjunction with signs shall be equipped with restraining hoods to concentrate the illumination

upon the area of the sign and to prevent glare upon a street or adjoining property.

SECTION SEVEN. ARTICLE XVI. That the present Section 1605, Article XVI - Permit for Signs - be re-numbered 1606.

SECTION EIGHT. 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 restrictions upon the use of signs than are required by the provisions of such ordinance, enactment, rule, regulation or permit, then the provisions of this Ordinance shall control.

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

ORDAINED and ENACTED this 9<sup>th</sup> day of February 1971.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By Samuel C. Cury

Attest:

Richard M. Binf

ORDINANCE NO. 425

AN ORDINANCE TO AMEND ORDINANCE No. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE THE AREAS OF MANUFACTURERS GOLF AND COUNTRY CLUB AND LULU COUNTRY CLUB FROM A-RESIDENTIAL DISTRICT TO RE-RECREATIONAL DISTRICT.

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, that the zoning map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as Manufacturers' Golf and Country Club, consisting of approximately 190 acres located in the Fourth Ward, Township of Upper Dublin, and bounded by the following, be and is hereby changed from A-Residential District to RE-Recreational District:

BEGINNING on the Southeasterly side of Dreshertown Road a corner of land now or late of Sara Strayer; thence along said Strayer's land et al South 47 degrees 12 minutes 20 seconds East 1,332.19 feet to a stone; thence South 6 degrees 11 minutes East 1,880.60 feet to Twining Road; thence along the northerly side of Twining Road the four courses and distances as follows: South 41 degrees 16 minutes West approximately 466 feet; thence South 5 degrees 39 minutes East approximately 228 feet; thence South 61 degrees 32 minutes West approximately 464 feet; thence South 41 degrees 15 minutes West approximately 988 feet to a corner of ground of the School District of Upper Dublin; thence continuing along the ground of the School District of Upper Dublin and ground now or late of Orlando Land

Company North 37 degrees 3 minutes 40 seconds West approximately 2,747 feet; thence North 41 degrees 16 minutes East approximately 2,431 feet along ground now or late of Charles T. Aiman; thence North 47 degrees 44 minutes 50 seconds West approximately 100 feet to a point on the Southeasterly side of Dreshertown Road; thence along Dreshertown Road in a northeasterly direction the several distances totaling approximately 888 feet to the first mentioned point and place of beginning.

SECTION TWO. The territory hereinafter described, being known as LuLu Country Club, consisting of approximately 115 acres located in the Fourth Ward, Township of Upper Dublin, and bounded by the following, be and is hereby changed from A-Residential District to RE-Recreational District:

BEGINNING at a point at the intersection of Jenkintown Road and North Hills Avenue, thence in a southerly direction along North Hills Avenue approximately 1,135.86 feet to a point; thence at right angles to North Hills Avenue and along a street known as Beechwood or Spruce Street and crossing Limekiln Pike a distance of approximately 2,477 feet to a point on Twining Road; thence along Twining Road in a Northerly direction, the distance of approximately 2,400 feet to a point the intersection of Twining Road with Limekiln Pike; thence in a southerly direction along Limekiln Pike to a point approximately the intersection of Limekiln Pike, Jenkintown Road and Fitzwatertown Road approximately 1,365 feet; thence along Jenkintown Road to the point of beginning, approximately 1,800 feet.

ORDAINED and ENACTED this 9<sup>th</sup> day of February  
1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. Conroy

Attest: Richard M. Broy

March 9, 1971

The stated meeting of the Board of Commissioners of Upper Dublin Township was held in the Township Building on Tuesday evening, March 9, 1971 at 8:00 P.M.

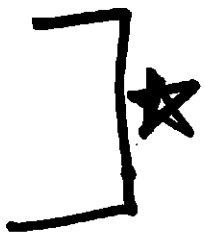
Attendance: Samuel C. Corey, President, Marvin S. Feller, Vice President, George A. Olsen, Thomas M. Tressler, Jr., William M. Koerper and Walter E. Long, Commissioners, J. Harry Pfau, Engineer, Raymond Jenkins, Solicitor and R. M. Brown, Secretary.

Sealed bids to furnish and erect flashing signals on Twining Road were received from Lee Company and H. F. Wampole. The bids were opened and read by the Secretary. On motion of Feller and Olsen the bids were referred to the Township Engineer, the Public Safety Committee and the Public Works Committee for review with power to award contract.

On motion of Feller and Koerper the minutes of the February meetings were accepted as submitted and their reading dispensed with.

The reports for the month of February from the Secretary, Treasurer, Building Inspector and Plumbing Inspector were accepted as submitted on motion of Tressler and Koerper. Copies of these reports are made a part of the Official Minutes.

SOLICITOR Mr. Jenkins submitted for consideration an ordinance adopting the BOCA Plumbing Code as the plumbing code for the Township. On motion of Koerper and Feller this ordinance was adopted as submitted as #426, with the exception of a minor addition to the wording.



The Solicitor submitted for consideration an ordinance amending the provisions of the Dog Ordinance to increase the maximum fine schedule. On motion of Feller and Tressler the Board adopted Ordinance #427 establishing a fine schedule from \$10.00-\$100.00.

PLANNING On motion of Feller and Koerper the Board approved a plan for Section #3 of Tannerie Run subdivision Plan #1126-B-12, together with a separate Plan #1126-B-13, providing for dedication to the Township of 2-1/2 acres of park land. These plans were approved subject to provision by the developer of the usual Application & Agreement and a Performance Guarantee covering all normal improvements. The developer will be required to provide 30-foot wide cartways for all interior streets. It was noted that no building permits may be issued until the Pennsylvania Department of Health has authorized the extension



March 9, 1971

427

The stated meeting of the Board of Commissioners of Upper Dublin Township was held in the Township Building on Tuesday evening, March 9, 1971 at 8:00 P.M.

Attendance: Samuel C. Corey, President, Marvin S. Feller, Vice President, George A. Olsen, Thomas M. Tressler, Jr., William M. Koerper and Walter E. Long, Commissioners, J. Harry Pfau, Engineer, Raymond Jenkins, Solicitor and R. M. Brown, Secretary.

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AN ORDINANCE

ORDINANCE No. 428

AN ORDINANCE PROVIDING FOR THE ORDAINING, CONSTRUCTION, ETC. OF SANITARY SEWERS, INCLUDING FACILITIES IN LOGAN AVENUE BETWEEN WALNUT AVENUE AND SUMMIT AVENUE IN THE NORTH ORELAND SEWER DISTRICT OF THE 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, by virtue of the laws of the Commonwealth of Pennsylvania in such case made and provided, the Township of Upper Dublin has adopted ordinances for the construction and extension of sewer systems within its boundaries with specific reference to Ordinance 12a, adopted July 25, 1946, and Ordinance No. 185, adopted August 10, 1959, and

WHEREAS, in accordance with such laws and ordinances a sanitary system of sewers was constructed in the North Hills area, a part of the North Oreland Sewer District, in accordance with Ordinance No. 327, adopted December 13, 1966, and

WHEREAS, it becomes necessary to extend the system of sewers and drainage in Logan Avenue between Walnut Avenue and Summit Avenue,

NOW THEREFORE, the Board of Commissioners of the Township hereby ORDAINS AND ENACTS that:

Section 1. The system of sewers provided for by the ordinances of the Township of Upper Dublin, designated as Ordinance No. 12a, Ordinance No. 185, and Ordinance No. 327, shall be extended to and constructed as follows:

a. In Logan Avenue commencing one hundred fifty (150) feet East of the center line of Walnut Avenue to the center line of Summit Avenue.

Section 2. The location and construction shall be in accordance with a plan as shown on a "Plan and Profile of Logan Avenue" prepared by the Township Engineer, dated July 17, 1970, consisting of one drawing and the ordinances of the Township of Upper Dublin.

Section 3. The costs and expenses of the construction of said sewers, including engineering, legal, advertising, and similar expenses, etc.; the requirements to connect thereto, etc.; and the determination and payment of sewer rental shall be in accordance with the ordinances of the Township, and specifically Ordinance No. 185, referred to above, and incorporated herein by reference thereto.

Section 4. If any assessment shall remain unpaid at the expiration of the thirty days of the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from thirty days after the completion of the improvement, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five per cent (5%) of the amount of such assessment, and shall collect the same together with interest and costs in accordance with law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim. Municipal claims or liens for unpaid assessments must be filed in the Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement, the date of which shall be certified by the Township Engineer to the Board of Commissioners.

Section 5. Any owner of property assessed shall have the option of paying the same in five equal, annual installments bearing interest at the rate of six per cent (6%), provided the first installment be paid within thirty (30) days of the receipt

of notice of said assessment and each installment, with interest, at the expiration of each annual period succeeding date of the assessment; and second, that notice of intention to exercise such option be given on a blank to be prepared by the Secretary of the Board of Township Commissioners containing such stipulations as the Board shall require to be filed at the time of paying the first installment; and third, that a lien shall be duly filed for the amount of the remaining installments of the assessments, which lien shall not be prosecuted so long as the installments are duly paid. Upon default in the payment of a current installment, the entire unpaid balance, plus a penalty of five per cent (5%) of the unpaid balance, interest at six per cent (6%) and costs shall become immediately payable and collectable.

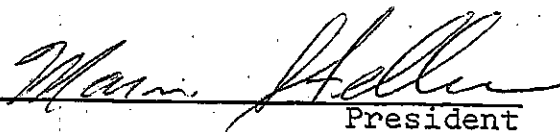
Section 6. If anyone, who has not elected to pay by installments, shall fail to pay his or her assessment for thirty (30) days after the assessment shall have been levied and served, then there shall be imposed the penalty of five per cent (5%) for failure to pay within that time. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

ORDAINED AND ENACTED this 30<sup>th</sup> day of March

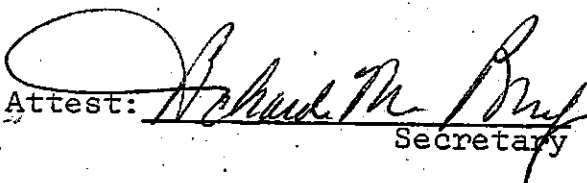
A. D. 1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By

  
President

Attest:

  
Secretary

ORDINANCE NO. 429

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; and

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 public park and/or recreation area and facility or facilities in the area of certain private property located on Susquehanna Road between Dillon Road and Broad Street, in the Township of Upper Dublin, and

WHEREAS, the owners or reputed owners are as follows:

Ben T. Bell and Dorothy F. Bell, his wife, by virtue of Deed from Ben T. Bell and Dorothy F. Bell, his wife, dated August 28, 1958, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery, at Norristown, Pennsylvania, in Deed Book 2904, page 592.

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, as follows:

SECTION 1. That the area, as described in Deed between Ben T. Bell and Dorothy F. Bell, his wife, and Ben T. Bell and Dorothy F. Bell, his wife, and recorded in the Office for the Recording of Deeds in and for the County of Montgomery at Norristown, Pennsylvania, in Deed Book 2904, page 592, including any improvements and fixtures thereon, is required and is necessary for the purpose of making, enlarging and maintaining a public park, recreation area or facility; that the said Township of Upper Dublin, by virtue of its powers and the Act of General Assembly, being the Act of 1931, June 24, P.L. 1206, Article XIX, Section 1901, as amended, hereby takes, acquires and appropriates, for the purpose of making, enlarging and maintaining a public park and/or recreation area or facility, the following described tract of land:

ALL THAT CERTAIN tract of land, SITUATE in the Township of Upper Dublin, County of Montgomery and State of Pennsylvania, bounded and described in accordance with a survey thereof made on February 26, 1946, by C. Raymond Weir, Registered Surveyor, as follows, to wit:

BEGINNING at a spike marking the intersection of the center line of Susquehanna Street Road (thirty-three feet wide) and the center line of Jarrett Road (thirty-three feet wide); thence extending along the said center line of Jarrett Road North forty-three degrees twelve minutes East nineteen hundred and twenty-two and fifty-eight one-hundredths feet to a spike a corner of land of the Estate of John F. Ewer, deceased; thence extending along said land South forty-six degrees fifty-eight minutes East eleven hundred and fifty-six and eighty-six one-hundredths feet to a stone set in the center line of Broad Street (thirty-three feet wide); thence extending along the said center line of Broad Street South forty-three degrees two minutes West nineteen hundred and ninety-one and sixty-six one-hundredths feet to a spike marking the intersection of the said center line of Broad Street and the center line of Susquehanna Street Road; thence extending along the said center line of Susquehanna Street Road North twenty-six degrees seventeen minutes West one hundred and ninety-three and ninety one-hundredths feet to a spike; thence still extending along the center line of Susquehanna Street Road North forty-six degrees fifty-six minutes West nine hundred and eighty-one and nine one-hundredths feet to the first mentioned point and place of beginning.

CONTAINING 51.334 acres of land.

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, including but not necessarily limited to, the preparation and filing of a Declaration of Taking, etc.

APPROVED by the Commissioners and ENACTED into an Ordinance this 13th day of April, A. D. 1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. Amy  
President

Attest

Richard M. Broy  
Secretary

ORDINANCE NO. 430

Ordinance No. 430, adopted May 11, 1971, provided for the establishment of "No turn" prohibition at the intersection of Virginia Drive and Camp Hill Road. This ordinance was not advertised at that time and subsequently the Board adopted Ordinance No. 437 which also provides for "No turn" prohibition on Camp Hill Road and Virginia Drive. Ordinance No. 437 was advertised October 21, 1971. Ordinance No. 430 is, therefore, considered null and void.



ORDINANCE No. 431

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 same:

That Section 4, entitled "Subdivision Regulations" adopted thereunder be amended by providing for the payment to the Township of a contribution towards the cost of outfall sanitary and storm sewers of the Township by adding Section 5 of Ordinance No. 41, adopted July 27, 1949, the following:

"That there shall be paid to the Township the sum of Fifteen Dollars (\$15.00) for each parking space installed on a site developed for apartment, commercial or industrial uses as a contribution toward the cost of the Outfall Storm Sewers of the Township.

"That there shall also be paid to the Township the sum of Fifteen Dollars (\$15.00) for each parking space installed on an apartment, commercial or industrial site, as a contribution toward the cost of Outfall Sanitary Sewers of the Township.

"That when, in the discretion of the Commissioners, circumstances surrounding the development of a site warrant special consideration, these contributions may be reduced or waived."

APPROVED by the Board of Commissioners of Upper Dublin Township on the 8<sup>th</sup> day of June A. D. 1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Mr. Keller President

Attest Richard M. Papp  
Secretary

ORDINANCE No. 432

AN ORDINANCE TO AMEND ORDINANCE No. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA LOCATED ON THE NORTHEASTERLY SIDE OF MEADOWBROOK AVENUE AND THE SOUTHEASTERLY SIDE OF BUTLER PIKE FROM VARIOUS RESIDENTIAL DISTRICTS TO AH APARTMENT HOUSE DISTRICT.

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, that the zoning map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as BUTLER MANOR, consisting of approximately 13.5 acres, and bounded by the following, be and is hereby changed from partly A, partly B, and partly C Residential Districts to AH Apartment House District:

BEGINNING at a point on the Northeasterly side line of Meadowbrook Avenue, 40 feet wide, said point of beginning being located South 49 degrees 16 minutes 30 seconds East 158.02 feet from the point of intersection of the aforesaid Northeasterly side of Meadowbrook Avenue with the Southeasterly side of Butler Pike, 45 feet wide; thence from the point of beginning North 55 degrees 40 minutes 30 seconds East 168.57 feet to an angle point; thence North 42 degrees 00 minutes 30 seconds East 75.45 feet to a point; thence North 41 degrees 46 minutes 30 seconds West 188.17 feet to a point on the aforesaid Southeasterly side of Butler Pike; thence along the same North 41 degrees 28 minutes 30 seconds East 250 feet to a point; thence South 48 degrees 31 minutes 30 seconds East 60.71 feet to a point; thence North 41 degrees 28 minutes 30 seconds East 148.74 feet to an angle point; thence North 48 degrees 53 minutes 30 seconds East 117.21 feet to a point in line of land of the Rose Valley Cemetery Co.; thence along the same South 29 degrees 58 minutes East 110.17 feet to an angle point; thence still along the same South 29 degrees 59 minutes East 232.30 feet to a point; thence still along the same South 89 degrees 24 minutes East 261.77 feet to a point; thence still along the same North 59 degrees 00 minutes East 170.80 feet to an iron pin a corner of land of the Rose Hill Cemetery; thence

along the land of the Rose Hill Cemetery North 72 degrees 17 minutes East 430.30 feet to a point; thence along land of John W. and Kathleen R. Mauchley South 42 degrees 00 minutes 30 seconds West 1,064.54 feet to a point; thence North 47 degrees 59 minutes 30 seconds West 150.04 feet to a point; thence South 42 degrees 00 minutes 30 seconds West 300.04 feet to a point on the aforesaid Northeasterly side line of Meadowbrook Avenue; thence along the same North 49 degrees 16 minutes 30 seconds West 40.01 feet to a point; thence North 42 degrees 00 minutes 30 seconds East 150.04 feet to a point; thence North 49 degrees 16 minutes 30 seconds West 300.08 feet to a point; thence South 42 degrees 00 minutes 30 seconds West 150.04 feet to a point; on the aforesaid Northeasterly side line of Meadowbrook Avenue; thence along the same North 49 degrees 16 minutes 30 seconds West 222.21 feet to the point and place of beginning.

ORDAINED AND ENACTED this 13th. day of July,

1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Samuel C. Coney  
President

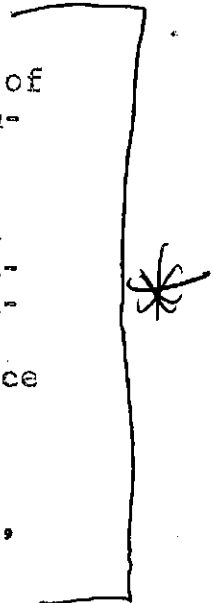
Attest Richard M. Gray  
Secretary

July 13, 1971

ORD  
433

It was reported that the Solicitor is in the process of preparing a Deed of Dedication covering Office Center Drive, It was noted that the Engineer should defer release of the balance of the escrow fund guaranteeing this street pending acceptance of the Deed of Dedication.

Mr. Long reported on the meeting with representatives of Abington Township regarding the acceptance and construction of Anzac and Clemens Avenue. Mr. Long recommended that the Township assess the Upper Dublin residents for only the cost of the sanitary sewers, the combined curb and gutter and the grading and seed. The cost for the storm sewer construction and road construction would be absorbed by Upper Dublin Township and not assessed against the property owner. After considerable discussion on this matter the Board agreed to cooperate with Abington Township on this program in accordance with Mr. Long's recommendations. The public meeting was reconvened and on motion of Long and Koerper the Board adopted Ordinance #433 providing for the acceptance and construction of Clemens and Anzac Avenues and the assessment of the costs, in accordance with Mr. Long's recommendations.



The Engineer reported on his investigation of the sewerage of the balance of the Edge Hill Manor tract in North Hills. He estimated that it would cost approximately \$60,000 to install 2900 feet of sanitary sewer in Girard Avenue, Logan Avenue and Linden Avenue. After discussion it was suggested that this program must be considered in connection with an allover road improvement program.

The Board reviewed a letter from Mrs. Bernard Long, of Argyle Avenue regarding problems arising from the use of the Sheeleigh recreation area at night. This matter was referred to the Police Chief for investigation.

The Board reviewed a letter from Sebastian Braccia requesting the opening of Arthur Avenue. This request was referred to Mr. Feller for consideration.

The question of requiring sworn testimony at Zoning Hearings for the Board of Commissioners was discussed. The Secretary was asked to make a report on probable hearing costs.

Mr. Feller and Mr. Tressler reported on their meeting with representatives of the Police Department regarding wage and benefit requests. It was noted that another hearing would be held later in July and the Secretary was asked to set up a meeting with the Police Department representatives for July 29th at 8:30 P.M.

ORDINANCE No. 434

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA LOCATED ON THE NORTHEASTERLY SIDE OF WOODLAND AVENUE AT THE INTERSECTION WITH PAUL AVENUE FROM "A" RESIDENTIAL DISTRICT TO "B" RESIDENTIAL DISTRICT.

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, that the zoning map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20, 1956, and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as TWINING WAY #2, consisting of approximately 6.240 acres and bound by the following be and is hereby changed from "A" residential district to "B" residential district.

BEGINNING at a point in the centerline of Woodland Road as originally laid out 40 feet wide, said point of beginning being located North 43 degrees 24 minutes 10 seconds West 139.67 feet from a point of curvature, said point of curvature being located on a curved line bearing to the right in a Northwesterly direction with a radius of 324.69 feet at an arc distance of 75.12 feet from the point of intersection of the aforesaid original centerline of Woodland Road with the original centerline of Paul Avenue, 40 feet wide, an unopened street; thence from the point of beginning along the aforesaid original centerline of Woodland Road North 43 degrees 24 minutes 10 seconds West 193.32 feet to a point of curvature in the intersection of Woodland Road and Malcolm Drive; thence by a curved line bearing to the right in a Northwesterly to Northeasterly direction with a radius of 20 feet for an arc distance of 34.49 feet to a point of tangency on the centerline of Malcolm Drive, 50 feet wide; thence North 34 degrees 35 minutes 36 seconds West 20 feet to a point in line of land of

Raymond Miller; thence along the same the two following courses and distances to wit: (1) North 55 degrees 24 minutes 24 seconds East 4.15 feet to a point, (2) North 34 degrees 35 minutes 36 seconds West 180 feet to a point in line of land of Upper Dublin Township; thence along the same North 55 degrees 24 minutes 24 seconds East 528.15 feet to a point a corner of land of the Sunny Willow Swim Club; thence along the same South 48 degrees 20 minutes East 614.24 feet to a stone, a corner in line of land of the Upper Dublin School District; thence along the same South 76 degrees 12 minutes 35 seconds West 259.36 feet to a point on the Westerly side of the aforesaid Paul Avenue; thence along the same and through the turnaround of the aforesaid Malcolm Drive by a curved line bearing to the left in a Northwesterly direction with a radius of 133.89 feet for an arc distance of 80.72 feet to a point of tangency; thence still in the bed of Malcolm Drive North 48 degrees 20 minutes West 53.0 feet to a point a corner originally of land of W. Taylor Railton et ux; thence along the same South 41 degrees 40 minutes West 170 feet to an angle point; thence still along the same and crossing into the roadbed of the aforesaid Woodland Road South 55 degrees 24 minutes 24 seconds West 253.10 feet to the point and place of beginning.

ORDAINED AND ENACTED THIS

10<sup>th</sup> day of August

1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By

Samuel C. [Signature]

President

Attest

Richard M. [Signature]  
Secretary

ORDINANCE No. 435

AN ORDINANCE AMENDING THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY ADDING SECTION 417 TO ARTICLE IV, REGULATING THE ERECTION OF FENCES.

The Board of Commissioners of Upper Dublin Township does ordain:

SECTION ONE. Section 417 of Article IV is hereby added and shall read as follows:

No fence or wall (except a retaining wall or a wall of a building permitted under this ordinance) over four (4) feet in height shall be erected in any front yard nor over six (6) feet in height in any rear or side yard.

ORDAINED AND ENACTED this 12<sup>th</sup> day of OCTOBER 1971.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

By Sullivan President

Attest Richard M. Brey Secretary

ORDINANCE NO. 436

AN ORDINANCE AMENDING THE BUILDING CODE BY ADDING SECTION 1310.1 TO ORDINANCE 357, REGULATING THE ERECTION OF FENCES.

The Board of Commissioners of Upper Dublin Township does ordain:

SECTION ONE. Section 1310.1 is hereby added and shall read as follows:

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

ORDAINED AND ENACTED this 12<sup>TH</sup> day of OCTOBER 1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By S. C. C.  
President

Attest

Richard M. B...  
Secretary



ORDINANCE NO. 437

AN ORDINANCE REGULATING TRAFFIC IN THE TOWNSHIP OF UPPER DUBLIN AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

The Board of Commissioners of Upper Dublin Township does ordain:

SECTION ONE. It shall be unlawful for the operator of any vehicle or tractor, traveling upon the first-named highway of the following intersection, in the direction or directions hereby indicated, to make a left turn and/or a right turn at the said intersection as hereby indicated.

| <u>Vehicle<br/>Traveling From</u> | <u>Direction<br/>of Travel</u> | <u>Into</u>       | <u>Not<br/>To Make</u>     |
|-----------------------------------|--------------------------------|-------------------|----------------------------|
| 1. Camp Hill Road                 | Westbound or<br>Eastbound      | Virginia<br>Drive | Left turn or<br>right turn |
| 2. Virginia Drive                 | Southbound or<br>Northbound    | Camp Hill<br>Road | Left turn or<br>right turn |

Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than Ten Dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

ORDAINED AND ENACTED this 12<sup>th</sup> day of OCTOBER

1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Sundee  
President

Attest Arthur M. Bruf  
Secretary

*Richmond*

ORDINANCE NO. 438

TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, BEING ORDINANCE NO. 140, ENACTED AUGUST 20, 1956, BY CREATING A NEW ZONE CLASSIFICATION, APARTMENT HOUSE - SPECIAL DISTRICT, AND INCLUDING ALL REGULATIONS APPERTAINING THERETO IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

The Board of Commissioners of the Township of Upper Dublin do ordain:

SECTION ONE. That the Zoning Ordinance be amended to include a new zoning district, as follows:

Section 1.1 AHS Apartment House Special Special Districts are designed as a special and exceptional Apartment District, having all the necessary conditions of an Apartment District as described in Article IX, but in addition having the particular locational characteristic of being in close proximity to major mass transportation routes, including limited access highways.

Section 1.2 Use Regulations A building or group of buildings may be erected or used, and a lot may be used and occupied for any of the following purposes, and no other:

1. Apartment House, or group of apartment houses designed as a single architectural project or unit.
2. Accessory Use on the same lot with an customarily incidental to any of the above permitted uses, provided that the total floor area does not exceed twenty-five per cent (25%) of the total ground floor area. Such accessory uses include:
  - a. Retail store or personal service shop. (First floor only)
  - b. Restaurant.
  - c. Bank or similar institution. (First floor only)
  - d. Professional Office.

Section 1.3 Area and Height Regulations In the case of each lot or tract of land developed for Apartment House - Special District, the following area and height regulations shall apply:

1. Lot Area - The total area of the lot or tract shall be not less than ten acres, and the ratio of lot width to length or lot length to width shall be not more than three to one in either case.

2. Density - Density of dwelling units shall not exceed 20 units per acre. However, the density may be increased by one unit per acre for every two enclosed parking spaces.

3. Building Area - Not more than 15 per cent of the area of the lot or tract may be occupied by buildings exclusive of terraces, walkways, and parking facilities.

4. Yards and Building Placement

a. Front Yard - There shall be a front yard on each street on which the lot or tract abuts which shall be not less than 75 feet in depth.

b. Side Yards - There shall be two side yards neither of which shall be less than 50 feet in width.

c. Rear Yard - There shall be a rear yard which shall be not less than 50 feet in depth.

d. When authorized as a special exception by the Board of Adjustment, the side and rear yard requirements may be waived to provide for parking structures, under the following conditions only:

1) When the rear or side yard abuts unzoned railroad land or fully developed industrial or heavy commercial uses.

2) When the parking structure is necessary to provide for adequate circulation elsewhere on the lot, or to provide maximum separation between automobiles and pedestrians on the front of the lot.

3) When the parking structure is adequately screened from adjoining lots.

4) When the parking structure is so situated that it is in no place adjacent to the front yard of any adjoining properties.

5. Height - No building shall have a height of less than 50 feet or five stories, whichever is less, exclusive of equipment.

Section 1.4 Special Development Regulations - In addition to the other regulations of this District, the following requirements shall apply:

1. 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 general welfare of the Township.

2. The development shall consist of a harmonious selection of uses, and groupings of buildings, service and parking areas, circulation and open spaces, planned and designed as an integrated unit such manner as to constitute a safe, efficient, and convenient development.

3. Each use other than parking areas shall be conducted entirely within an enclosed building.

4. In any case where a repair or processing activity is permitted in conjunction with a personal service shop, custom shop or similar use, any such activity shall, if located on the ground floor, be effectively screened from the front portion of the building used by customers by a wall or partition.

5. No storage of materials, equipment or goods shall be permitted outside a building, and no merchandise shall be displayed on the exterior of a building.

6. Adequate provision shall be made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the center or planned business district.

7. The developer shall assure the provision of required improvements to be dedicated by means of a proper completion and guarantee in the form of a bond or the deposit of funds or securities in escrow to cover the cost of the improvements. The work shall be performed in accordance with all requirements and the approved plans.

8. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other service shall be provided and shall be adequate in size, and shall be so arranged that they may be used without blockage or interference with the use of access ways or automobile parking facilities.

9. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the apartment without undue congestion to or interference with normal traffic flow.

10. All utility lines servicing the apartment center shall be placed underground.

11. Each lot for apartments shall contain a minimum recreation area at least equal to the number of dwelling units multiplied by 100 square feet.

12. Parking, delivery-collection areas and traveling lanes on each lot shall be paved in accordance with Township specifications and approved by the Township Engineer.

13. Concrete sidewalks shall be constructed on each street or road abutting the lot.

14. All buildings shall be served by a public sanitary sewage disposal system and public water supply.

15. Lighting facilities provided shall be arranged in manner which will protect the highway and neighboring properties from unreasonable direct glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary for the safety and convenience of apartment residents.

16. A landscaped planting area shall be provided along any property line (other than in a street) which the lot abuts, of not less than 15 feet in depth. The landscaping shall be permanent and designed for screening from view, residential, commercial, and industrial uses which are adjoining and contiguous to the Apartment House project. Continuous hedges may not be used except in connection with play areas and then only when kept low and have acceptable appearance. Escrow or bond for improvements under plan for perimeter and surrounding buildings under permit.

17. Areas for the deposit, retention and disposal of waste materials shall be screened from view.

18. No building shall be located on land subject to flooding as reflected in the fifty year flood level as established by the Corps of Engineers.

19. The developer shall be required, where possible, to preserve or incorporate natural features such as woods, streams, and open space areas, which add to the overall cohesive development of the Apartment House District and overall Township development.

20. All roof, parking, delivery-collection areas, and traveling lanes shall be provided with drainage facilities to collect, transport and deliver, via underground conduits, storm or surface waters to the nearest storm sewers or stream as approved by the Township Engineer. No more than 10% of units shall contain three bedrooms.

Section 1.5 General Parking Requirements - the following shall

apply:

1. Each lot shall be provided with off-street parking and off-street delivery-collection areas. Such parking and delivery-collection areas shall be in addition to the areas required for recreation, service areas and traveling lanes on the lot, and shall not be leased but shall be for the sole use of the occupants of such building or buildings and visitors thereto.

2. Not less than two off-street parking spaces shall be required for each dwelling unit.

3. No parking shall be permitted within 30 feet of a property line or ultimate right-of-way line, except as provided in Section 1.3(4) (d) herein.

Section 1.6 Application and Review

1. Plans for any apartment house use shall be submitted to the Planning Commission prior to the issuance of any Permit, and such plans shall include, among other things, the following:

a. A plot plan of the lot showing the location of all proposed buildings, constructional features on the lot; and all parking delivery-collection areas, recreation areas, traveling lanes, entrances and exits to lots, extent and species of landscaping abutting streets, either public or private, easements, streams and other topographical features of the lot.

b. Architectural plans for any proposed building.

c. Engineering and architectural plans for the handling and disposal of sewage and other wastes.

d. Any other data or evidence that the Planning Commission may require.

2. The Planning Commission shall review all plans for apartment house uses submitted to them and shall within 30 days of their receipt submit these plans, with recommendations thereon, to the Board of Commissioners for final approval.

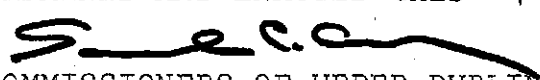
3. Upon receipt of plans for any apartment house use, and recommendations thereon by the Planning Commission, the Board of Commissioners shall have the power of approval or disapproval of these plans.

Section 1.7 Regulations for Signs - Signs shall be permitted only pursuant to the provisions of Article XVI of Ordinance No. 140, as amended, for residential districts, provided, however, a larger sign may be permitted when granted by the Board of Adjustment as a special exception.

Section 1.8 Construction Specifications - Each apartment house shall be constructed in accordance with the requirements of the Upper Dublin Township Building Code of 1970 for Type 1-A Fire Resistive Construction.

Section 1.9 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 any other part thereof.

ORDAINED AND ENACTED this 14<sup>th</sup> day of December, 1971

  
COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

Attest:

  
Secretary



*Allye Reyming*

ORDINANCE NO. 439

AN ORDINANCE TO AMEND ORDINANCE NO. 140 ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA ON THE NORTHWESTERLY SIDE OF BUTLER PIKE NEAR ITS INTERSECTION WITH MORRIS ROAD FROM A-RESIDENTIAL TO APARTMENT HOUSE-SPECIAL DISTRICT.

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 that the Zoning Ordinance of 1956, adopted August 20, 1956 and known as Ordinance No. 140 as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as Prophecy Properties Trust, consisting of approximately 16.8 acres located in the First Ward, Township of Upper Dublin, and bounded by the following, be and is hereby changed from A-Residential District to Apartment House-Special District:

a. BEGINNING at a point in line of land of Friedmann Brown, formerly of Ann Detwiler and of Robert McLean, formerly of Edwin H. Vare Estate, where the northwesterly right of way line of the County Highway known as Butler Pike, now laid out, intersects the Old Butler Pike roadway; thence extending along the said roadway and the property line between the lands of Robert McLean and Friedmann Brown, North thirty-two degrees fifteen minutes East four hundred fifteen feet to a point; thence along the old roadway and the property line between the lands of Robert McLean and the Keasbey and Mattison Company, south sixty-six degrees forty-five minutes East one hundred twenty-five feet to a point in the aforesaid right of way line of Butler Pike now laid out; thence extending along the said right of way line of Butler Pike, now laid out, South forty-eight degrees fifteen minutes West four hundred fifty-five feet to the place of beginning.

b. BEGINNING at a point in Butler Pike at the intersection of the centerline of present Butler Pike with the center line of Old Butler Road which point is also at the distance of four hundred thirty-three and two tenths feet Northeast from a point the intersection of the center line of Morris Road (thirty-three feet wide) and the center line of Butler Pike (forty feet wide) thence by land now or late of John C. Mercer Home, North fifty-seven degrees, nineteen minutes, thirty seconds West one thousand fifty-eight and seven tenths feet to an iron pin in line of land also of the John C. Mercer Home; thence along said land North fifty-two degrees sixteen minutes East eight hundred eleven and ninety-three one-hundredths feet to an iron pin in line of land of Keasbey & Mattison Company; thence along said land of Keasbey & Mattison Company south fifty-nine degrees fifty minutes thirty seconds East six hundred thirty-eight and forty-eight one-hundredths feet to a point in the bed of Wissahickon Creek; thence South sixteen degrees thirty minutes East one hundred feet and sixty-five one-hundredths of a foot to a point also in the bed of Wissahickon Creek and in line of land of Keasbey & Mattison Company; thence South twenty-six degrees fifty-nine minutes thirty seconds West seven hundred thirty and sixty-four hundredths feet to the first mentioned point and place of beginning.

c. BEGINNING at a point at or near the Northwest side of Butler Avenue, as laid out fifty feet wide; in the bed of the Wissahickon Creek, said point being located as follows: Beginning at a point at the intersection of the Northwest side of Butler Avenue, fifty feet wide, with the Southwest side of Maple Avenue, forty feet wide; thence along the said side of Butler Avenue the three following courses and distances, to wit: (1) South sixty-eight degrees fifty-nine minutes West five hundred eighty and forty-five one-hundredths feet to a point of curvature,

(2) by a curved line bearing to the left in a Southwest direction with a radius of three hundred eighty-two and one one-hundredths feet the arc distance of one hundred fifty-six and one one-hundredths feet to a point of tangency, and (3) South forty-five degrees thirty-five minutes West seventy-nine and ninety-nine one-hundredths feet to a point, a corner of land of the L.R.B. Club of the Sons of Italy; thence along the same North seventy-eight degrees fifty-five minutes West three and fifteen one-hundredths feet to the first mentioned point and place of beginning; thence along land now or late of Robert McLean the two following courses and distances, to wit: (1) North sixty-six degrees thirty minutes West one hundred thirty-nine and seventy-six one-hundredths feet to an iron pin, a corner, and (2) South twenty-eight degrees twenty-six minutes thirty seconds West five hundred thirteen and fifteen one-hundredths feet to a point, a corner at or near the middle of the said Butler Avenue or Butler Pike; thence along land of Louise Brown the two following courses and distances, to wit: (1) North twenty-seven degrees one minute thirty seconds East seven hundred thirty and sixty-four one-hundredths feet to a point, a corner at or near the Westerly side of the Wissahickon Creek, and (2) through the bed of the Wissahickon Creek North sixteen degrees thirty minutes West thirty and thirty-four one-hundredths feet to a point, a corner of land recently conveyed to Watt Warehousing Company; thence along the same crossing the Wissahickon Creek North sixty-nine degrees five minutes East sixty and fifty-one one-hundredths feet to a point, a corner of land of the L.R.B. Club of the Sons of Italy; thence along the same crossing and recrossing the Wissahickon Creek South one degree twenty-eight minutes West three hundred two and

eighty-five one-hundredths feet to a point and place of beginning.

ORDAINED AND ENACTED this 14<sup>th</sup> day of December 1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY: Sullivan

Attest: Richard M. Brey  
Secretary

ORDINANCE NO. 440

AN ORDINANCE AMENDING AND SUPPLEMENTING THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY ADDING THERETO A STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES.

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

SECTION ONE. The Upper Dublin Township Zoning Ordinance of 1956, as amended, is hereby further amended by deleting Section 102 and substituting therefore the following:

Section 102. STATEMENT OF DETAILED COMMUNITY DEVELOPMENT OBJECTIVES. In interpreting, implementing and applying the broad purposes and objectives set forth in Section 101 above, the provisions of this ordinance 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 above, in the respects therein stated and more particularly with a view toward the following community development 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.

G. Providing for sufficient open space to guarantee adequate light and air, recreational facilities, and freedom from congestion;

H. Conserving our natural resources by regulating the development of land along our stream beds;

I. Providing diversity of residential housing to reflect changing living habits, at the same time maintaining ability to provide necessary municipal services and facilities.

ORDAINED AND ENACTED this 29th. day of December , A.D.

1971.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY:

  
President

ATTEST:

  
Secretary

ORDINANCE NO. 441

An ordinance appropriating and making changes in certain appropriations heretofore made by the Board of Commissioners of the Township of Upper Dublin under Ordinance No. 422 dated December 28, 1970.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 28th day of December, 1970 appropriated out of the estimated revenue and income available for year 1971, 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: General Government Administration, Garbage & Rubbish Collection and Disposal, Highways, Street Lighting, Insurance & Pension and Interest have proved insufficient for such purposes, and

WHEREAS, The sums appropriated for the following specific purposes, to wit: Township Building, Police Protection, Library, Recreation, and the sums accumulated from receipts are in excess of the estimated income for 1971.

NOW, Therefore, the Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain:

SECTION I. That the sum of \$1,500 from the appropriation for Township Building and \$9,500 from the appropriation for Libraries be transferred as follows:

\$11,000 to Insurance and Pension

SECTION II. That the sum of \$1,500 from the appropriation for Township Building be transferred as follows:

\$1,400.00 to Street Lighting  
\$ 100.00 to Interest



SECTION III. That the sum of \$11,000 from the appropriation for Police Protection be transferred as follows:

\$11,000 to Garbage & Rubbish Collection and Disposal

SECTION IV. That the sum of \$5,000 from Recreation be transferred as follows:

\$5,000 to General Government Administration

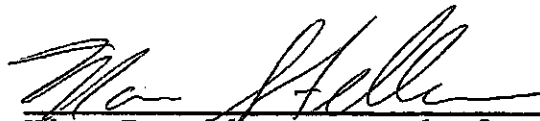
SECTION V. That the sum of \$40,000 from Excess Receipts be transferred as follows:

\$35,000 to Highways

\$ 5,000 to Garbage & Rubbish Collection and Disposal

ADOPTED and enacted into an Ordinance this 29<sup>th</sup> day of


December, 1978



Vice President, Board of Commissioners

Township Seal)

Attest:



Secretary

A special meeting of the Board of Commissioners of Upper Dublin Township was held in the Township Building on Wednesday evening, December 29, 1971 at 7:30 P.M.

In attendance: Marvin S. Feller, Vice President, Walter E. Long, William M. Koerper, Thomas M. Tressler, Jr., Thomas P. Glassmoyer and George A. Olsen, Commissioners, Raymond Jenkins, Solicitor, Harry Wardle, Administrative Ass't., R. M. Brown, Secretary.

The President announced that a public hearing had been called to consider an amendment to the Upper Dublin Township Zoning Ordinance of 1956 which would add thereto a statement of Community Development Objectives. The Secretary read the proposed ordinance in its entirety.

It was explained that the statement of Community Development Objectives is required by recent legislation and the statement will replace and supplement the current Section 102 of the Zoning Ordinance. There were no questions or suggestions from the audience regarding this proposal.

On motion of Glassmoyer and Tressler the Board adopted ordinance #440 amending the Zoning Ordinance by the addition of the statement of Community Development Objectives.

The Board acknowledged the need to amend the general fund budget ordinance for 1971 to reflect transfers within appropriations. On motion of Glassmoyer and Koerper the Board adopted ordinance #441 amending budget ordinance #422.

Mr. Glassmoyer reported that the Commissioners had at a special meeting held November 29, 1971, tentatively adopted a tax rate of 24 mills for general purposes, 1 mill for fire protection and a General Fund budget for 1972 in the amount of \$1,720,500.00. This tax rate and budget had been tentatively adopted thirty days in advance of final adoption and had been made available for public inspection during that time. He noted that there was no proposal to change the tax rate or budget as originally proposed. On motion of Glassmoyer and Olsen the Board adopted ordinance #442 establishing the tax rate for 1972 at 24 mills for general purposes, 1 mill for fire protection purposes and a General Fund budget of \$1,720,500.00.

Mr. Glassmoyer acknowledged the necessity of borrowing funds in the early part of 1972 in anticipation of the receipt of taxes. On motion of Glassmoyer and Long the Secretary was authorized to



ORDINANCE NO. 443

An ordinance establishing the dates of regular meetings of the Commissioners of Upper Dublin, Montgomery County, Pennsylvania, during the year 1972.

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. The regular meetings of the Commissioners for the year 1972 are fixed as follows:

The second Tuesday of each month, beginning January 11, 1972 at 8 P.M. prevailing time.

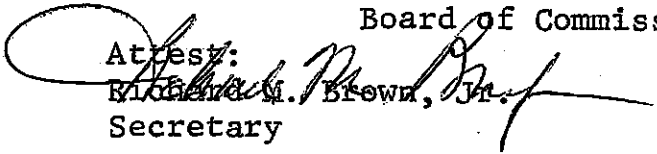
SECTION 2. All meetings shall be held in the Township Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, unless otherwise specifically directed.

Ordained and enacted this 11th day of January, 1972.

  
Marvin S. Feller

President  
Board of Commissioners

Attest:

  
Richard M. Brown, Jr.  
Secretary

ORDINANCE NO. 444

AN ORDINANCE PROVIDING FOR THE PREPARATION OF AN ASSESSMENT SCHEDULE COVERING THE INSTALLATION OF SANITARY SEWER IN LOGAN AVENUE BETWEEN WALNUT AVENUE AND SUMMIT AVENUE AS PROVIDED IN ORDINANCE NO. 428.

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

WHEREAS, by virtue of the laws of the Commonwealth of Pennsylvania in such case made and provided, the Township of Upper Dublin has adopted ordinances for the construction and extension of sewer systems within its boundaries with specific reference to Ordinance No. 428 adopted March 30, 1971, and

WHEREAS, it becomes necessary to provide for an assessment against the properties which benefit from the installation of such sanitary sewers,

NOW THEREFORE, the Board of Commissioners of the Township hereby ORDAINS AND ENACTS that:

Section 1. The assessment schedule for the properties which benefit from the sanitary sewers constructed in accordance with the provisions of Ordinance No. 428 shall be \$11.00 per front foot.


ORDAINED AND ENACTED THIS eleventh day of January A.D.1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

Attest

  
Secretary

ORDINANCE NO. 445

original map  
w/ original  
ordinance  
in ordinance  
book

AN ORDINANCE TO AMEND AN ORDINANCE APPROVED AUGUST 20, 1956, KNOWN AS ORDINANCE NO. 140, AND DESIGNATED "THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, "TO PROVIDE FOR A FLOOD PLAIN OVERLAY TO THE ZONING MAP.

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

SECTION ONE. Amend Article IV by adding Section 417 as follows:

Section 417. Flood Plain Overlay to Zoning Map.

A. AMPLIFIED DECLARATION OF LEGISLATIVE INTENT. In amplification of Sections 101 and 102, this section is enacted for the purpose of promoting the health, safety, and general welfare of the residents of and visitors to Upper Dublin Township. The specific intent of this Section is to:

1. Insure the safety of the members of the public in their persons and possessions from danger and damage which are inherent in flooding;
2. Prevent the development of land in such a way that it will contribute to flooding;
3. Insure against increased financial burdens imposed on the community and government by reason of such flooding;
4. Protect the general public from health hazards flooding entails such as contamination of water supplies and unsanitary drainage of sewage;

5. Permit such modes of development, both commercial and otherwise, which do not infringe upon the ability of a water course or body of water to provide its proper drainage function.

B. FLOOD PLAIN DEFINED AND ESTABLISHED. The Flood Plain is defined and established to be the low area adjoining and including any drainage course or body of water subject to periodic flooding or overflow. The standard for delineating the flood plain shall be the area designated as alluvial soils by the Soil Conservation Service, United States Department of Agriculture, in the Soil Survey of Montgomery County, 1960-1963, except in the area along the Sandy Run Creek and the Wissahickon Creek where the standard shall be that area subject to a fifty-year recurrence interval flood as delineated by the United States Army Corps of Engineers, Philadelphia District, in maps and data entitled "Flood Plain Pennsylvania," March, 1965. The Flood Plain as hereinabove defined, shall be shown on a map or maps designated as "The Upper Dublin Township Flood Plain Map" which is hereby made a part of this Ordinance and which shall be available to the public at the Township Building. For purposes of defining the application of this map to any specific areas, said report or survey shall be available and shall be proof of the intended limits of the Flood Plain. Any change in the Flood Plain as may from time to time be determined to be proper under Paragraph C hereof shall be forthwith reflected on said map.

C. BOUNDARY DISPUTES. In case of any dispute concerning the boundaries of a Flood Plain, an initial determination shall be made by the Zoning Officer. Any party aggrieved by such determination by the Zoning Officer as to the boundaries of a Flood Plain as defined in Paragraph B, which may include the grounds that said data referred to therein is or has become incorrect because of changes due to natural or other causes, may appeal to the Zoning Hearing Board (known elsewhere in this Ordinance as the Board of Adjustment) as provided in Article XVII. The burden of proof in such an appeal shall be on the appellant.

D. OVERLAY FEATURE OF THE MAP. The Flood Plain Map shall be deemed an overlay to the Zoning Map which is authorized in Section 301. Should the Flood Plain be declared inapplicable to any tract, for any reason whatsoever, the zoning applicable to such tract shall be deemed to be the district in which it is located without consideration of this Section.

E. PERMITTED USES. The following uses and no others are permitted in the Flood Plain:

1. Cultivation and harvesting of crops according to recognized soil conservation practices;
2. Pasture and grazing of animals according to recognized soil conservation practices;
3. Outdoor plant nursery or orchard according to recognized soil conservation practices;
4. Recreation use such as, but not limited to: park, day camp, picnic grove, golf course, hunting and/or fishing club, excluding structures;



5. Forestry, lumbering, and reforestation, excluding storage and mill structures, and according to recognized natural resources conservation practices;

6. Gamefarm, fish hatchery (excluding structures), hunting preserve, and fishing preserve;

7. Wildlife sanctuary, woodland preserves, and arboretum;

8. Sealed public water supply wells;

9. Utility transmission lines;

10. Front, side, or rear yards and required lot area for any district, provided such yards are not used for on-site sewage disposal systems;

11. Pervious parking lots where required by the regulations for the district applicable to the lot without consideration of this Section;

12. Pervious roads and driveways;

13. Sanitary sewers and sewage pumping stations;

14. Certain uses by Special Exception which are defined in Paragraph F.

F. USES AND ACTIVITIES WHICH MAY BE PERMITTED BY SPECIAL EXCEPTION.

1. Sewage treatment plants.

2. Grading or regarding of lands, including the deposits of top soils and the grading thereof, and the construction of retaining walls; provided that a detailed engineering study indicating the effects on drainage and on adjacent properties shall accompany any application for special exception on this ground.

3. Paved roads and driveways.
4. Impoundment basin.
5. Storm sewers
6. Other uses similar to the above which are in compliance with the intent of this Ordinance, provided the effect is not to alter substantially the cross-sectional profile of the stream basin at the point of the proposed construction or use.

G. NON-CONFORMING USES. Any existing use or structure which automatically becomes non-conforming due to the enactment of this Section shall be governed by Article XV. The Zoning Officer shall prepare and maintain a record of all non-conforming uses and structures in the Flood Plain and shall indicate these as such on the Flood Plain Map.

H. MUNICIPAL LIABILITY. The grant of a zoning permit or approval of a subdivision plan in the Flood Plain shall not constitute a representation, guarantee, or warranty of any kind by the Township, or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Township, its officials, or its employees.

ORDAINED AND ENACTED this 11<sup>th</sup> day of January, A.D.

1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY: Martin S. Feller  
President

ATTEST:

Richard M. Brown, Jr.  
Secretary

Richard M. Brown

AN ORDINANCE  
ORDINANCE NO. 446

original map  
w/ original  
ordinance in  
ordinance  
book

An Ordinance reapportioning the Township of Upper Dublin, Montgomery County, Pennsylvania, by retaining seven Wards, but changing the boundary lines of said Wards;

WHEREAS, The Constitution of the Commonwealth has been amended and under Article IX, Section XI, each municipality is required to equalize Ward population in accordance with the Federal Decennial Census;

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

Section 1. The Boundaries of Ward 1 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being the southwesterly corner of Upper Dublin Township, and its common boundary with Whitemarsh and Whitpain Townships; thence northeasterly along this line, between this Township and Whitpain Township, to a point of the Borough of Ambler; thence, to the right, along the line between Upper Dublin Township and the Borough of Ambler, its various courses and distances to a point in the middle of Bethlehem Pike, L.R.#153; thence, to the left, along the middle of said Bethlehem pike, being the same line between Upper Dublin Township and the Borough of Ambler, to a point at its intersection with Tennis Avenue, L.R.#46077, thence, to the right, along the middle of said Tennis Avenue, being the same line between Upper Dublin and Lower Gwynedd Townships, to a point at its intersection with Susquehanna Road, L.R. #46101; thence, to the right, along the middle of said Susquehanna Road to a point at its intersection with Butler Pike, a County Road; thence, to the right, along the middle of said Butler Pike to a point at its intersection of Meadowbrook Avenue; thence, to the left,

along the middle of said Meadowbrook Avenue to a point at its intersection of Douglass Street; thence, to the right along the middle of said Douglass Street to a point at its intersection of Argyle Avenue; thence, to the left along the middle of said Argyle Avenue to a point at its intersection of Cedar Road; thence, to the right, along the middle of said Cedar Road to a point at its intersection of Loch Alsh Avenue; thence, to the left, along the middle of said Loch Alsh Avenue to a point at its intersection of Fort Washington Avenue, L.R. #46090; thence, to the right, along the middle of said Fort Washington Avenue to a point at its intersection of Pennsylvania Avenue, L.R. #3961, said point being in this Township Boundary Line; thence, to the right, along the line between this Township and Whitemarsh Township to the point and place of the Beginning.

Section 2. The Boundaries of Ward 2 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being at the intersection of the common boundary with Whitemarsh Township in Pennsylvania Avenue, L.R.#3961 and Fort Washington Avenue, L.R. #46090; thence, northeasterly along the middle of said Fort Washington Avenue to a point at its intersection of Loch Alsh Avenue; thence, to the left, along the middle of said Loch Alsh Avenue to a point at its intersection of Cedar Road; thence, to the right, along the middle of said Cedar Road to a point at its intersection of Argyle Avenue; thence, to the left, along the middle of said Argyle Avenue to a point at its intersection of Douglass Street; thence, to the right, along the middle of said Douglass Street to a point at its intersection of Meadowbrook Avenue; thence, to the left, along the middle of said Meadowbrook Avenue to a point at its intersection of Butler Pike, a County Road; thence, to the right, along the middle of said Butler Pike to a point at its intersection of Susquehanna Road, L.R. #46101; thence, to the right, along the middle of said Susquehanna Road to a point at its intersection with the center line of Fort Washington Avenue; thence, to the left along the middle of said Fort Washington Avenue to a point at its intersection with Limekiln Pike, L.R. #373; thence, to the right along the middle of said Limekiln Pike to a point at its intersection of Susquehanna Road,

L.R. #46101; thence, to the left, along the middle of said Susquehanna Road to a point at its intersection of the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad; thence, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point of its intersection of this Township Boundary Line; thence, to the right, along this line between this Township and Whitmarsh Township to the point and place of the Beginning.

Section 3. The Boundaries of Ward 3 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being the northeasterly corner of Upper Dublin Township, and its common boundary with Abington and Upper Moreland Townships, in Welsh Road, L.R. #198; thence, southwesterly along the line between this Township and Fitzwatertown Road, to a point at its intersection with the extension of the property line of Lot 14 of the Parkview Gardens (East) Subdivision, said point being 135 plus or minus feet northeasterly of Alpin Drive; thence, to the right, along the property line of Lots 14, 226, 15, 43, 240, 241, 281, 282 and 283 of said Parkview Gardens (East) Subdivision to a point at its intersection with Dundee Drive; thence, to the right, along the middle of said Dundee Drive to a point at its intersection with the extension of the property line of Lot 303 of Section 2 of the Parkview Gardens (East) Subdivision, said point being 100 plus or minus feet northeasterly of East Bruce Drive; thence, to the left, along the property line of Lots 303, 479, 478, 476, 475, 474, 473, 472, 471 and 470 of the said Section 2 of the Parkview Gardens (East) Subdivision to a point at its intersection with Ayr Lane; thence, to the right, along the middle of said Ayr Lane to a point at its intersection with Twining Road; thence, to the left, along the middle of said Twining Road to a point at its intersection with Susquehanna Road, L. R. #46101; thence, to the right, along the middle of said Susquehanna Road to a point at its intersection of the Trenton Branch (commonly known as the Trenton Cut-off) of the Penn Central Railroad;

thence, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point of its intersection of this Township Boundary Line, in Welsh Road, L.R. #198; thence, to the right, along this line between this Township and Upper Moreland Township to the point and plan of the Beginning.

Section 4. The Boundaries of Ward 4 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being the Southeasterly corner of Upper Dublin Township, and its common boundary with Abington and Springfield Township; thence, northwesterly along this line, between this Township, Springfield and Whitemarsh Townships, to a point at its intersection with the Trenton Branch of the Penn Central Railroad; thence, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point at its intersection of the Southwesterly line of the Fairway Ridge (also known as Apple Ridge) Subdivision; thence, to the right, along said southwesterly line of the Fairway Ridge Subdivision; to a point at its intersection of Dreshertown Road, L. R. #46113; thence, to the left, along the middle of said Dreshertown Road to a point at its intersection with the northeasterly property line of Manufacturers Country Club, a common line with the Country Club Manor Subdivision; thence, to the right, along said northeasterly property line of Manufacturers Country Club to a point at its intersection with the natural water course known as Sandy Run Creek; thence, to the left, along the middle of said Sandy Run Creek to a point at its intersection with a line extended from the center line of Eastview Drive; thence, to the right, along said line and the middle of Eastview Drive to a point at its intersection of Chapel Road; thence, to the right, along the middle of said Chapel Road to a point at its intersection of Northview Drive; thence, to the left, along the middle of said Northview Drive to a point at its intersection of North Hills Avenue; thence, to the right, along the middle of said North Hills Avenue to a point at its intersection of Jenkintown Road, said point being on the Township's Boundary Line with Abington Township; thence, continuing, this Township said line to the point and place of the Beginning.

Section 5. The Boundaries of Ward 5 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being at the intersection of Jenkintown Road and North Hills Avenue, and its common boundary with Abington Township; thence, northeasterly along the middle of said

North Hills Avenue to a point at its intersection with Northview Drive; thence, to the left, along the middle of said Northview Drive to a point at its intersection with Chapel Road; thence, to the right, along the middle of said Chapel Road to a point at its intersection with Eastview Drive; thence, to the left, along the middle of said Eastview Drive and an extension of the same to a point at its intersection with the natural water course known as Sandy Run Creek; thence, to the left, along the middle of said Sandy Run Creek to a point at its intersection with the northeasterly property line of Manufacturers Country Club, a common line with the School District of Upper Dublin; thence, to the right, along the said property line of Manufacturers Country Club to a point at its intersection with Dreshertown Road, L.R. #46113; thence, to the left, along the middle of said Dreshertown Road to a point at its intersection with the Southwesterly line of the Fairway Ridge (also known as Apple Ridge) Subdivision; thence, to the right, along said Southwesterly line of Fairway Ridge Subdivision to a point at its intersection with the Trenton Branch of the Penn Central Railroad; thence, to the right, along the middle of said Trenton Branch of the Penn Central Railroad to a point at its intersection with Susquehanna Road, L.R. #46101; thence, to the right, along the middle of said Susquehanna Road to a point at its intersection of Twining Road; thence, to the left, along the middle of said Twining Road to a point at its intersection with Ayr Lane; thence, to the right, along the middle of said Ayr Lane a distance of 250 plus or minus feet to a point at its intersection of rear property line of Lot #470 of Section #2 of the Parkview Gardens (East) Subdivision; thence, to the left, along the property line of Lots #470, 471, 472, 473, 474, 475, 476, 478, 479 and 303 of Section #2 of the Parkview Gardens (East) Subdivision to a point at its intersection of Dundee Drive; thence, to the right, along the middle of said Dundee Drive to a point at its intersection of the property line of Lot #283 of Parkview Gardens (East) Subdivision, said point being 95 plus or minus feet northeasterly of Alpin Drive; thence, to the left, along the property lines of Lots #283, 282, 281, 241, 240, 43, 15, 226 and 14 of said Parkview Gardens Subdivision to a point at their intersection of Fitzwatertown Road, said point being in this Township's Boundary Line with Abington Township 140 plus or minus feet Northeasterly from Alpin Drive; thence, to the right, along this line between this Township and Abington Township, its several courses and distances, to the point and place of Beginning.

Section 6. The Boundaries of Ward 6 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township's Boundary line, said point being at the intersection of the common boundary with Upper Moreland Township in Welsh Road, L.R. #198, and the Trenton Branch of the Penn Central Railroad; thence, southwesterly along the middle of said Trenton Branch of the Penn Central Railroad to a point at its intersection with Susquehanna Road, L.R. #46101; thence, to the right, along the middle of said Susquehanna Road to a point of its intersection with Limekiln Pike L. R. #373; thence, to the right, along the middle of said Limekiln Pike to a point at its intersection with Dillon Road; thence, to the right, along the middle of said Dillon Road to a point at its intersection with Blair Lane; thence, to the left, along the middle of said Blair Lane to a point at its intersection with Ludwell Drive; thence, to the right, along the middle of said Ludwell Drive to a point at its intersection with Terrace Drive; thence, to the left, along the middle of said Terrace Drive to a point at its intersection with Fort Washington Avenue; thence, to the right, along the middle of said Fort Washington Avenue to a point at its intersection with Welsh Road, said point being in the common boundary line of this Township and Horsham Township; thence, to the right, along said boundary line in Welsh Road to the point and place of Beginning.

Section 7. The Boundaries of Ward 7 shall be as shown on the attached map, which is made a part of this Ordinance, the legal description thereof being as follows:

Beginning at a point in this Township Boundary Line, said point being the Northwesterly corner of Upper Dublin Township, and its common boundary with Horsham and Lower Gwynedd Townships; thence, Southeasterly along this line, between this Township and Horsham, in the middle of Welsh Road, L. R. 198, to a point at its intersection with Fort Washington Avenue; thence, to the right, along the middle of said Fort Washington Avenue to a point at its intersection with Terrace Drive; thence, to the left, along the middle of said Terrace Drive to a point at its intersection with Ludwell Drive; thence, to the right, along the middle of said Ludwell Drive to a point at its intersection with Blair Lane; thence, to the left, along the middle of said Blair Lane to a point at its intersection with Dillon Road; thence, to the right, along the middle of said Dillon Road to a point at its intersection with Limekiln Pike; thence, to the right, along the middle of Limekiln Pike to a point at its intersection with Fort Washington Avenue, L.R. #46090; thence, to the left, along the middle of said Fort Washington Avenue to a point at its intersection with Susquehanna Road, L.R. #46101;



thence, to the right, along the middle of said  
Susquehanna Road to a point at its intersection of  
Tennis Avenue, said point being in the common  
boundary line of this Township and Lower Gwynedd  
Township; thence, to the right, along said line in  
Tennis Avenue to the point and place of the Beginning.

Approved by the Board this 24<sup>th</sup> day of January, 1972.

By Mr. Allen  
President

Attest

Richard M. Brey  
Secretary

AN ORDINANCE

Ordinance No. 447

AN ORDINANCE REQUIRING THE DISPLAY OF STREET NUMBERS ON ALL PRINCIPAL BUILDINGS IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, AND PROVIDING PENALTIES FOR FAILURE TO DISPLAY SUCH NUMBERS.

WHEREAS, the Act of May 27, 1949, P. L. 1955, in Article XV, Corporate Powers, Section 1502, XXII, grants to first class townships authority to require and regulate the numbering of buildings;

AND WHEREAS, It appears that the numbering of all buildings will facilitate, promote and accelerate transportation, communication, and the supply of municipal services, including fire and police protection, and otherwise promote the public safety and general welfare of the residents of Upper Dublin Township:

NOW THEREFORE, 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: DEFINITIONS.

(a) Building - shall include all principal

**RECEIVED**  
UPPER DUBLIN TOWNSHIP

**FEB 17 1972**

**SECRETARY'S OFFICE**

buildings, such as but not limited to single and multiple family dwellings, places of business, public service facilities, churches, and other institutions, but shall not include accessory buildings on the same lot as and occupied by the same person as a principal building on such lot.

(b) The word "shall" is construed as mandatory.

SECTION 2. From and after the effective date of this Ordinance, the Township shall assign street or road numbers to all buildings in the township which have heretofore not been numbered and shall give notice to the registered owner and to the occupant of each building of the number so assigned; provided, that nothing herein contained shall be construed to relieve such owner and occupant of the duty to ascertain such assigned street number.

SECTION 3. Within sixty (60) days from the effective date hereof every owner and occupant of every building in the township shall display the street number of the building so that it can be read during daylight hours from the road or street by persons of normal vision.

SECTION 4. Street numbers shall be so located and maintained that the view thereof from the street is not obstructed.

SECTION 5. In all cases of new construction, the building inspector shall assign a street number at the time the building permit is issued, and such number shall be displayed within thirty (30) days after construction is commenced, or within thirty (30) days before the building is ready for occupancy, whichever date shall be earlier.

SECTION 6. Any owner or occupant who shall fail to display a street number, as in this Ordinance is provided, shall be in violation of the provisions of this Ordinance, and shall upon summary conviction before a Justice of the Peace, be sentenced to pay a fine of not less than Five Dollars, nor more than Twenty-Five Dollars for each offense and costs. A new and separate offense shall be deemed to have been committed for each day that a violation exists. Such fines shall be collected and distributed as like fines are now collected by law.

SECTION 7. 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 any parts thereof.

ORDAINED and ENACTED this 8<sup>th</sup> day of February

A. D. 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By *W. C. Hall*  
President

Attest *Richard M. Broy*  
Secretary

April 11, 1972

448+  
449

He urged the parents to be extremely careful in allowing their children access to matches and described a recent barn fire started by children.

Mr. Long recommended installation of a three-way stop sign at the intersection of Joel Drive and Tannerie Run. This installation was approved on motion of Long and Koerper. Mr. Long also reported a request for a three-way stop at Ambler Road and Randolph Avenue. This installation was tentatively approved subject to final review and recommendation of the Public Safety Committee.

On motion of Long and Koerper the Board appointed Richard J. Neil as a rookie patrolman effective April 13, 1972.

On motion of Long and Koerper the Board authorized preparation of specifications for bids to furnish three new patrol cars with the option of trade-ins. It was agreed that bids would be received and opened at the stated meeting of the Commissioners on May 9th.

FINANCE: On motion of Corey and Long the Board adopted a Resolution authorizing the establishment of a checking account with Continental Bank to be entitled 1972 Improvement Fund for the deposit of proceeds from a \$500,000 Improvement Bond Issue.



On motion of Corey and Koerper the Board approved payment of bills in the following amounts:

|                            |             |
|----------------------------|-------------|
| General Fund-----          | \$75,368.35 |
| Special Accounts-----      | 90,928.71   |
| Burn Brae Golf Course----- | 2,318.08    |

A full listing of the bills are a part of the Official Minutes.

RECREATION: Mr. Burd in commenting on the Recreation Department report for March noted an increase in Golf memberships at Burn Brae. He also reported an increased need for baseball fields. Mr. Burd suggested that the Board consider allowing both sides of Loch Alsh Avenue adjacent to the reservoir to be used for parking during the first two days of trout season. It was pointed out by the Board that parking on both sides would make the road too narrow for use by emergency vehicles. The Recreation Department report for March was approved on motion of Sutton and Koerper.

On motion of Sutton and Tressler the Board approved the awarding of a contract to Nassau Cart Company to lease golf carts to the Burn Brae Golf Course.

April 11, 1972

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Mr. Jenkins reported that settlement for the Bell tract on Susquehanna Road is scheduled for April 14th. The Board authorized a temporary loan from the General Fund to the Open Space Fund to provide sufficient funds for settlement of the Bell tract.

The Board took a few minutes to review in more detail the reports of the Secretary and the Treasurer for the month of March which had been previously approved.

Mr. Jenkins reported that the \$500,000 General Obligation Bond Issue will take place on April 20th. The Board noted that there had been no takers on the Township's offer to sell mini-bonds in \$100 denominations and that the offer had therefore expired.

Mr. Jenkins noted the need to work out a satisfactory arrangement for the recording of subdivision plans. The Engineer, Secretary and Solicitor were directed to set up satisfactory arrangements.

The Board acknowledged a request from Girard Trust Bank for a separate sign which would advertise the location of a branch in the Prudential Building. After discussion it was noted that Girard must initially work out these arrangements with Prudential Insurance Company.

On motion of Tressler and Sutton the Board accepted the resignation of police officer George Reigel.

Mr. Long commented on a traffic signal maintenance contract that had been considered and recommended that the bid of Signal Service be rejected and the Township continue to use Howard Wampole for signal maintenance repairs as the occasion arises. This recommendation was approved on motion of Long and Tressler.

Copies of a memorandum from Mr. Long regarding proposed projects, for which the \$500,000 General Obligation Bond Issue will be used, were distributed for consideration.

Mr. Long discussed a letter from R. S. Cowan regarding ramp bills. The Board reapproved payment of the original bill in the amount of \$6,615.00 and noted that additional billing for work in connection with the 309 ramps is unwarranted, in accordance with the understanding reached at the meeting of February 28th. The balance requested for work done on Commerce Drive is being reviewed. Mr. Long indicated his intention of writing Mr. Cowan on this matter.

The development program for the Aidenn Lair Park was discussed.

April 11, 1972

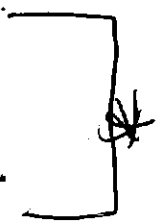
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April 11, 1972

4484  
449

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The development program for the Aidenn Lair Park was discussed.

AN ORDINANCE

ORDINANCE NO. 450

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES FOR LIGHT, VENTILATION, SPACE HEATING AND SANITATION; FOR SANITATION; FOR SAFETY FROM FIRE; FOR SPACE, USE AND LOCATION; AND FOR SAFE AND SANITARY MAINTENANCE; FOR COOKING EQUIPMENT IN ALL DWELLINGS AND MULTI-FAMILY DWELLINGS NOW IN EXISTENCE; FIXING THE RESPONSIBILITIES OF OWNERS, OPERATORS AND OCCUPANTS OF DWELLINGS AND MULTI-FAMILY DWELLINGS; PROVIDING FOR ADMINISTRATION, ENFORCEMENT AND PENALTIES OF THE VIOLATION THEREOF IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

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

SECTION I. There is hereby adopted by the Township of Upper Dublin for the purpose of establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance; for cooking equipment in all dwellings and multi-family dwellings now in existence, certain documents marked and designated as the BOCA Basic Housing Code, Second Edition, 1970 and Annual Supplements thereto, as published by the Building Officials and Code Administration International, Inc., and the whole thereof, of which codes not less than three (3) copies have been and now are filed in the office of the Secretary of the Township of Upper Dublin, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Township of Upper Dublin.

SECTION II. Definitions

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

B. Whenever the word "Building Official" is used in the Housing Code, it shall be held to mean "Building Inspector or his assistants."

C. Whenever the words "Administrative Authority" are used they shall be held to mean "Building Inspector or his assistants."

SECTION III. All matters within the intent of this Code not covered by this Code shall comply with nationally recognized good practice standards such as the Housing Hygiene Standards for Pennsylvania, and compliance with such standards, shall be considered prima facie evidence of compliance with the requirements of this code unless otherwise specifically stated herein.

#### SECTION IV. Permit Requirements

Ten days after the effective date of this Ordinance no person shall lease or rent any dwelling, dwelling unit or rooming unit in Upper Dublin Township without first making application to and obtaining from the Board of Commissioners a permit to rent or lease such dwelling, dwelling unit or rooming unit. Such application shall set forth the name of the applicant together with the address of the dwelling, the dwelling unit (or units) or the rooming unit (or units) which are or will be offered for rent, and such other information as may be required by the Board of Commissioners; such application to constitute an agreement between the applicant and the Board of Commissioners for the faithful compliance by the applicant and all agents, servants, employees or representatives of the applicant with all ordinances of Upper Dublin Township and all rules and regulations of the Board of Commissioners now in effect or hereafter adopted relating to the basic equipment, physical condition, maintenance and occupancy of dwellings and dwelling units. A permit fee shall be paid by the applicant at or before the issuance of the permit as follows:

A. RENTED DWELLING AND MULTIPLE DWELLING UNITS. A permit fee of \$3.00 for each building and \$2.00 per dwelling unit per year.

B. ROOMING HOUSES. A permit fee of \$2.00 for each rooming house and \$1.00 per rooming unit per year.

C. OWNER OR AGENT. A license will not be issued or renewed for any person who does not either reside or have an office in this Township, unless he shall designate in writing an agent in this Township for the receipt of any notice of a violation or violations of the provisions of this Code.

#### SECTION V. Adoption of Rules and Regulations

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

#### SECTION VI. Abatement of Violations

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

#### SECTION VII. Penalty for Violations

Any person who violates any provision of this Code, or any provision of any rule or regulation adopted by the Board of

Commissioners pursuant to authority granted by this Code, or fails to correct in a reasonable time the defects for which the dwelling or dwellings have been cited, shall upon conviction before a District Judge of competent jurisdiction, pay a penalty of not less than \$25.00 or more than \$300.00 and in default of payment of such fine be imprisoned for not less than 1 day or more than 30 days; and each day's failure to comply with any such provision shall constitute a separate violation.

All prosecutions for violations of this Ordinance shall be by Summary proceedings brought in the name and for the use of the Township of Upper Dublin before the Justice of the Peace of said Township.

All fines and penalties shall be paid to the Treasurer of the Township of Upper Dublin to apply to general funds.

SECTION VIII. Repeal of Conflicting Ordinances

Ordinances No. 27, 79 and 82 and all other former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the code hereby adopted are hereby repealed.

SECTION IX. Saving Clause

The Board of Township Commissioners of Upper Dublin Township hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Board of Township Commissioners that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

ENACTED and ORDAINED this 11<sup>th</sup> day of April, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Ma. J. Allen  
President

Attest:

Richard M. Brey  
Secretary

AN ORDINANCE

ORDINANCE NO. 457

AN ORDINANCE TO AMEND ORDINANCE 417, KNOWN AS THE BOCA BASIC FIRE PREVENTION CODE, ADOPTED DECEMBER 8, 1970, TO CHANGE THE SPECIFICATIONS FOR FIRE HYDRANTS.

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

SECTION V. Amend Section 5F-1500-10-1 which reads, "REGULATIONS APPLYING TO ALL FIRE HYDRANTS WITHIN TOWNSHIP OF UPPER DUBLIN. The following specifications shall apply to all Fire Hydrants installed or replaced after the effective date of this Ordinance, which are on Public water systems. The following Specifications shall also apply to Private fire hydrants which are on private property but are served by a public water system.

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

All fire hydrants shall adhere to the following specifications 4 1/2 V. O. A-24009-17 hydrants, with two 2 1/2" Jones-snap couplings, one 4 1/2" Pumper Nozzle E-547, One 9/16" Pent Nut Open Right and either 6" Hub shoe or 6" Mech jt shoe. The Jones-snap couplings have Pitch Diam. 4.132" Major Diam. of nozzle 4.215", Minor Diam. of nozzle 4.031" and are 8 Threads to the inch.

The 4 1/2" E-547 Pumper nozzle, Pitch Diam. 5.571" Major Diam. of nozzle 5.735", Minor Diam. 5.392", 4 Threads to the inch.

to read:

REGULATIONS APPLYING TO ALL FIRE HYDRANTS WITHIN TOWNSHIP OF UPPER DUBLIN. The following specifications shall apply to all Fire Hydrants installed or replaced after the effective date of this Ordinance, which are on Public water systems. The following Specifications shall also apply to Private fire hydrants which are on private property but are served by a public water system.

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

All fire hydrants shall adhere to specifications shown on a document known as "Jones Coupling Hose Nozzle for Hydrant," dated January 26, 1968 as revised, Drawing No. S-5, Construction Standards, Upper Dublin Township, on file with the Fire Marshal in the Township Building, and as revised from time to time by the Fire Marshal.

ENACTED and ORDAINED this *11<sup>th</sup>* day of April, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

*Wm. Keller*  
\_\_\_\_\_  
President

Attest:

*Richard M. Bong*  
\_\_\_\_\_  
Secretary

AN ORDINANCE

ORDINANCE NO. 452

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 conditon 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 enactse 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. Said prohibition shall not apply to target practice, conducted on a site and under the supervision of a competent adult. The site and supervision shall be approved in writing by the chief of police of said township. Said approval when granted shall be subject to withdrawal at any time by said chief of police; however, no approval shall be be good for longer than one year unless renewed. High-powered



rifles shall not be discharged within the township under any circumstances.

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. Ordinance No. 46 is hereby repealed in its entirety.

Section 7. Ordinance No. 156 is hereby repealed in its entirety.

Section 8. The provisions of this Ordinance shall become effective at the expiration of five (5) days from its adoption.

ORDAINED and ENACTED this 9<sup>th</sup> day of May, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Ma. Allen  
President

Attest

Richard M. Broy  
Secretary

AN ORDINANCE

ORDINANCE NO. 453

AN ORDINANCE CONSOLIDATING ALL OF THE SEWER DISTRICTS IN UPPER DUBLIN TOWNSHIP; CREATING THEREBY ONE DISTRICT WITH UNIFORM RENTALS AND CHARGES; PROVIDING FOR THE COLLECTION THEREOF; THE FILING OF LIENS THEREFORE; AND PROVIDING FOR RULES AND REGULATIONS.

SECTION 1. WHEREAS, the creation of numerous sewer districts throughout the Township, with varying schedules of sewer charges, while necessary because of the rapid and somewhat sporadic growth of the community has resulted in the imposition of certain inequities on our residents, and

WHEREAS, the continued administration of many separate districts has become needlessly burdensome, and

WHEREAS, the usage of sanitary sewer systems is becoming prevalent in virtually all areas of the Township and it appears that the consolidation of the various districts will be in the best interest of all of our residents.

NOW THEREFORE, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

1. The sewer districts known as Rose Valley, Fort Washington, North Oreland, Sandy Run, Fitzwatertown, North Fitzwatertown, Meetinghouse, Aidenn Lair and Chelsea Avenue, are hereby dissolved as separate districts and reincorporated as one district, to be known as the Upper Dublin Township Sewer District.

2. The new sewer district shall include all the areas described in the ordinances establishing the former individual districts, together with all other areas within the corporate boundaries of Upper Dublin Township not previously included in a sewer district, except those certain areas to be excluded, as hereinafter described.

The following described areas shall not be considered to be a part of the Upper Dublin Township Sewer District, and as such are not presently subject to the payment of sewer rental charges to Upper Dublin Township in accordance with the schedule of charges, as set forth in Section No. 4 of this ordinance; nor is the Township liable to provide sanitary sewer service to the properties within these excluded areas.

a. The properties within the watershed area of Upper Dublin Township which are served by the Upper Moreland-Hatboro Joint Sewer Authority, as described in separate agreements between the said Authority and Upper Dublin Township. These arguments specifically cover the properties within the Willow Manor Subdivision and the Brentwood Village Subdivision, together with individual properties within the watershed which are adjacent to these subdivisions and can be served by the sewer system.

b. The Central Atlantic Home Office property of Prudential Insurance Company of America located on Welsh Road at the Pennsylvania Turnpike. The property is also served by the Upper Moreland-Hatboro Joint Sewer Authority under a special agreement with the Authority, and with the approval of Upper Dublin Township.

c. The properties within the franchised area of Delaware Valley Industrial Sewage, Inc., a private company operating under the jurisdiction of the Pennsylvania Public Utilities Commission, which serves the firms within the area developed under the name of Fort Washington Industrial Park and Office Center.

## SECTION 2. IMPOSITION OF CONNECTION CHARGE

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

a. Each individual home or dwelling unit, whether as as a single family residence or part of multi-family dwelling, \$100.00.

b. Each apartment, condominium or motel dwelling unit, \$25.00, with a minimum charge of \$200.00 for an apartment house, motel or condominium complex.

c. Each non-residential building or deparate commercial or industrial use, \$100.00.

SECTION 3. IMPOSITION OF SEWER RENTAL

There is hereby imposed upon each property located within the Upper Dublin Township Sewer District, served by the sewer system, based on the rates hereinafter set forth.

SECTION 4. SEWER RATES

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

a. Minimum rates

- (1) Single family dwelling units, \$65.00 (other than units in apartment buildings or condominiums)
- (2) Apartment or condominiums
  - 3-bedroom units \$55.00
  - 2-bedroom units 50.00
  - 1-bedroom unit 45.00
- (3) Banks, dry cleaners, grocery stores, pizza stores, drug stores, hardware stores, state stores, TV service stores, barber shops, beauty parlors, fire companies, small manufacturing shops and like uses. 65.00
- (4) Gasoline service stations and care dealerships 85.00
- (5) Swim Clubs 45.00
- (6) Super Markets 180.00

b. Additional rates

- (1) Garbage Disposal unit (where permitted by treatment plant) 10.00
- (b) Professional office in home 30.00

c. Water usage rates

Annual rentals based on consumption of water as determined by periodic meter readings for the following uses: car wash, universities, schools, motels, golf clubs, office buildings,

\$ .68 per 1,000 gallons - minimum \$65.00

d. Additional Classifications

Rates for additional classifications not enumerated above and modifications of the above schedule of sewer rates may be fixed and established by the Township from time to time.

SECTION 5. 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 6. 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 7. 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 8. REPEALER.

All previously enacted ordinances are repealed in so far as inconsistent with this Ordinance.

SECTION 9. 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 10. 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 11<sup>th</sup> day of July, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Ma. Heller  
President

ATTEST

BY Richard M. Piny  
Secretary

AN ORDINANCE

ORDINANCE NO. 454

BE IT ORDAINED AND ENACTED by the Township of Upper Dublin, Montgomery County, Pennsylvania, as follows:

SECTION 1. That an election be authorized to be held in The Township of Upper Dublin, Montgomery County, Pennsylvania, to determine whether a Government Study Commission of nine (9) members shall be elected to study the charter and plan of government of the Township, to study and consider the advisability of adoption of an Optional Plan of Government or a Home Rule Charter and to recommend whether or not an Optional Form of Government or a Home Rule Charter should be adopted.

SECTION 2. The Township Secretary shall within five (5) days of the enactment of this Ordinance file a certified copy of this Ordinance with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors, which shall be as follows: "Shall a Government Study Commission of nine (9) members be elected to study the charter and plan of government of the Township of Upper Dublin, Montgomery County, Pennsylvania, to study and consider the advisability of the adoption of an Optional Plan of Government or a Home Rule Charter and to recommend whether or not an Optional Form of Government or a Home Rule Charter should be adopted?"

SECTION 3. This Ordinance is adopted under authority of the Act of the General Assembly of April 13, 1972 (Act No. 62) known as the "Home Rule Charter and Optional Plans Law".

ORDAINED AND ENACTED this 13<sup>th</sup> day of June, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Ma. Heller  
President

Attest

Richard M. Dwyer  
Secretary



ORDINANCE NO. 455

AN ORDINANCE TO AMEND ORDINANCE NO. 140 ADOPTED August 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA LOCATED NEAR THE INTERSECTION OF SUSQUEHANNA ROAD AND 309 EXPRESSWAY FROM A RESIDENTIAL DISTRICT TO AN APARTMENT HOUSE DISTRICT.

WHEREAS, the Commissioners of Upper Dublin Township find that the within amendment to Upper Dublin Township Zoning Ordinance is in accordance with the spirit and intent of the Comprehensive Plan and Land Use Plan for the Township of Upper Dublin.

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, that the zoning map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, adopted August 20th., and known as Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as "BROWN FARM", consisting of approximately thirty-one acres plus or minus, and bounded by the following, be and is hereby changed from A Residential District to AH Apartment House District:

BEGINNING at a point in the center line of a proposed Street (fifty feet wide) said point being North forty-six degrees forty-six minutes East one hundred eighty-nine and thirty-four one-hundredths feet from a point at the intersection of the center line of the proposed Street with the center line of Susquehanna Road (thirty-three feet wide) said point of intersection being North forty-nine degrees forty-one minutes West two hundred one and twenty-seven one-hundredths feet from a point in the center line of Susquehanna Road a corner of lot now or late of Benjamin Eves; thence from the point of Beginning along land of James R. Gillin of which this was a part, the three following courses and distances to wit: North forty-three degrees fourteen minutes West three Hundred fifty-three and five one-hundredths feet to a point and North eight-nine degrees forty-two minutes twenty seconds East one hundred thirty-six and sixty one-hundredths feet to a point and South forty-three degrees fourteen minutes East two hundred sixty feet to a point in the center line of the afore-

mentioned proposed street; thence along the same South forty-six degrees forty-six minutes West one hundred feet to the point and place of Beginning.

CONTAINING. .703 of an acre of land, be the same more or less.

BEGINNING. at a point set in the center line of the Susquehanna Road (thirty three feet wide) opposite the North-westerly side of Lindenwold Avenue (thirty-three feet wide) a corner of this and other land now or late of the said parties of the first part of which this was a part; thence along the same North forty-three degrees twenty-eight minutes East twelve hundred five and twenty-eight one-hundredths feet to a stake a corner in line of land of the Estate of Daniel Shoemaker; thence along the same South twenty-two degrees fifteen minutes East twenty-seven feet to a stone; thence continuing along the same and along land now or late of John Buchanan South thirty-six degrees twenty-nine minutes East eight hundred sixty-seven and forty-one one-hundredth feet to a stone a corner; thence continuing along line of land now or late of John Buchanan South forty-six degrees forty-six minutes West nine hundred ninety-eight and eighty-six one-hundredths feet to a spike a corner in the center line of the Susquehanna Road aforesaid and along the same North forty-nine degrees forty-one minutes West eight hundred twenty-two and thirty-one one-hundredths feet to the place of beginning. CONTAINING twenty-one and four hundred fifty-three one-thousandths acres of land.

BEGINNING at an iron pin in line of land of the Daniel Shoemaker Estate, being a corner of this tract and land of Josephine P. Collom and also of other land of James H. Gillin, and thence by the said land of Josephine P. Collom South sixty-nine degrees thirty-five minutes West two hundred fifty-two and seventy-nine one-hundredths feet to a stake, a corner in land now or late of James F. Brown and wife, and thence by said land of James R. Brown and wife North twenty-two degrees fifteen minutes West five hundred and ninety feet to a stake a corner in other land now or late of Raymond Maxson and Wilhelmina V. Maxson, his wife of which this was formerly a part, and thence by said land North sixty-nine degrees thirty-five minutes East two hundred fifty-two and seventy-nine one-hundredths feet to a stake in line of land of the Daniel Shoemaker Estate aforesaid, and thence by said land of the Daniel Shoemaker Estate South twenty-two degrees fifteen minutes East five hundred and ninety feet to the first mentioned point and place of beginning. CONTAINING three and four hundred twenty-two one-thousandths acres (3.422 acres) be the same more or less.

BEGINNING at a point a corner of land recently conveyed to Jacob Haslein, 3d et ux, said point being south eighteen degrees fifty-two minutes east three hundred eighty-eight and sixty-three one-hundredths feet from a point a corner between other land of Jacob Haslein, 3d, and land of Joseph S. Lord, 3d, said corner being south fifty-four degrees eighteen minutes west one hundred twelve and eighty-eight one-hundredths feet from still another corner between said two properties, said other corner being south forty-three degrees forty-one minutes east three hundred eleven feet from a point a corner in the middle of Butler Pike (forty-five feet wide) a corner between the said lands of Jacob Haslein, 3d, et ux, and Joseph S. Lord, 3d, said point being at a distance of eight hundred

seventy-two and eighteen one-hundredths feet more or less, southwest from a point at the intersection of the middle of Butler Pike with the middle of Meeting House Road; thence from the point of beginning along land recently conveyed to Jacob Haslein, 3d., et ux, north sixty-nine degrees thirty-five minutes east two hundred sixty-nine and thirteen one-hundredths feet to a point a corner of land of James R. Gillin; thence along the same south twenty-two degrees fifteen minutes east five hundred ninety feet to a stone a corner in line of other land of James R. Gillin; thence along the same and along land of B. M. Walker, south sixty-nine degrees thirty-five minutes west five hundred thirty and three one-hundredths feet to an iron pin a corner of land of Fred Piccione; thence along the same north thirty degrees thirty minutes west, crossing a certain right-of-way (thirty feet wide) of the Transcontinental Pipe Line Corporation six hundred thirty-eight and twenty-three one-hundredths feet to an iron pin a corner of land of James Roger Brown, of which this was a part; thence along the same and crossing said right-of-way of the Transcontinental Pipe Line Corporation and land recently conveyed to Joseph S. Lord, 3d., north sixty-nine degrees thirty-five minutes east three hundred fifty-four and eighty-one hundredths feet to a point in line of land recently conveyed to Jacob Haslein, 3d., aforesaid; thence along the same south eighteen degrees fifty-two minutes east thirty-eight and sixty-three one-hundredths feet to the point and place of beginning. CONTAINING 8.069 acres of land, be the same more or less.

EXCEPTING THEREFROM HOWEVER the two tracts or parcels of land described in Deed recorded in Montgomery County Deed Book No. 1110, Page 587 and described in Deed recorded in Deed Book No. 2005, Page 172.

SECTION TWO. The territory hereinafter described, being known as "Haslein" property, consisting of approximately 4.1 acres plus or minus, and bounded by the following, be and is hereby changed from A Residential District to AH Apartment House District:

BEGINNING at a spike set in the middle of the Lewisville and Prospectville Turnpike Road (otherwise known as Butler Pike) (45 feet in width) a corner of land now or late of the Daniel Shoemaker Estate; thence along said land of the Daniel Shoemaker Estate South 36 degrees 27 minutes East 740.70 feet to a stake set for a corner; thence by the same North 72 degrees 14 minutes East 181.34 feet to a spike in a post; and thence still by the same land South 22 degrees 15 minutes East 65.54 feet to a stake a corner in other land of the said now or late Raymond Maxson and Wilhelmina Maxson which land was a part of this tract; and thence by said land South 69 degrees 35 minutes West 252.79 feet to a stake a corner in land now or late of James R. Brown and wife; thence by said land of James R. Brown and wife North 22 degrees 15 minutes West 77.25 feet to a point in a small stream of water and still by the said land South 72 degrees 14 minutes West 264.52 feet to a point a corner and still by the same North 18 degrees 52 minutes

West 299.21 feet to an iron pin a corner and still by the same North 54 degrees 18 minutes East 112.58 feet to a point a corner and still by the same North 43 degrees 41 minutes West crossing an iron pipe set in the Southeasterly side of the Lewisville and Prospectville Turnpike Road (Butler Pike) aforesaid 311.00 feet to a spike in the middle of said road and thence along the middle of said Turnpike Road North 36 degrees 51 minutes East 160.00 feet to the point and place of beginning.

CONTAINING 3.638 acres of land be the same more or less.

BEGINNING at a point, a corner of land now or late of Jacob Haslein 3rd., et ux, and in line of land recently conveyed to Mr. Lord, said point being South eighteen degrees, fifty-two minutes East two hundred ninety-nine and twenty-one one-hundredths feet from a corner of the two properties aforesaid, said corner being South fifty-four degrees eighteen minutes West one hundred twelve and eighty-eight one-hundredths feet from still another corner, said corner being South forty-three degrees, forty-one East three hundred eleven feet from a third corner of land now or late of Jacob Haslein, 3rd., et ux, and land now or late of Mr. Lord, said corner being in the middle of Butler Pike, forty-five feet wide, and being at a distance of eight hundred seventy-two and eighteen one-hundredths feet, more or less, Southwest from a point at the intersection of the middle of Butler Pike with the middle of Meeting House Road; thence from the first mentioned point of beginning along land of now or late Jacob Haslein, 3rd, et ux, the two following courses and distances, to wit:- (1) North seventy-two degrees fourteen minutes East two hundred sixty-four and fifty-two one-hundredths feet to a point a corner (2) South twenty-two degrees fifteen minutes East seventy-seven and twenty-five one-hundredths feet to a point, a corner of land about to be conveyed to James R. Gillen; thence along the same South sixty-nine degrees, thirty-five minutes West two hundred sixty-nine and thirteen one-hundredths feet to a point a corner; thence still along the same and along land now or late of Mr. Lord, aforesaid, North eighteen degrees, fifty-two minutes West eighty-nine and forty-two one-hundredths feet to the point and place of beginning.

CONTAINING five hundred ten one-thousandths (.510) acres of land, be the same more or less.

ORDAINED AND ENACTED this 11th. day of July A. D., 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

Attest

  
Secretary

AN ORDINANCE

ORDINANCE NO. 456

AN ORDINANCE AMENDING ORDINANCE NO. 453 BY CHANGING THE WATER USAGE RATES IN ALL SEWER DISTRICTS IN UPPER DUBLIN TOWNSHIP.

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

SECTION 1. Amend Section 4 c. which reads:

Water usage rates - Annual rentals based on consumption of water as determined by periodic meter readings for the following uses: car wash, universities, schools, motels, golf clubs, office buildings,

\$ .68 per 1,000 gallons - minimum \$65.00

to read:

Water usage rates - Annual rentals based on consumption of water as determined by periodic meter readings for the following uses: car wash, universities, schools, motels, golf clubs, office buildings, tap rooms, restaurants, private clubs, hospitals, boarding house, nursing homes, retirement homes, day camps,

\$65.00 on first 100,000 gallons consumption;  
.68 per 1000 gallons on consumption between 100,000 and 200,000;  
.60 per 1000 gallons on consumption between 200,000 and 300,000;  
.55 per 1000 gallons on consumption between 300,000 and 400,000;  
.50 per 1000 gallons on consumption between 400,000 and 500,000;  
.40 per 1000 gallons on all gallons consumed over 500,000.

ADOPTED THIS            day of August, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Mr. Keller  
President

ATTEST:

BY

Richard M. Gump  
Secretary

AN ORDINANCE

ORDINANCE NO. 457

AN ORDINANCE AMENDING ORDINANCE NO. 104 BY CHANGING THE RESPONSIBILITIES AND DUTIES OF THE PARK AND RECREATION BOARD OF UPPER DUBLIN TOWNSHIP.

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

SECTION 1. Amend Section 2 which reads:

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.

to read:

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 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 2. Delete Section 4 and substitute therefore the following:

The board shall advise the Board of Commissioners on all matters relating to the acquisition, conduct and maintenance of public recreation areas, facilities and centers. It shall supervise those facilities authorized by the Board of Commissioners and perform other functions which from time to time are delegated to it/


SECTION 3. Delete Section 5, 6 and 7.

SECTION 4. Delete Section 9.

ADOPTED this 11th day of July, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

ATTEST:

BY

  
Secretary

ORDINANCE NO. 458

TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, BEING ORDINANCE NO. 140, ENACTED AUGUST 20, 1956, BY CREATING A NEW ZONE CLASSIFICATION, APARTMENT HOUSE - SPECIAL DISTRICT, AND INCLUDING ALL REGULATIONS APPERTAINING THERETO IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA.

The Board of Commissioners of the Township of Upper Dublin do ordain:

SECTION ONE. That the Zoning Ordinance be amended to include a new zoning district, as follows:

Section 1.1 AHS Apartment House Special Special Districts are designed as a special and exceptional Apartment District, having all the necessary conditions of an Apartment District as described in Article IX, but in addition having the particular locational characteristic of being in close proximity to major mass transportation routes, including limited access highways.

Section 1.2 Use Regulations A building or group of buildings may be erected or used, and a lot may be used and occupied for any of the following purposes, and no other:

1. Apartment House, or group of apartment houses designed as a single architectural project or unit.

2. Accessory Use on the same lot with an customarily incidental to any of the above permitted uses, provided that the total floor area does not exceed twenty-five per cent (25%) of the total ground floor area. Such accessory uses include:

- a. Retail store or personal service shop. (First floor only)
- b. Restaurant.
- c. Bank or similar institution. (First floor only)
- d. Professional Office.

Section 1.3 Area and Height Regulations In the case of each lot or tract of land developed for Apartment House - Special District, the following area and height regulations shall apply:



1. Lot Area - The total area of the lot or tract shall be not less than ten acres, and the ratio of lot width to length or lot length to width shall be not more than three to one in either case.

2. Density - Density of dwelling units shall not exceed 20 units per acre. However, the density may be increased by one unit per acre for every two enclosed parking spaces.

3. Building Area - Not more than 15 per cent of the area of the lot or tract may be occupied by buildings exclusive of terraces, walkways, and parking facilities.

4. Yards and Building Placement

a. Front Yard - There shall be a front yard on each street on which the lot or tract abuts which shall be not less than 75 feet in depth.

b. Side Yards - There shall be two side yards neither of which shall be less than 50 feet in width.

c. Rear Yard - There shall be a rear yard which shall be not less than 50 feet in depth.

d. When authorized as a special exception by the Board of Adjustment, the side and rear yard requirements may be waived to provide for parking structures, under the following conditions only:

1) When the rear or side yard abuts unzoned railroad land or fully developed industrial or heavy commercial uses.

2) When the parking structure is necessary to provide for adequate circulation elsewhere on the lot, or to provide maximum separation between automobiles and pedestrians on the front of the lot.

3) When the parking structure is adequately screened from adjoining lots.

4) When the parking structure is so situated that it is in no place adjacent to the front yard of any adjoining properties.

5. Height - No building shall have a height of less than 50 feet or five stories, whichever is less, and shall not be higher than 10 stories or 120 ft. whichever is less, exclusive of equipment.

Section 1.4 Special Development Regulations - In addition to the other regulations of this District, the following requirements shall apply:

1. 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 general welfare of the Township.

2. The development shall consist of a harmonious selection of uses, and groupings of buildings, service and parking areas, circulation and open spaces, planned and designed as an integrated unit such manner as to constitute a safe, efficient, and convenient development.

3. Each use other than parking areas shall be conducted entirely within an enclosed building.

4. In any case where a repair or processing activity is permitted in conjunction with a personal service shop, custom shop or similar use, any such activity shall, if located on the ground floor, be effectively screened from the front portion of the building used by customers by a wall or partition.

5. No storage of materials, equipment or goods shall be permitted outside a building, and no merchandise shall be displayed on the exterior of a building.

6. Adequate provision shall be made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the center or planned business district.

7. The developer shall assure the provision of required improvements to be dedicated by means of a proper completion and guarantee in the form of a bond or the deposit of funds or securities in escrow to cover the cost of the improvements. The work shall be performed in accordance with all requirements and the approved plans.

8. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other service shall be provided and shall be adequate in size, and shall be so arranged that they may be used without blockage or interference with the use of access ways or automobile parking facilities.

9. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the apartment without undue congestion to or interference with normal traffic flow.

10. All utility lines servicing the apartment center shall be placed underground.

11. Each lot for apartments shall contain a minimum recreation area at least equal to the number of dwelling units multiplied by 100 square feet.

12. Parking, delivery-collection areas and traveling lanes on each lot shall be paved in accordance with Township specifications and approved by the Township Engineer.

13. Concrete sidewalks shall be constructed on each street or road abutting the lot.

14. All buildings shall be served by a public sanitary sewage disposal system and public water supply.

15. Lighting facilities provided shall be arranged in manner which will protect the highway and neighboring properties from unreasonable direct glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary for the safety and convenience of apartment residents.

16. A landscaped planting area shall be provided along any property line (other than in a street) which the lot abuts, of not less than 15 feet in depth. The landscaping shall be permanent and designed for screening from view, residential, commercial, and industrial uses which are adjoining and contiguous to the Apartment House project. Continuous hedges may not be used except in connection with play areas and then only when kept low and have acceptable appearance. Escrow or bond for improvements under plan for perimeter and surrounding buildings under permit.

17. Areas for the deposit, retention and disposal of wastermaterials shall be screened from view.

18. No building shall be located on land subject to flooding as reflected in the fifty year flood level as established by the Corps of Engineers.

19. The developer shall be required, where possible, to preserve or incorporate natural features such as woods, streams, and open space areas, which add to the overall cohesive development of the Apartment House District and overall Township development.

20. All roof, parking, delivery-collection areas, and traveling lanes shall be provided with drainage facilities to collect, transport and deliver, via underground conduits, storm or surface waters to the nearest storm sewers or stream as approved by the Township Engineer. No more than 10% of units shall contain three bedrooms.

Section 1.5 General Parking Requirements - the following shall

apply:

1. Each lot shall be provided with off-street parking and off-street delivery-collection areas. Such parking and delivery-collection areas shall be in addition to the areas required for recreation, service areas and traveling lanes on the lot, and shall not be leased but shall be for the sole use of the occupants of such building or buildings and visitors thereto.

2. Not less than two off-street parking spaces shall be required for each dwelling unit.

3. No parking shall be permitted within 30 feet of a property line or ultimate right-of-way line, except as provided in Section 1.3(4) (d) herein.

Section 1.6 Application and Review

1. Plans for any apartment house use shall be submitted to the Planning Commission prior to the issuance of any Permit, and such plans shall include, among other things, the following:

a. A plot plan of the lot showing the location of all proposed buildings, constructional features on the lot; and all parking delivery-collection areas, recreation areas, traveling lanes, entrances and exits to lots, extent and species of landscaping abutting streets, either public or private, easements, streams and other topographical features of the lot.

b. Architectural plans for any proposed building.

c. Engineering and architectural plans for the handling and disposal of sewage and other wastes.

d. Any other data or evidence that the Planning Commission may require.

2. The Planning Commission shall review all plans for apartment house uses submitted to them and shall within 30 days of their receipt submit these plans, with recommendations thereon, to the Board of Commissioners for final approval.

3. Upon receipt of plans for any apartment house use, and recommendations thereon by the Planning Commission, the Board of Commissioners shall have the power of approval or disapproval of these plans.

Section 1.7 Regulations for Signs - Signs shall be permitted only pursuant to the provisions of Article XVI of Ordinance No. 140, as amended, for residential districts, provided, however, a larger sign may be permitted when granted by the Board of Adjustment as a special exception.

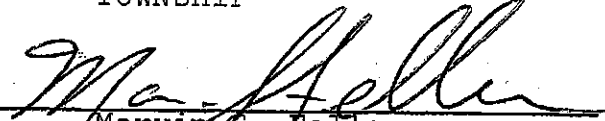
Section 1.8 Construction Specifications - Each apartment house shall be constructed in accordance with the requirements of the Upper Dublin Township Building Code of 1970 for Type 1-A Fire Resistive Construction.

Section 1.9 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 any other part thereof.

ORDAINED AND ENACTED this 8th. day of August, 1972

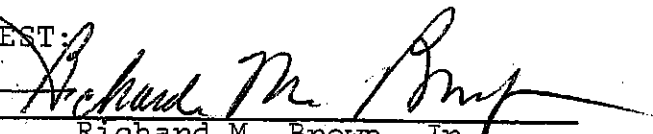
COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
Marvin S. Feller  
President

ATTEST:

BY

  
Richard M. Brown, Jr.  
Secretary

ORDINANCE NO. 459

AN ORDINANCE TO AMEND ORDINANCE NO. 140 ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA ON THE NORTHWESTERLY SIDE OF BUTLER PIKE NEAR ITS INTERSECTION WITH MORRIS ROAD FROM A-RESIDENTIAL TO APARTMENT HOUSE-SPECIAL DISTRICT.

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 that the Zoning Ordinance of 1956, adopted August 20, 1956 and known as Ordinance No. 140 as amended, be and is hereby further amended as follows:

SECTION ONE. The territory hereinafter described, being known as Prophecy Properties Trust, consisting of approximately 16.8 acres located in the First Ward, Township of Upper Dublin, and bounded by the following, be and is hereby changed from A-Residential District to Apartment House-Special District:

a. BEGINNING at a point in line of land of Friedmann Brown, formerly of Ann Detwiler and of Robert McLean, formerly of Edwin H. Vare Estate, where the northwesterly right of way line of the County Highway known as Butler Pike, now laid out, intersects the Old Butler Pike roadway; thence extending along the said roadway and the property line between the lands of Robert McLean and Friedmann Brown, North thirty-two degrees fifteen minutes East four hundred fifteen feet to a point; thence along the old roadway and the property line between the lands of Robert McLean and the Keasbey and Mattison Company, south sixty-six degrees forty-five minutes East one hundred twenty-five feet to a point in the aforesaid right of way line of Butler Pike now laid out; thence extending along the said right of way line of Butler Pike, now laid out, South forty-eight degrees fifteen minutes West four hundred fifty-five feet to the place of beginning.

b. BEGINNING at a point in Butler Pike at the intersection of the centerline of present Butler Pike with the center line of Old Butler Road which point is also at the distance of four hundred thirty-three and two tenths feet Northeast from a point the intersection of the center line of Morris Road (thirty-three feet wide) and the center line of Butler Pike (forty feet wide) thence by land now or late of John C. Mercer Home, North fifty-seven degrees, nineteen minutes, thirty seconds West one thousand fifty-eight and seven tenths feet to an iron pin in line of land also of the John C. Mercer Home; thence along said land North fifty-two degrees sixteen minutes East eight hundred eleven and ninety-three one-hundredths feet to an iron pin in line of land of Keasbey & Mattison Company; thence along said land of Keasbey & Mattison Company south fifty-nine degrees fifty minutes thirty seconds East six hundred thirty-eight and forty-eight one-hundredths feet to a point in the bed of Wissahickon Creek; thence South sixteen degrees thirty minutes East one hundred feet and sixty-five one-hundredths of a foot to a point also in the bed of Wissahickon Creek and in line of land of Keasbey & Mattison Company; thence South twenty-six degrees fifty-nine minutes thirty seconds West seven hundred thirty and sixty-four hundredths feet to the first mentioned point and place of beginning.

c. BEGINNING at a point at or near the Northwest side of Butler Avenue, as laid out fifty feet wide; in the bed of the Wissahickon Creek, said point being located as follows: Beginning at a point at the intersection of the Northwest side of Butler Avenue, fifty feet wide, with the Southwest side of Maple Avenue, forty feet wide; thence along the said side of Butler Avenue the three following courses and distances, to wit: (1) South sixty-eight degrees fifty-nine minutes West five hundred eighty and forty-five one-hundredths feet to a point of curvature



(2) by a curved line bearing to the left in a Southwest direction with a radius of three hundred eighty-two and one one-hundredths feet the arc distance of one hundred fifty-six and one one-hundredths feet to a point of tangency, and (3) South forty-five degrees thirty-five minutes West seventy-nine and ninety-nine one-hundredths feet to a point, a corner of land of the L.R.B. Club of the Sons of Italy; thence along the same North seventy-eight degrees fifty-five minutes West three and fifteen one-hundredths feet to the first mentioned point and place of beginning; thence along land now or late of Robert McLean the two following courses and distances, to wit: (1) North sixty-six degrees thirty minutes West one hundred thirty-nine and seventy-six one-hundredths feet to an iron pin, a corner, and (2) South twenty-eight degrees twenty-six minutes thirty seconds West five hundred thirteen and fifteen one-hundredths feet to a point, a corner at or near the middle of the said Butler Avenue or Butler Pike; thence along land of Louise Brown the two following courses and distances, to wit: (1) North twenty-seven degrees one minute thirty seconds East seven hundred thirty and sixty-four one-hundredths feet to a point, a corner at or near the Westerly side of the Wissahickon Creek, and (2) through the bed of the Wissahickon Creek North sixteen degrees thirty minutes West thirty and thirty-four one-hundredths feet to a point, a corner of land recently conveyed to Watt Warehousing Company; thence along the same crossing the Wissahickon Creek North sixty-nine degrees five minutes East sixty and fifty-one one-hundredths feet to a point, a corner of land of the L.R.B. Club of the Sons of Italy; thence along the same crossing and recrossing the Wissahickon Creek South one degree twenty-eight minutes West three hundred two and

eighty-five one-hundredths feet to a point and place of beginning.

ORDAINED AND ENACTED this 8th. day of August, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Ma. Heller  
President

Attest  
BY Richard M. Pong  
Secretary

AN ORDINANCE  
ORDINANCE NO. 460

AN ORDINANCE TO AMEND ORDINANCE NO. 426 ADOPTED THE NINTH DAY OF MARCH, A. D., 1971, DESIGNATED THE PLUMBING CODE OF THE TOWNSHIP OF UPPER DUBLIN BY ADDING SECTION P-113.1, PROVIDING FOR THE ADOPTION OF A PLUMBING FEE SCHEDULE; BY ADDING SECTION P-118, PROVIDING FOR THE LICENSING, REGISTRATION, AND BONDING OF PERSONS ENGAGED IN THE BUSINESS OR WORK OF PLUMBING AND/OR HOUSE OR BUILDING DRAINAGE; BY AMENDING SECTION P-501.92, PROVIDING FOR CAULKING CAST IRON PIPE; BY DELETING AND REPEALING SECTION P-501.14; BY ADDING SECTION P-1004.0, PROVIDING FOR SEWER EJECTORS; AND BY ADDING ARTICLE 19, PROVIDING FOR HOLDING TANKS.

SECTION 1. The Plumbing Code of the Township of Upper Dublin is amended and changed by adding Section P-113.1 as follows:

Section P-113.1 - Plumbing Fee Schedule. - The

following fee schedule shall be effective January 1, 1973.

|   |          |
|---|----------|
| New Construction - one to ten fixtures -----                        | \$40.00  |
| Each additional fixture -----                                       | 4.00 ea. |
| Alterations or replacements \$10.00 plus \$4.00<br>for each fixture |          |
| Removal of plumbing fixtures -----                                  | 4.00 ea. |
| Sewer connection or reinstallation inspection<br>fee -----          | 10.00    |
| Percolation Test - each test area -----                             | 10.00    |
| Cesspool, Septic Tank or on-site sewage<br>system -----             | 25.00    |
| Cesspool or on-site sewage system repair permit                     | 25.00    |
| Cesspool permit - commercial -----                                  | 50.00    |
| Garbage Grinder -----   | 10.00    |
| Well permit -----   | 25.00    |
| Water Softener -----  | 10.00    |
| Holding tank -----  | 25.00    |
| Examination for Master -----  | 50.00    |
| Examination for Journeyman -----                                    | 25.00    |
| Apprentice Journeyman -----   | n/c      |

SECTION 2. The Plumbing Code of the Township of Upper Dublin is amended and changed by adding Section P-118 as follows:

Section P-118.0 - Licensing, Registration, and  
Bonding of Plumbers.

Section P-118.1 - On and after the passage of this Ordinance, it shall be unlawful for any person to carry on or work at the business of plumbing or house drainage in the Township of Upper Dublin until such person registers with and is issued a license by the Township of Upper Dublin Department of Licenses and Inspections. Nothing in this Ordinance, however, shall be construed to prevent the employment of journeyman plumbers or working of apprentices under the direction and supervision of duly registered and licensed master plumbers.

Section P-118.2 - (a) Registration of Master Plumber Plumbers. All master plumbers residing in and/or having a bona fide place of business in the Township of Upper Dublin shall not be required to undergo any examination and they shall be entitled to register for the current year and annually thereafter before the first day of February of each year.

(b) Registration of Journeymen Plumbers. All journeymen plumbers desiring to work in the Township of Upper Dublin shall not be required to undergo any examination, and they shall be entitled to register for the current year and annually thereafter before the first day of February of each year.

Section P-118.3 - (a) Registration and Fees. Any master plumber engaged in the business of plumbing or house drainage in the Township of Upper Dublin shall pay for each initial registration, the sum of Forty Dollars (\$40.00), which sum shall be paid into the Township Treasury for the use of said Township.

Any journeyman plumber working at the business of plumbing or house drainage in the Township of Upper Dublin, shall pay for each initial registration the sum of Ten Dollars (\$10.00), which sum shall be paid into the Township Treasury for the use of said Township.

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

(c) Re-registration. For re-registration, unless the licensed master plumber shall have failed to make application for re-registration at the specified time, master plumbers having a bona fide place of business shall be re-registered upon surrendering their license for the current year and paying the sum of Twenty-five Dollars (\$25.00), which sum shall be paid into the Township Treasury for the use of the Township.

For re-registration, unless the licensed journeyman plumber shall have failed to make application for re-registration at the specified time, the journeyman plumber shall be re-registered upon surrendering their Journeyman Card for the current year and paying the sum of Five Dollars (\$5.00) which sum shall be paid into the Township Treasury for the use of the Township.

(d) Registration for Institutions, etc. A person certified as competent by the Administrative Authority

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

(e) License may be revoked. The license granted under this Ordinance may be suspended or revoked by the Township of Upper Dublin Department of Licenses and Inspections when a registered plumber shall violate any of these rules and regulations or shall refuse or neglect to make the necessary corrections to work not approved by the Plumbing Inspector or his assistants within a reasonable time after notification thereof, or shall permit the use of his name by a person for the purpose of obtaining a permit or permits to do plumbing or drainage work,

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

Section P-118.4 - (a) Place of Business. Every registered master plumber shall have a bona fide place of business and shall display on the front of his place of business a sign, "Registered Master Plumber", bearing his name.

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

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

Section P-118.5 - As a precondition to registration and licensing, all master plumbers must obtain a plumbing license permit bond in the amount of \$2,500, running in favor of Upper Dublin Township, to guarantee compliance with the Plumbing Code.

SECTION 3. The Plumbing Code of the Township of Upper Dublin is amended by changing Section P-501.92 to read as follows:

Section P-501.92 - Cast Iron Pipe. Joints for cast iron pipe shall be made with lead and oakum joints only.

SECTION 4. The Plumbing Code of the Township of Upper Dublin is amended by deleting and repealing Section P-501.14.

SECTION 5. The Plumbing Code of the Township of Upper Dublin is amended by adding Section P-1004.0 as follows:

Section P-1004.0 - Sewer Ejectors. All subhouse drains shall discharge into an air tight sump or receiving tank. The sewage shall be lifted and discharged into the house sewer by two (2) sewer ejector pumps to be sized and approved by the Plumbing Inspector.

SECTION 6. The Plumbing Code of the Township of Upper Dublin is amended by adding ARTICLE 19 - HOLDING TANKS as follows:

ARTICLE 19 - HOLDING TANKS

Section P-1900 - Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Article shall be as follows:

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

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

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

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

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

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

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

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

Section P-1901 - Rights and Privileges Granted. The Authority is hereby authorized and empowered to undertake within the Township the control of methods of holding tank sewage disposal and the collection and transportation thereof.

Section P-1902 - Rules and Regulations. The Authority is hereby authorized and empowered to adopt such rules and regulations concerning holding tanks which it may deem necessary from time to time to effect the purposes herein.

Section P-1903 - Rules and Regulations to be in Conformity with Applicable Law. All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other Ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

Section P-1904 - Exclusiveness of Rights and Privileges. The collection and transportation of all sewage from any improved property utilizing a holding tank shall be done solely by or under the direction and control of the Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Resources of the Commonwealth of Pennsylvania.

Section P-1905 - Duties of Improved Property Owner. The owner of an improved property that utilizes a holding tank shall:

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

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

Section P-1906 - Violations. Any person who violates any provisions of Section P-1905 shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not more than \$300.00 and costs, and in default of said fine and costs to undergo imprisonment in the Montgomery County Prison for a period not in excess of thirty days.

Section P-1907 - Abatement of Nuisances. In addition to any other remedies provided in this Ordinance, any violation of Section P-1905 above shall constitute a nuisance and may be abated by the municipality or the Authority by seeking appropriate equitable or legal relief from a court of competent jurisdiction.

Section P-1908 - Repeal. All Ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

ORDAINED and ENACTED this 12<sup>th</sup> day of September, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Mar. Heller  
President

Attest:

Richard M. Bury  
Secretary



AN ORDINANCE  
ORDINANCE NO. 461

AN ORDINANCE AMENDING ORDINANCE NO. 453 BY CHANGING SEWER RENTAL CHARGES FOR THOSE LARGE DWELLINGS WHICH HAVE THE POTENTIAL FOR OVER USING THE SEWER FACILITIES.

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

SECTION 1. Amend Section 4.a.(1) which reads:

Single family dwelling units, \$65.00 (other than units in apartment buildings or condominiums);

to read:

Single family dwelling units (other than units in apartment buildings or condominiums which are separately provided for below) which have less than three (3) full baths and less than thirteen (13) fixtures --- \$65.00.

Single family dwelling units which have three (3) or more full baths or thirteen (13) or more fixtures shall be billed the minimum annual residential charge of \$65.00. In addition, such fixtures as are determined by the Upper Dublin Township Plumbing Inspector, in his sole discretion, to be in excess twelve (12) fixtures shall result in the dwelling unit being billed additional annual rental charges as follows:

|   |        |
|---|--------|
| Bathroom basin . . . . .  | \$2.60 |
| Toilet . . . . .  | \$5.20 |
| Bath tub . . . . .  | \$4.40 |
| Stall shower . . . . .  | \$4.40 |
| Kitchen sink . . . . .  | \$4.40 |
| Laundry tub . . . . .   | \$1.80 |
| Dishwasher . . . . .  | \$3.50 |
| Automatic Clothes Washing Machine                                 | \$4.50 |
| Floor Drain . . . . .   | \$5.20 |
| Ice Maker (other than as part<br>of a residential refrigerator) . | \$3.00 |

DULY ENACTED by the Board of Commissioners of Upper Dublin  
Township this 10<sup>th</sup> day of OCTOBER , 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Ma. Haller  
President

ATTEST:

BY Richard M. Boy  
Secretary

AN ORDINANCE

ORDINANCE NO. 462

AN ORDINANCE TO PROHIBIT THE OPERATION OF TRUCKS, EXCEPT FOR LOCAL DELIVERY, ON NORTH HILLS AVENUE FOR ITS ENTIRE LENGTH IN UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA; TO PROVIDE FOR THE ERECTION OF SIGNS PUBLICIZING THIS ORDINANCE; TO PROVIDE FOR ENFORCEMENT HEREOF; AND TO ESTABLISH PENALTIES FOR THE VIOLATION HEREOF.

WHEREAS, the Board of Commissioners have found North Hills Avenue to be subject to exercise truck and commercial traffic, and

WHEREAS, North Hills Avenue was designated and intended to be a residential street, and

WHEREAS, the Board of Commissioners find that a continuation of said truck use will result in damage to the roadway as well as endanger the health, safety, welfare, and enjoyment of those persons residing along North Hills Avenue.

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. All truck traffic is hereby prohibited, except for local delivery on North Hills Avenue in Upper Dublin Township, Montgomery County, Pennsylvania, from its intersection with Beechwood Avenue and extending to Fitzwatertown Road where it merges therewith. Said traffic is similarly prohibited on North Hills Avenue from its intersection with Woodland Road to its intersection with Kimbal Road.

SECTION 2. The Chief of Police and Superintendent of the Highway Department shall cause signs bearing the legend "NO TRUCKS, except for local delivery" to be erected at the intersections of North Hills Avenue with other streets. Said signs shall be of a type and shall be located in accordance with the provisions of the Vehicle Code of the Commonwealth of

Pennsylvania now in existence or hereafter enacted.

SECTION 3. Any person, persons, firm, or corporation violating the provisions of this Ordinance shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

SECTION 4. All prosecutions for violations under this Ordinance shall be brought in the name of Upper Dublin Township; and all fines shall be paid to the Treasurer of the Township and shall be applied to the general funds of said Township.

DULY ENACTED by the Board of Commissioners of Upper Dublin Township this 10<sup>th</sup> day of OCTOBER, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Ma. Della  
President

ATTEST:

BY

Richard M. Bury  
Secretary

AN ORDINANCE

ORDINANCE NO. 463

AN ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, CREATING THE OFFICE OF THE TOWNSHIP MANAGER AND PROVIDING THE MANNER OF FILLING SAID OFFICE, THE AMOUNT OF BOND, METHOD OF COMPENSATING SUCH OFFICER AND THE POWERS AND DUTIES OF SAID OFFICE.

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

SECTION 1. CREATION OF THE OFFICE: The Office of Township Manager is hereby created by the Township of Upper Dublin.

SECTION 2. APPOINTMENT AND REMOVAL: The manager shall be appointed by a majority of all the members of the Board of Commissioners and he shall serve until the first Monday of January of the even-numbered year succeeding his election and until his successor qualifies.

SECTION 3. QUALIFICATIONS: The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to the duties of his office as herein outlined. The Manager need not be a resident of the Township or of the Commonwealth of Pennsylvania at the time of his appointment, but during the tenure of his office he may reside outside the Township only with the approval of the Board of Commissioners. If the Board of Commissioners fails within a reasonable time, not to exceed sixty days after the appointment, to approve the Manager's residence outside the Township he must immediately become, and during his tenure remain, a resident of the Township.

SECTION 4. BOND: Before entering upon his duties, the Manager shall give a bond to the Township with a bonding company as surety, to be approved by the Board of Commissioners, in the sum of \$25,000.00, conditioned upon the faithful performance of his duties, the premium for said bond to be paid by the Township.

SECTION 5. MANAGER'S COMPENSATION: The salary of the Township Manager shall be fixed from time to time by ordinance.

SECTION 6. POWERS AND DUTIES: The Manager shall be the Chief Administrative Officer of the Township and he shall be responsible to the Board of Commissioners as a whole for the proper and efficient administration of the affairs of the Township. The powers and duties of administration of all Township business shall be vested in the Manager, unless expressly imposed or conferred by statute upon other Township Officers.

Subject to recall by ordinance of the Board of Commissioners, the powers and duties of the Township Manager shall include the following:

1. He shall supervise and be responsible for the activities of all municipal departments.
2. He shall hire and, when necessary for the good of the service, shall suspend or discharge any employee under his supervision, Provided further, that with respect to other Township employees, the hiring and firing thereof shall be subject to the controls set forth in the personal manual promulgated from time to time by the Commissioners. The Manager shall report at each meeting of the Board of Commissioners any action taken by the authority of this subsection.
3. He shall have the power to fix wages and salaries of all personnel under his supervision, within a range previously determined by the Board of Commissioners.
4. He shall prepare and submit to the Board of Commissioners, before the close of each fiscal year, a budget for the next fiscal year and an explanatory budget message. In preparing the budget, the Manager, or an officer designated by him, shall obtain from the head of each department, agency or board, or any qualified officer thereof, estimates of revenues and expenditures and such other supporting data as he requires. The Manager shall review such

estimates and may revise them before submitting the budget to the Board of Commissioners.

5. He shall be responsible for the administration of the budget after its adoption by the Board of Commissioners.

6. He shall, in conjunction with the preparation of the yearly budget, develop long-range fiscal plans for the municipality, such plans to be presented annually to the Board of Commissioners for its review and adoption.

7. He shall hold such other municipal offices and head such municipal departments as the Board of Commissioners may from time to time direct.

8. He shall attend all meetings of the Board of Commissioners and its committees with the right to take part in the discussions and he shall receive notice of all special meetings of the Board of Commissioners and its committees.

9. He shall prepare the agenda for each meeting of the Board of Commissioners and supply facts pertinent thereto.

10. He shall keep the Board of Commissioners informed as to the conduct of Township affairs; submit periodic reports on the condition of the Township finances and such other reports as the Board of Commissioners requests; and make such recommendations to the Board of Commissioners as he deems advisable.

11. He shall submit to the Board of Commissioners, as soon as possible after the close of the fiscal year, a complete report on the finances and the administrative activities of the Township for the preceding year.

12. He shall see that the provisions of all franchises, leases permits and privileges granted by the Township are observed.

13. He may employ, by and with the approval of the Board of

Commissioners, experts and consultants to perform work and to advise in connection with any of the functions of the Township.

14. He shall attend to the letting of contracts in due form of law, and he shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed by statute upon some other Township Officer.

15. He shall see that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all the Township's claims.

16. He, or an officer designated by him, shall be the Purchasing Officer of the Township and he shall purchase in accordance with provisions of the Township Code, all supplies and equipment for the agencies, boards, departments, and other offices of the Township. He shall keep an account of all purchases and shall, from time to time or when directed by the Board of Commissioners, make a full written report thereof. He shall also issue rules and regulations, subject to the approval of the Board of Commissioners, governing the procurement of all municipal supplies and equipment.

17. All complaints regarding Township services shall be referred to the Office of the Manager. He, or an officer designated by him, shall investigate and dispose of such complaints, and the Manager shall report thereon to the Board of Commissioners.

SECTION 7. PROCEDURAL LIMITATIONS ON THE BOARD OF COMMISSIONERS:

Neither the Board of Commissioners, its members, nor its committess shall dictate or influence or attempt to dictate or influence the hiring of any person to, or his discharge from, municipal employment by the Manager, or in any manner take part in the hiring, suspending or discharging of employees in the administrative service of the Township except as required by the



civil service provisions of the First-Class Township Code. Other than for the purposes of inquiry, the Board of Commissioners or any of its members or any of the Board of Commissioners' committees or its members shall deal with the administrative service solely through the Township Manager and neither the Board of Commissioners nor any of its members, nor any of the Board of Commissioners' committees or its members shall give orders - publicly or privately - to any subordinate of the Manager.

SECTION 8. DISABILITY OR ABSENCE OF THE MANAGER: If the Manager becomes ill or needs to be absent from the Township, he shall designate one qualified member of his staff to perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the approval of the Board of Commissioners.

SECTION 9. REPEAL: All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

ORDAINED AND ENACTED INTO LAW THIS 12<sup>th</sup> DAY OF December 1972.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

BY Mar. Heller  
President

Attest Richard M. Bong  
Secretary

ORDINANCE NO. 464

An ordinance appropriating and making changes in certain appropriations heretofore made by the Board of Commissioners of the Township of Upper Dublin under Ordinance No. 441 dated December 29, 1971.

WHEREAS, Pursuant to Acts of Assembly in such cases made and provided, the Board of Commissioners of the Township of Upper Dublin, Montgomery County, Pennsylvania, by Ordinance adopted and enacted the 29th day of December, 1971 appropriated out of the estimated revenue and income available for year 1972, 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: Treasurer and Tax Collector, Police Protection, Fire Protection, Libraries and Debt Service have proved insufficient for such purposes, and

WHEREAS, The sums appropriated for the following specific purposes, to wit: Administration, Township Building, Garbage & Rubbish Collection and Disposal, Sanitary Sewers and the sums accumulated from receipts are in excess of the estimated income for 1972.

NOW, Therefore, the Board of Commissioners of the Township of Upper Dublin do hereby enact and ordain:

SECTION 1. That the sum of \$1,600 from the appropriation for Administration be transferred as follows:

\$ 100 to Treasurer & Tax Collector  
\$1500 to Fire Protection

SECTION II. That the sum of \$31,000 from the appropriation for Sanitary Sewers be transferred as follows:

\$31,000 to Police Protection

SECTION III. That the sum of \$12,000 from the appropriation for Garbage & Rubbish Collection & Disposal be transferred as follows:

\$2500 to Police Protection  
\$9500 to Libraries

SECTION IV. That the sum of \$95,000 from Excess Receipts be transferred as follows:

\$10,000 to Debt Service (additional)  
\$85,000 to Highways (Capital Equip. Reserve)

ADOPTED and enacted into an Ordinance this 27<sup>th</sup> day of December  
1972.

Ma. Heller  
President of the Board of  
Township Commissioners

Attest:  
Richard M. Bruf  
Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1973

ORDINANCE NO. 465

An Ordinance of Upper Dublin Township, Montgomery County, and the Commonwealth of Pennsylvania, appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth, during the current year.

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

SECTION 1. That for the expenses for the fiscal year 1973 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form.

GENERAL OPERATING FUNDS  
SUMMARY OF ESTIMATED RECEIPTS

|                                       |                   |
|---------------------------------------|-------------------|
| Cash and securities for Appropriation | \$60,000.00       |
| Receipts from Current Tax Levy        | 983,260.00        |
| Receipts from Taxes of Prior Years    | 16,000.00         |
| Other Revenue Receipts                | 610,800.00        |
| Miscellaneous non-revenue Receipts    | <u>111,907.00</u> |
| TOTAL Estimated Receipts and Cash     | \$1,781,967.00    |

SUMMARY OF APPROPRIATIONS

|                                     |                                  |
|-------------------------------------|----------------------------------|
|                                     | <u>Operation and Maintenance</u> |
| General Government:                 |                                  |
| Administration                      | \$119,100.00                     |
| Treasurer & Tax Collector           | 4,250.00                         |
| Municipal Buildings                 | <u>25,600.00</u>                 |
| TOTAL                               | \$148,950.00                     |
| Protection to Persons and Property: |                                  |
| Police                              | 412,050.00                       |
| Fire                                | 42,750.00                        |
| Licenses and Inspection             | <u>49,300.00</u>                 |
| TOTAL                               | \$504,100.00                     |

Health and Sanitation:

|                             |                  |
|-----------------------------|------------------|
| Health Bureau               | 23,600.00        |
| Trash Collection & Disposal | 214,000.00       |
| Sanitary Sewers             | <u>60,000.00</u> |

|       |              |
|-------|--------------|
| TOTAL | \$297,600.00 |
|-------|--------------|

Highways:

|                     |                  |
|---------------------|------------------|
| Highway Maintenance | 319,250.00       |
| Street Lighting     | <u>38,500.00</u> |

|       |              |
|-------|--------------|
| TOTAL | \$357,750.00 |
|-------|--------------|

Library:

|       |           |
|-------|-----------|
| TOTAL | 48,000.00 |
|-------|-----------|

Recreation:

|                                     |                  |
|-------------------------------------|------------------|
| Parks and Playgrounds               | 90,225.00        |
| Swimming Pools and Other Facilities | <u>16,400.00</u> |

|       |              |
|-------|--------------|
| TOTAL | \$106,625.00 |
|-------|--------------|

Miscellaneous:

|                           |                 |
|---------------------------|-----------------|
| Employee Taxes & Benefits | 118,500.00      |
| Insurance                 | 32,100.00       |
| Home Rule Study & Refunds | <u>6,500.00</u> |

|       |            |
|-------|------------|
| TOTAL | 157,100.00 |
|-------|------------|

|   |                |
|---|----------------|
| TOTAL FOR OPERATION, MAINTENANCE AND CAPITAL OUTLAY | \$1,620,125.00 |
|---|----------------|

Debt Service:

|           |                  |
|-----------|------------------|
| Interest  | 76,842.00        |
| Principal | <u>85,000.00</u> |


|                    |              |
|--------------------|--------------|
| TOTAL DEBT SERVICE | \$161,842.00 |
|--------------------|--------------|

|   |                |
|---|----------------|
| TOTAL APPROPRIATIONS from General Operating Funds | \$1,781,967.00 |
|---|----------------|

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

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

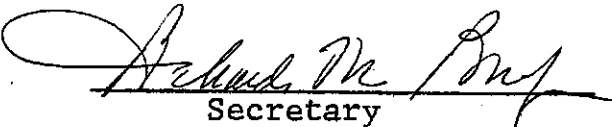
Adopted this 27<sup>th</sup> day of December 1972

  
\_\_\_\_\_  
President of the Board of Township Commissioners

CERTIFICATION

To the Secretary of Community Affairs:

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 465 enacted by the Township of Upper Dublin on December 27, 1972.

  
\_\_\_\_\_  
Secretary

(SEAL)

TAX LEVY ORDINANCE

ORDINANCE NO. 466

AN ORDINANCE of Upper Dublin Township, Montgomery County and the Commonwealth of Pennsylvania, fixing the tax rate for the year 1973.

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

That a tax be and the same is hereby levied on all property and occupations within the said municipality subject to taxation for the fiscal year 1973, as follows:

Tax rate for general purposes, the sum of.....20 mills on each dollar of assessed valuation, or the sum of...200 cents on each one hundred dollars of assessed valuation.

For fire protection purposes, the sum of..... 1 mill on each dollar of assessed valuation, or the sum of....10 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

|                               | Mills on Each<br>Dollar of<br>Assessed<br>Valuation | Cents on Each<br>One Hundred<br>Dollars of<br>Assessed<br>Valuation |
|-------------------------------|---|---|
| Tax Rate for General Purposes | 20 mills  | 200 cents   |
| Tax Rate for Fire Protection  | <u>1</u> mill                                       | <u>10</u> cents   |
| TOTAL                         | 21 mills  | 210 cents   |

Adopted this 27<sup>th</sup> day of December, 1973

  
\_\_\_\_\_  
President of the Board of Township  
Commissioners

ATTEST:

  
\_\_\_\_\_  
Township Secretary

ORDINANCE NO. 467

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 DRESHER-TOWN 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 Zoning Ordinance of 1956", as amended, be further amended as follows:

(a) That the territory hereinafter described be changed from Residential A District to CR-I, Commercial Retail District:

BEGINNING at a point on the Southeasterly side of Dreshertown Road, said point of beginning being North 40 degrees 10 minutes East approximately 260 feet from the point of intersection of the aforesaid side of Dreshertown Road with the Northeast side of Limekiln Pike, 50 feet wide; thence along the same side of Dreshertown Road 200 feet to a point; thence leaving the Southeast of Dreshertown Road at a right angle South 49 degrees 50 minutes East, 275 feet to a point; thence parallel to the aforesaid Limekiln Pike Southeast 480 feet to a point; thence at right angles to Limekiln Pike Southwest 350 feet to the limits of "CR-L" Zoning as stated in Ordinance No. 121.

(b) That the territory hereinafter described be changed from CR-L, Commercial Retail District to CR-I, Commercial Retail District:

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; thence North 86 degrees 45 minutes West 200 feet to a point; thence parallel with the side line of Limekiln Pike Southeast 400 feet to a point; thence at right angle to the side of Limekiln Pike Southwest 200 feet; thence to the said side of Limekiln Pike Northwest 45 degrees to point and place of beginning.



Approved by the Board of Commissioners of Upper Dublin  
Township this 27th day of December, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Mr. Heller  
President

ATTEST: Richard M. King  
Secretary

AN ORDINANCE

ORDINANCE NO. 468

AN ORDINANCE TO PROVIDE FOR THE PUBLIC SAFETY AND WELFARE OF THE RESIDENTS OF UPPER DUBLIN TOWNSHIP BY REGULATING THE SPEED LIMITS ON ALL ROADS WITHIN THE CORPORATE LIMITS OF UPPER DUBLIN TOWNSHIP THAT COME UNDER THE JURISDICTION OF UPPER DUBLIN TOWNSHIP.

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

SECTION 1. All speed limit regulations of a permanent nature for Upper Dublin Township shall be enacted by said Township as ordinances, parts thereof, or amendments thereto.

SECTION 2. Excepting those highways under the jurisdiction of the Commonwealth of Pennsylvania Department of Highways or the Montgomery County Highway Department, all roads, streets, and/or highways within the geographical limits of Upper Dublin Township shall have speed limits of twenty-five miles per hour, unless the Board of Commissioners of Upper Dublin Township shall by proper ordinance provide otherwise.

SECTION 3. Pursuant to Section 2 above, it is hereby provided that Meetinghouse Road, Jarrettown Road, Broad Street, Pinetown Road, Dillon Road, Highland Avenue, Virginia Drive, Delaware Avenue, and Commerce Drive shall all have speed limits of thirty-five miles per hour.

SECTION 4. The Chief of Police and the Superintendant of the Highway Department are hereby charged with directing the erection of traffic signs throughout Upper Dublin Township. Said signs shall bear the legend "Speed Limit 25 Miles Per Hour" (or 35 miles per hour where appropriate) and shall be erected in accordance with the appropriate Act of Assembly.

SECTION 5. Nothing in this Ordinance shall be construed to limit any restrictions imposed by Act of Assembly governing lower maximum speed limits in specified areas (e.g. school zones or railroad grade crossings) or for specified vehicles.

SECTION 6. Nothing in this Ordinance shall be construed to limit the State or Township Police from imposing temporary speed limits different from those specified above where construction, emergency, or weather conditions so recommend.

SECTION 7. Any person driving a vehicle on Township roads, streets, or highways shall drive the same at a careful and prudent speed, not greater than nor less than is reasonable and proper, having due regard to the traffic surface, the width of the highway, and any other restrictions or conditions then and there existing; and no person shall drive any vehicle, upon a Township road, street, or highway, at such a speed as to endanger the life, limb, or property of any person, nor at a speed greater than will permit him to bring the vehicle to a stop within the assured clear distance ahead.

SECTION 8. Any person violating the provisions of this Ordinance shall, upon conviction, be subject to such penalties as are provided by Act of Assembly.

SECTION 9. All Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 10. Should any section, sentence, or word of this Ordinance be declared by a court of competent jurisdiction to be invalid for any reason, it is the intent of the Board of Commissioners of Upper Dublin Township that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

DULY ENACTED by the Board of Commissioners of Upper Dublin  
Township this 9<sup>th</sup> day of JANUARY, 1972.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Walter E. Long  
President

ATTEST:

BY

Richard M. Bmf  
Secretary

ORDINANCE NO. 469

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

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, that Article V of the Zoning Ordinance be amended by adding a new section as follows:

SECTION 504. Parking Restrictions

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

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

ORDAINED AND ENACTED this 13th. day of February, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *Kalter E. Long*  
President

ATTEST:

*Ma. Allen*  
Secretary

ORDINANCE NO. 470

AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE TOWNSHIP TREASURER FOR HER DUTIES AS TREASURER AND TAX COLLECTOR FOR THE TOWNSHIP OF UPPER DUBLIN.

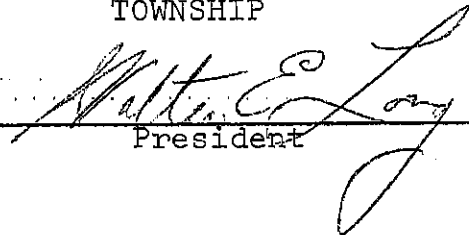
BE IT ORDAINED AND ENACTED by the Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, and it is hereby enacted by authority of the same.

SECTION 1. The compensation for the Treasurer, for the term beginning January 1, 1974, for her duties as Treasurer and Tax Collector for the Township, shall be TWENTY-SIX HUNDRED DOLLARS (\$2,600) per annum, payable in equal monthly installments. The premium of the bond as Treasurer shall be borne by the Township.

ORDAINED AND ENACTED this 13th. day of March, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary

AN ORDINANCE

ORDINANCE NO. 471

AN ORDINANCE AUTHORIZING AN ELECTION TO BE HELD IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, TO DETERMINE WHETHER A NEW BUILDING SHOULD BE ERECTED AND MAINTAINED TO HOUSE ENGINES, HOSE CARTS AND OTHER APPARATUS FOR THE EXTINGUISHMENT OF FIRE, SAID BUILDINGS TO BE LOCATED IN THE VICINITY OF THE INTERSECTION OF TWINING AND SUSQUEHANNA ROADS IN THE THIRD WARD.

WHEREAS, with the rapid increase in population of the Township added fire protection is required, and

WHEREAS, the existing fire house, located in the extreme Southwesterly corner of the Township will, in the future, be unable to service the entire community,

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

SECTION 1. That an election be authorized to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania to determine whether a building, costing approximately \$150,000 should be erected and maintained by the Township on a one-acre tract located on Township owned land in the vicinity of the intersection of the Northwesterly side of Twining Road and the Northeasterly side of Susquehanna Road in the Third Ward, for the purpose of housing engines, hose carts, and other apparatus for the extinguishment of fire.

SECTION 2. The Township Secretary shall, within five (5) days of the enactment of this Ordinance, file a certified copy hereof with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors, which shall be as follows: "Do you favor the Commissioners erecting a building, which will cost approximately \$150,000 on a one-acre site presently owned by the Township located in the vicinity of the intersection of the Northwesterly side of Twining

and the Northeasterly side of Susquehanna Road, for the purpose of maintaining a place for engines, hose carts, and other apparatus for the extinguishment of fire?"

SECTION 3. This Ordinance is adopted in accordance with the provisions of Section 56517 of the Act of the General Assembly of May 27, 1949, P. L. 1955, as amended, known as the "First Class Township Code".

ORDAINED AND ENACTED this 13 day of March, 1973.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

BY Walter E. Long  
President

ATTEST:

M. Hill  
Secretary

#### CERTIFICATION

To the Clerk of Montgomery County Board of Elections:

I HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 471 enacted by the Commissioners of the Township of Upper Dublin on March 13, 1973.

M. Hill  
Township Secretary



UPPER DUBLIN TOWNSHIP

QUESTION TO BE SUBMITTED TO THE ELECTORS

Do you favor the Commissioners erecting a building, which will cost approximately \$150,000, on a one-acre site presently owned by the Township located in the vicinity of the intersection of the Northwesterly side of Twining Road and the Northeasterly side of Susquehanna Road, for the purpose of maintaining a place for engines, hose carts, and other apparatus for the extinguishment of fire?

AN ORDINANCE

ORDINANCE NO. 472

AN ORDINANCE AMENDING ORDINANCE NO. 453 BY PROVIDING FOR SEWER RENTAL CHARGES FOR THOSE FACILITIES HAVING SEWER METERS.

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

SECTION 1. Amend Section No. 4 by adding a new Section d. as follows:

Sewer Meter Rates - Annual rentals based on metering of sewage in all commercial, industrial or institutional facilities having sewer meters:

.80 per 1000 gallons on first 1,000,000  
.75 per 1000 gallons on second 1,000,000  
.70 per 1000 gallons on third 1,000,000  
.65 per 1000 gallons on fourth 1,000,000  
.60 per 1000 gallons on fifth 1,000,000  
.55 per 1000 gallons on excess.

DULY ENACTED by the Board of Commissioners of Upper Dublin Township this *10th* day of April, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

*Matt E. Long*  
\_\_\_\_\_  
President

ATTEST:

BY

*Nancy Wardle*  
\_\_\_\_\_  
Secretary

ORDINANCE NO. 473

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF UPPER DUBLIN, BEING ORDINANCE NO. 140, ENACTED AUGUST 20, 1956, BY CHANGING THE NUMBER OF DWELLING UNITS PERMITTED IN AH-APARTMENT HOUSE DISTRICT.

The Board of Commissioners of the Township of Upper Dublin do ordain:

SECTION ONE. That Article IX-A Section 1 B 6 which reads:

6. Dwelling Units Per Acre. There shall be no more than twelve (12) dwelling units per acre. Not more than one-half (1/2) of the total dwelling units shall have two (2) bedrooms or more; furthermore, not more than one-tenth (1/10) of the total dwelling units shall have three (3) bedrooms.

be changed to read:

6. Dwelling Units Per Acre. There shall be no more than eight (8) dwelling units per acre. Not more than one-half (1/2) of the total dwelling units shall have two (2) bedrooms or more; furthermore, not more than one-tenth (1/10) of the total dwelling units shall have three (3) bedrooms.

ORDAINED AND ENACTED this 8th day of May, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY William M. Keuper  
VICE President

ATTEST: Harry Ward  
Secretary

ORDINANCE NO. 474

AN ORDINANCE TO AMEND ORDINANCE NO. 140 ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956 AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA ON THE NORTHWESTERLY SIDE OF FITZWATER ROAD NEAR ITS INTERSECTION WITH THE NORTHEASTERLY SIDE OF JENKINTOWN ROAD FROM A-RESIDENTIAL TO B-RESIDENTIAL.

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

SECTION 1. That the Zoning Ordinance of 1956, adopted August 20, 1956 and known as Ordinance No. 140 as amended, be and the same is hereby amended as follows:

(a) That the territory hereinafter described be changed from A-Residential to B-Residential:

BEGINNING at a point formed by the intersection of the Northwestwery original Right of Way line of Fitzwater Road (33 feet wide) with the Northeasterly side of Jenkintown Road; thence extending from said point of beginning North 27 degrees 07 minutes West partly along the Northeasterly side of Jenkintown Road and partly along the Northeasterly side of Limekiln Pike 150.28 feet to a point, an angle on the Northeasterly side of Limekiln Pike (50 feet wide); thence extending from said point of beginning Northwestwery along the Northeasterly side of Limekiln Pike crossing the bed of a Creek North Seventeen degrees six minutes West 820.76 feet more or less to a point; thence extending North Seventy degrees Fifty-five minutes Thirty seconds East One Hundred Eighty-eight and Forty-four one-hundredths feet more or less to a point; thence extending South Twenty degrees, thirty-nine minutes forty seconds East Seventy-one feet more or less to a point at or near the Northerly side of theaaforsaid Creek; thence crossing and recrossing the bed of the aforesaid Creek North Seventy-three degrees Nineteen minutes Twenty-eight seconds East, also crossing

the bed of a certain 40.00 feet wide Sanitary Storm Sewer Right of Way 1454.69 feet to a point on the Southeasterly side of said right of way in line of lands now or late of Fairway Estates, Inc.; thence extending South 43 degrees 29 minutes 30 seconds West along the last mentioned lands also partly along the Southeasterly side of and recrossing the head of said 40.00 feet wide Sanitary Storm Sewer Right of Way also recrossing the aforesaid Sandy Run Creek 299.86 feet to a point on the Northeasterly side of Fitzwatertown Road (33 feet wide); thence extending North 68 degrees 07 minutes West along the original Northeasterly side of Fitzwatertown Road 17.74 feet to a point an angle in said Road; thence extending South 43 degrees 32 minutes West along the original Northwesterly side of Fitzwatertown Road 1544.73 feet to the first mentioned point of intersection and place of beginning.


ORDAINED AND ENACTED this 12th day of June , 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

ATTEST:

  
Secretary

AN ORDINANCE  
ORDINANCE NO. 475

AN ORDINANCE DECLARING THE OVERGROWTH AND ACCUMULATION OF WEEDS, TALL GRASSES AND OTHER NOXIOUS PLANTS TO BE NUISANCES AND OFFENSES AGAINST THE PUBLIC HEALTH AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Commissioners of the Township of Upper Dublin has determined that the overgrowth of grass and weeds may be detrimental to the health and safety of the citizens by affording a refuge for rodents and disease-carrying insects, by producing aggravating pollens, by constituting a fire hazard or by obscuring sight at highways and roadways resulting in unsafe driving conditions and traffic accidents.

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

SECTION 1. Title. This ordinance shall be known and may be cited as the Upper Dublin Township Weed Control Ordinance.

SECTION 2. Definitions.

A. Weeds. Growths of wild vegetation having little or no value.

B. Grass. Various green plants with blade-like leaves usually densely grown and cultivated for lawns.

C. Noxious plants. Harmful, distasteful or obnoxious plants, such as, but not limited to, ragweed, goldenrod, Canadian thistle, milkweed, mustard, honeysuckle, poison ivy, poison oak, poison sumac, Jimson weed and burdock.

D. Person. An individual, firm, corporation, partnership, unincorporated association or municipality.

SECTION 3. Regulations. After the effective date of this Ordinance no person who is the owner of any improved or unimproved lot shall:

A. Permit the lot to become overgrown with grass, weeds or noxious plants exceeding the height of twelve (12) inches or before going to seed within a distance of Twenty-five (25) feet from the edge of the curb or paved area of the street. Corner lots must be cut back from both streets. Side and rear yards must be cut back from both streets. Side and rear yards must be cut back a distance of Twenty-five (25) feet from the respective side or rear yard line.

B. Permit any hedge, shrub, bush or tree, to obstruct normal passage along streets, lanes, highways or sidewalks or to impair vision at highway intersections whenever it is judged by the duly authorized township enforcement authority that a hazardous condition exists.

C. Allow poison ivy, poison oak or honey-suckle to grow in trees.

SECTION 4. Exclusions. All farm lands is to be excluded from the provisions of this Ordinance excepting that owners of farms shall cut all thistle and poison ivy prior to blooming or going to seed.

SECTION 5. Enforcement. The Health Officer or other duly authorized agent of the Board of Commissioners shall have the power and the duty to enforce the provisions of the Ordinance.

SECTION 6. Notice. It shall be the duty of the Health Officer to cause to be served a notice upon the owner or occupant of any premises on which any such weeds, vines, tall grasses or other objectionable vegetation are permitted to grow in violation

of the provisions of this Ordinance, and require abatement of the nuisance within ten days from the date of service of such notice. The service of such notice shall be made upon the owner or occupant of the said premises either by delivering the same to such owner or occupant personally, or by delivering the same to and leaving it with any adult person in charge of the said premises, or in case no such person is found upon the said premises by affixing the same in a conspicuous position upon the said premises.

SECTION 7. Abatement of Nuisance by the Township. In the event the owner or occupant shall refuse or neglect to abate such nuisance within a period of ten days as required by such notice, the Health Officer may cause such weeds, vines, tall grasses or other objectionable vegetation to be cut and removed, keeping an account of the expenses of inspecting the premises, service of notice and abating the nuisance, and all such costs and expenses shall be charged to and paid by such owner or occupant.

SECTION 8. Municipal Claims to be Filed. All costs and expenses incurred by the Township in the abatement of such nuisances shall be a lien upon the premises, and whenever a bill therefor remains unpaid for a period of 60 days after it has been rendered, the Township Solicitor shall file a municipal claim for such costs and expenses, together with a penalty of 10 per cent, in the manner provided by law for the collection of municipal claims.

SECTION 9. Penalties. Any person failing to abate such nuisance in accordance with the requirements of any such notice shall in addition to the payment of the said costs and expenses be subject to a fine or penalty not exceeding THIRTY-FIVE DOLLARS (\$35.00) for each and every offense, and whenever such person



shall have been notified by the Health Officer by service or summons in a prosecution or in any other way that he is committing such violation after the expiration of the aforesaid ten days shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties as now by law collected.

SECTION 10. Validity. The provisions of this Ordinance are severable, and if any section, clause, sentence, part or provisions thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, clauses, sentences, parts or provisions of this Ordinance.

SECTION 11. Repealer. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance, be and the same are hereby repealed.

SECTION 12. Effective Date. This Ordinance shall be in full force and effect upon its adoption and publication as provided by law.

ENACTED and ORDAINED this *10th* day of *JULY*, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *Walter C. Long*  
President

ATTEST:

*Harry Wardle*  
Secretary

AN ORDINANCE

ORDINANCE NO. 476

AN ORDINANCE TO PROVIDE FOR THE PUBLIC SAFETY AND WELFARE OF THE RESIDENTS OF UPPER DUBLIN TOWNSHIP AND THE COMMUNITY AT LARGE BY REGULATING THE USE OF TOWNSHIP PARK LANDS.

The Board of Commissioners of the Township of Upper Dublin do ordain:

SECTION ONE: Definitions

A. Park Lands - Tracts acquired by the Township for public use including golf courses, playgrounds and open spaces kept in their natural state.

B. Vehicle - Any motorized device for carrying passengers or goods.

SECTION TWO: The following rules and regulations are set forth for the use of the park lands in the Township of Upper Dublin:

A. No person or persons without a special permit shall be allowed in the park lands except between the hours of sunrise and sunset.

B. Persons shall enter and leave a park by the entrances and exits provided for that purpose.

C. No vehicle shall be used or parked in any road way or section of the park lands except in areas designated for such purposes.

D. The washing or repair of any motor vehicle shall not be permitted.

E. Intoxicating beverages shall not be sold or distributed or consumed except under special permit in certain designated park areas.

F. Intoxicated persons shall not be permitted in a park.

G. Gambling or any obscene or indecent act shall not be permitted.

H. Abusive, indecent or threatening language or any conduct that may annoy others shall not be permitted.

I. Firearms or other weapons shall not be permitted except for use in a properly designated area under adequate supervision and with a special permit.

J. No person or persons shall in any way injure or foul any building, equipment, signs and standards or water.

K. No person or persons shall cut, remove, injure or destroy flowers, plants, shrubbery or trees.

L. Pet animals shall not be permitted except in designated areas.

M. No person shall scatter or drop or leave litter except in receptacles provided for that purpose.

N. No person shall deface or destroy any notices, rules or regulations for the regulation of a park system posted or in any manner permanently fixed within the limits of same.

O. No person shall annoy, strike, injure, maim or kill any animals or birds.

P. Fires shall only be allowed in designated areas where fireplaces or stoves are provided. Fires must be completely extinguished before leaving site.

Q. Groups or parties wishing to reserve a park facility shall apply for permit prior to occupancy. Application for a permit must be made at least 24 hours before the time the group or party desire to occupy the park and scheduled reservation fees as may be established from time to time must be paid.

R. Township residents shall receive priority in the uses of park facilities.

S. Activities and games shall only take place in areas designated for such.

T. There shall be no swimming, ice skating, fishing, boating, snorkling or scuba diving by any person at any

time except in those areas so designated for these purposes.

U. There shall be no soliciting of any kind except by permit.

SECTION THREE: There shall be no trespassing on adjacent lands of residents nor harassment of the owners thereof.

SECTION FOUR: The Department of Parks and Recreation of Upper Dublin Township shall exercise general supervision over persons occupying or using the parks and over the care, maintenance and replacement of Township property and equipment in the parks and shall keep such property and equipment in a clean and sanitary condition.

SECTION FIVE: The Board of Commissioners may from time to time, by resolution, adopt a schedule of fees and charges and other use regulations for Township facilities.

SECTION SIX: The Director of Parks and Recreation and the Chief of Police shall have the right to promulgate the regulations from time to time not inconsistent with the rules set forth in this ordinance.

SECTION SEVEN: Any person violating the provisions of this ordinance shall, upon summary conviction before a magistrate, pay a fine not to exceed \$300.00 and costs of prosecution, and in default of the payment thereof, shall undergo imprisonment of not more than five (5) days.

SECTION EIGHT: All prosecutions for violations under this ordinance shall be brought in the name of Upper Dublin Township and all fines shall be paid to the Treasurer of the Township and shall be applied to the general funds of said Township.

DULY ENACTED by the Board of Commissioners of Upper Dublin Township this 11th day of September 1973.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

BY )

Walter C. Long  
President

ATTEST:

Harry Wardle  
Secretary

ORDINANCE No. 477

AN ORDINANCE TO AMEND ORDINANCE No. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY PROVIDING FOR CONVERSIONS OF SINGLE FAMILY DWELLINGS IN "C" RESIDENTIAL DISTRICTS.

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, that Ordinance No. 140, adopted August 20, 1956, designed the Upper Dublin Township Zoning Ordinance of 1956, as amended, be and is hereby further amended as follows:

SECTION ONE. That Article V, Section 502, Sub-paragraph two, which reads "Two family dwelling" be changed to read:

Two family dwelling when approved by the Zoning Hearing Board as a special exception.

ORDAINED AND ENACTED this 11th day of September

A. D. 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By Matt E. Long  
President

Attest

Harry Ward  
Secretary

ORDINANCE NO. ~~478~~

BE IT ORDAINED AND ENACTED THAT THE UPPER DUBLIN TOWNSHIP ORDINANCE OF 1956 AS AMENDED BE FURTHER AMENDED AS FOLLOWS:

SECTION 1. That Paragraph A. Subparagraph A-2 (1) of Section 1 be amended to read as follows:

"Apartment house or group of apartment house which constitute a single operating or proprietary unit, including a group of residential units included in a single 'Declaration' recorded pursuant to the provisions of the Unit Property Act of Pennsylvania, subject to the limitations and requirements of this Ordinance."

SECTION 2. That Paragraph B, Subparagraph 6 of Section 1 be amended to read as follows:

Dwelling units per Acre. There shall be no more than eight (8) units per acre except in the case of condominium in the Unit Property Act of Pennsylvania in which latter the number of bedrooms maybe increased to not more than fifteen (15) such bedrooms per acre.

SECTION 3. That the following new section, Section No. 7 be added to Article 9-A to read as follows:

In the case of a condominium development, the 'Declaration' recorded pursuant to the provisions of the Unit Property Act of Pennsylvania shall contain the requirements that the Upper Dublin Township Commissioners be given notice of all meetings of the unit owners and all meetings of the council, together with a provision that the Upper Dublin Township Commissioners or their representatives shall be entitled to attend all such meetings. The 'Code of Regulations' adopted pursuant to the Unit Property Act of Pennsylvania shall likewise contain a requirement that the Upper Dublin Township Commissioners or their representatives be given notice of, and shall have the right to attend, all meetings

of unit owners and all meetings of the council. It shall also contain a covenant that after fifty percent of the units are sold, the council membership shall be placed in the hands of the owners thereof.

No permit for condominium development shall be granted until there shall have been filed with the Township Secretary a certified copy of the 'Declaration', the 'Declaration Plan' and the 'Code of Regulations,' adopted in accordance with the Unit Property Act of Pennsylvania.

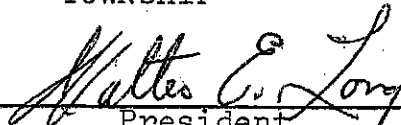
In the event that all or part of the property subject to the Unit Property Act 'Declaration' shall be removed from the provisions of the Unit Property Act by means of a 'Revocation' or an 'Amendment' recorded pursuant to the provisions of the Act, or by any other means whatsoever, then all use and occupancy of the units shall cease until such time as adequate provisions has been made to assure proper maintenance of the common elements of the condominium and approved by the Township Commissioners.

In the event that the 'Declaration' or 'Code of Regulations' shall be amended or altered in such a way as to effect a non-compliance with the provisions of Section 3 hereof, no occupancy permits may be issued for any units included in the 'Declaration Plan' or amendments thereto, until such time as such noncompliance has been removed.

ORDAINED AND ENACTED this 11th day of September 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary

ORDINANCE NO. 479

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, SO AS TO EXTEND THE EXISTING APARTMENT HOUSE DISTRICT INTO THE ADJOINING RESIDENTIAL AREA LOCATED ON BETHLEHEM PIKE OF THE APARTMENT HOUSE AREA IN THE FORT WASHINGTON COMMUNITY OF UPPER DUBLIN TOWNSHIP.

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 Zoning Ordinance of 1956", as amended, be further amended as follows:

(a) That the territory hereinafter described be changed from Residential A. District to AH- Apartment House District:

BEGINNING at a point a corner of this land, on the Southwesterly right of way line of Bethlehem Pike 60 feet wide, which said point of beginning is located South 85 degrees 41 minutes 15 seconds West 30 feet from the center line of the same, which last said point is located South 4 degrees 02 minutes 30 seconds East 247 feet more or less from the intersection of the center line of Bethlehem Pike 60 feet wide, at the center line of Montgomery Avenue 50 feet wide; thence from the point of beginning along land of the apartments the two following courses and distances to wit: (1) South 85 degrees 41 minutes 15 seconds West 135.39 feet to an angle point, (2) South 41 degrees 00 minutes 05 seconds West 504.45 feet to a point in the Township line dividing the Township of Upper Dublin and the Township of Whitmarsh; thence along the same North 51 degrees 32 minutes 10 seconds West 318.31 feet to a point a corner of this and land now or late of Ralph C. Harris et ux; thence along the same and partly along land now of late of Howard R. Kritler et ux, North 37 degrees 39 minutes 30 seconds East 394.80 feet to a point a corner of this and land now or late of Alexander Abels et ux; thence along the same North 79 degrees 08 minutes 30 seconds East 467.69 feet to a point in the aforementioned Southwesterly right of way line of Bethlehem Pike; thence along the same South 4 degrees 02 minutes 30 seconds East 208.28 feet to the point and place of beginning. Containing in area 4.767 acres of land be the same more or less.



Approved by the Board of Commissioners of Upper Dublin  
Township 11th this day of September, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

*Walter E. Lay*  
\_\_\_\_\_  
President

ATTEST:

*Harry Wardle*  
\_\_\_\_\_  
Secretary

AN ORDINANCE  
ORDINANCE NO. 480

AN ORDINANCE TO AMEND ORDINANCE NO. 426 ADOPTED THE 9TH. DAY OF MARCH, 1971, DESIGNATED THE PLUMBING CODE OF THE TOWNSHIP OF UPPER DUBLIN, BY ADDING SECTION P-1004.1, PROVIDING FOR REGULATING THE INSTALLATION OF SUMP PUMPS.

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

SECTION ONE: The Plumbing Code of the Township of Upper Dublin shall be amended by adding Section P-1004.1 as follows:

SECTION P-1004.1 - SUMP PUMP SYSTEMS

All storm or surface water discharged from the interior of a building, ejected by a device, shall be approved by the Plumbing Inspector and shall meet the following requirements:

A. The pump shall be of a capacity and head appropriate to anticipated use requirements and shall meet Standard Pump Manufacturers Associates certification standards.

B. The sump pit shall be not less than 18 inches in diameter. It shall be topped by a removable cover adequate to support anticipated loads in the area of use. The pit floor shall provide permanent support for the pump. The pit may be constructed of tile, concrete, steel, plastic or other suitable materials with 4 inches of stone in the bottom of sump hole, said pit to be approved by the Plumbing Inspector.

C. The electrical service outlet shall meet the requirements of National Electric Code. It shall be separately fused and grounded and shall be located

not less than four feet above floor.

D. The discharge pipe size and fittings shall be the same as or larger than pump discharge tapping. When discharging into a storm sewer or into the street at the curb line, a suitable anti-siphon device or free flowing check valve shall be installed.

DULY ENACTED by the Board of Commissioners of Upper Dublin Township this 9<sup>th</sup> day of October, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Walter E. Long  
President

ATTEST:

BY

Harry Wardle  
Secretary

AN ORDINANCE

NO. 480-A

AN ORDINANCE TO AMEND ORDINANCE NO. 140 ADOPTED AUGUST 26, 1956 DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, AS AMENDED, BY AMENDING THE MAP THEREOF SO AS TO CHANGE AN AREA LOCATED AT THE INTERSECTION OF FITZWATERTOWN AND SUSQUEHANNA ROADS FROM "A" RESIDENTIAL DISTRICT TO AH APARTMENT DISTRICT.

WHEREAS, the Commissioners of Upper Dublin Township find that the within amendments to the Zoning Ordinance are in accordance with the spirit and intent of the Comprehensive Plan and Land Use Plan for the Township of Upper Dublin.

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, that the zoning map adopted and approved as a part of the Upper Dublin Township Zoning Ordinance of 1956, Ordinance No. 140, as amended, be and is hereby further amended as follows:

SECTION I. The territory, hereinafter described, consisting of 5.5 acres, more or less, be changed from "A" Residential District to AH Apartment District. This territory is more fully described as follows:

BEGINNING at a point of curve on the Northwesterly side of Fitzwatertown Road (70 feet wide at this point) said point being the two following courses and distances from a point of curve on the Southwesterly side of Susquehanna Road (100 feet wide at this point) (1) leaving Susquehanna Road on the arc of a circle curving to the right having a radius of 30.00 feet the arc distance of 53.65 feet to a point of reverse curve on the Northwesterly side of Fitzwatertown Road and (2) on the arc of a circle curving to the left having a radius of 11,499.19 feet the arc distance of 70.16 feet to a point of beginning; thence extending from said point of beginning along the Northwesterly side of Fitzwatertown Road the three following courses and distances (1) on the arc of a circle curving to the left having a radius of 11,499.19 feet the arc distance of 227.24 feet to a point (2) South 41 degrees 10 minutes 00 seconds East 10.00 feet to a point (Fitzwatertown Road 60 feet

wide at this point) of curve and (3) on the arc of a circle curving to the left having a radius of 11,489.19 feet the arc distance of 168.92 feet to a point; thence extending North 52 degrees 33 minutes 15 seconds West 187.48 feet to a point; thence extending North 37 degrees 26 minutes 45 seconds East 160.12 feet to a point; thence extending North 52 degrees 34 minutes 15 seconds West 376.96 feet to a point; thence extending North 37 degrees 50 minutes 45 seconds East 299.57 feet a point on the Southwesterly side of Susquehanna Road (Susquehanna Road 200 feet wide at this point); thence extending along the same, the three following courses and distances (1) South 52 degrees 09 minutes 15 seconds East 157.00 feet to a point (2) North 37 degrees 50 minutes 45 seconds East 40.00 feet to a point (Susquehanna Road 160 feet wide at this point) and (3) South 52 degrees 09 minutes 15 seconds East 397.61 feet to a point (Susquehanna Road 100 feet wide at this point); thence extending South 37 degrees 26 minutes 45 seconds West 105.57 feet to a point; thence extending South 52 degrees 33 minutes 15 seconds East 76.88 feet to the first mentioned point of curve and place of beginning.

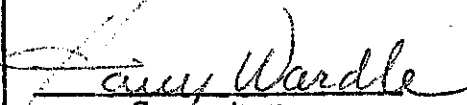
BEGINNING at the Northwesterly corner of Fitzwatertown Road and Susquehanna Road and extending thence (1) South 57 degrees, 12 minutes West along the Northwesterly line of Fitzwatertown Road 76.5 feet to a stake; thence (2) North 45 degrees 30 minutes West parallel with Susquehanna Road 115.5 feet to a stake set in the Southerly side line of Lot No. 10, Section "C"; thence (3) North 44 degrees 30 minutes East at right angles to Susquehanna Road and along the said Southerly side line of Lot No. 10 Section "C", 75 feet to a stake set in the Southwesterly side of Susquehanna Road; thence (4) South 45 degrees 30 minutes East along the Southwesterly side of Susquehanna Road 131 feet to the place of beginning.

BEGINNING at a stake in the Northerly side of Fitzwatertown Road South 57 degrees 12 minutes West 76.5 feet from the Northwesterly corner of Susquehanna Road and Fitzwatertown Road and extending thence (1) South 57 degrees 12 minutes West along the Northerly line of Fitzwatertown Road 45.9 feet to a stake; thence (2) North 45 degrees 30 minutes West parallel with Susquehanna Road and 106.4 feet to a stake; thence (3) North 44 degrees 30 minutes East 45 feet to a stake; thence (4) South 45 degrees 30 minutes East parallel with the second course 115.5 feet to the place of beginning.

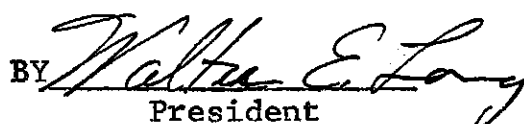
EXCEPTING AND RESERVING THEREOUT AND THEREFROM, all that portion of the above-described premises which were appropriated and taken by the Commonwealth of Pennsylvania, State Department of Highways, in the widening of Fitzwatertown Road.

ENACTED AND ORDAINED this 3rd day of December, A.D., 1973.

Attest:

  
Secretary

BOARD OF COMMISSIONERS  
UPPER DUBLIN TOWNSHIP

BY   
President

AN ORDINANCE

ORDINANCE NO. 481

AN ORDINANCE AUTHORIZING AN ELECTION TO BE HELD IN THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, TO DETERMINE WHETHER THE COMMISSIONERS SHOULD BE AUTHORIZED TO ESTABLISH AN ANNUAL TAX OF ONE MIL FOR THE SOLE PURPOSE OF FINANCING THE ESTABLISHMENT OF A NEW LOCAL LIBRARY AT A COST OF APPROXIMATELY FIVE HUNDRED THOUSAND DOLLARS ON LAND OF THE TOWNSHIP LOCATED AT THE INTERSECTION OF SUSQUEHANNA AND DILLON ROADS.

WHEREAS, with the rapid growth in population of the Township, there has been a corresponding increase in the demand for library facilities, and

WHEREAS, a study by a citizens committee appointed by the Commissioners finds the present community library obsolete leading to a recommendation that a new municipally owned facility be constructed, and

WHEREAS, Section 402 of "The Library Code" enacted by the Legislature of the Commonwealth of Pennsylvania, permits a municipality to submit the question of establishing and maintaining such a local library to the qualified voters, including the levying to a special tax for such purposes, and

WHEREAS, it appears only necessary to submit to the voters the question of "establishing" a new facility, since maintenance thereof can be accomplished by appropriating funds out of current revenues.

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

SECTION 1. That an election be authorized to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania, at the primary election on May 21, 1974, to determine whether the Commissioners should be authorized to establish an annual

tax of onemil on the dollar on all taxable property of the municipality for the sole purpose of financing the construction of a new local library at a cost of approximately FIVE HUNDRED THOUSAND (\$500,000) DOLLARS on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads.

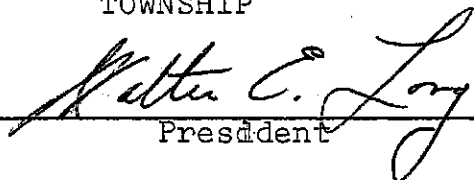
SECTION 2. The Township Secretary shall within five (5) days of the enactment of this Ordinance, file a certified copy hereof with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors, which shall be as follows: "Do you favor the Commissioners establishing a one mil (1) tax on the dollar on all taxable property of the Township for the sole purpose of financing the construction of a new local library at a cost of approximately FIVE HUNDRED THOUSAND (\$500,000) DOLLARS, on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads".

SECTION 3. This Ordinance is adopted in accordance with the provisions of Article IV, Section 402 of the Act of Assembly of June 14, 1961, P. L. 324, as amended, known as "The Library Code".

ORDAINED AND ENACTED this day 11th of December, 1973

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

ATTEST:

  
Secretary

UPPER DUBLIN TOWNSHIP

QUESTION TO BE SUBMITTED TO THE ELECTORS

Do you favor the Commissioners establishing a one mil (1) tax on the dollar on all taxable property of the Township for the sole purpose of financing the construction of a new local library at a cost of approximately FIVE HUNDRED THOUSAND (\$500,000) DOLLARS, on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads?



ORDINANCE NO. 482

AN ORDINANCE REGULATING THE INSTALLATION, SALE AND/OR LEASING OF ALARM DEVICES CONNECTED DIRECTLY TO UPPER DUBLIN TOWNSHIP'S POLICE DISPATCH CENTER: PROVIDING FOR APPROVAL OF PLANS FOR SUCH DEVICES, INSTALLATION AND ANNUAL MAINTENANCE FEES; AND PROVIDING PENALTIES FOR SETTING OFF ALARM DEVICES FOR PURPOSES FOR WHICH THEY ARE NOT INTENDED.

LEGISLATIVE INTENT

WHEREAS, Upper Dublin Township has modernized its police dispatching center, and

WHEREAS, more demands are being placed on the Police Department for direct alarm systems for both fire and intrusion, resulting in a need for coordination and regulation;

NOW THEREFORE, the Commissioners of Upper Dublin do hereby enact and ordain the following; to wit:

SECTION 1. Eligibility

a. Single family home applications shall be refused except in cases of extenuating circumstances. *Tweed*

*Tweed*

b. The fire alarm and/or intrusion alarm applications for schools, nursing homes, apartment complexes, churches, and other multi-occupancy buildings will be accepted.

c. Industrial and commercial property applications shall be considered on their merits.

SECTION 2. Permits

No person, firm or corporation shall install, sell and/or lease any alarm device unless he has obtained a permit.

a. No permit shall be issued unless:

(1) The applicant submits a plan specifying the type of alarm device intended to be used and the method of transmission.

(2) The plan has been approved by the responsible Township official.

(3) The applicant pays a fee of \$100.00 to cover the cost of the Township connecting the system to the control console.

(4) The applicant pays a fee of \$50.00 to cover the current year of an annual service fee.

### SECTION 3. General Provisions

a. The licensee must maintain all alarm device equipment installed, sold and/or leased and must be responsible for all mechanical failures or malfunctions of the equipment.

b. After a special license has been obtained and permit granted as hereinabove set forth but before installing, selling and/or leasing any alarm devices, such licensee shall submit to the responsible Township official the name and address of the person for whom the alarm device has been installed, its location, complete specifications and capabilities of the particular alarm device, the serial number or numbers of equipment installed, the terms of contract, the frequency or frequencies used, the contents of which must be approved by the Chief of Police of Upper Dublin Township.

c. After obtaining such special license and permit as hereinabove mentioned and before installing, selling and/or leasing any further alarm devices, such licensee shall notify the Police and/or Fire Departments of such installation, sale and/or lease as set forth in paragraph b. above.

d. The licensee shall shall pay an annual service fee of \$50.00.

### SECTION 4. Penalties

In addition to any other sanctions or penalties as may be provided, any person or persons who set off any alarm device

unnecessarily or for purposes for which the alarm device is not intended which calls for emergency type action by the Police and/or Fire Departments will be subject to a fine of not less than TEN (\$10.00) DOLLARS not exceeding ONE HUNDRED (\$100.00) DOLLARS.

ENACTED AND ADOPTED as an Ordinance, this 12<sup>th</sup> day of MARCH A. D., 1974.

COMMISSIONERS OF THE TOWNSHIP  
OF UPPER DUBLIN

BY

  
President

ATTEST:

  
Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN  
FOR THE YEAR 1974

ORDINANCE NO. 483

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

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

SECTION 1. That for the expenses for the fiscal year 1974 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form.

GENERAL OPERATING FUNDS  
SUMMARY OF ESTIMATED RECEIPTS

|                                     |                       |
|-------------------------------------|-----------------------|
| Cash & Securities for Appropriation | \$ 277,875.00         |
| Receipts from current Tax Levy      | 940,750.00            |
| Receipts from Prior Years Taxes     | 16,100.00             |
| Other Revenue Receipts              | 476,100.00            |
| Misc. Non-Revenue Receipts          | 236,600.00            |
| TOTAL ESTIMATED RECEIPTS & CASH     | <u>\$1,947,425.00</u> |

SUMMARY OF APPROPRIATIONS

GENERAL GOVERNMENT

|                           |                     |
|---------------------------|---------------------|
| Administration            | \$130,200.00        |
| Treasurer & Tax Collector | 5,700.00            |
| Municipal Buildings       | 26,400.00           |
| TOTAL                     | <u>\$162,300.00</u> |

PROTECTION TO PERSONS & PROPERTY

|               |                     |
|---------------|---------------------|
| Police        | \$549,500.00        |
| Fire          | 44,650.00           |
| Civil Service | 2,000.00            |
| TOTAL         | <u>\$596,150.00</u> |

REGULATIONS, PLANNING & ZONING

|          |                    |
|----------|--------------------|
| L & I    | \$56,350.00        |
| Planning | 2,500.00           |
| TOTAL    | <u>\$58,850.00</u> |

HEALTH & SANITATION

|                  |                     |
|------------------|---------------------|
| Health           | \$ 29,300.00        |
| Trash Collection | 220,500.00          |
| Sewer Subsidy    | -                   |
| TOTAL            | <u>\$249,800.00</u> |

HIGHWAYS

|                                    |                     |
|------------------------------------|---------------------|
| Highway Maintenance                | \$318,500.00        |
| Street Lighting                    | 36,000.00           |
| Storm Drains-Constr. & Maintenance | 4,000.00            |
| TOTAL                              | <u>\$358,500.00</u> |

LIBRARIES

\$ 56,500.00

PARKS & RECREATION

\$118,300.00

INSURANCE, BENEFITS, ETC.

|                           |                     |
|---------------------------|---------------------|
| Employee Taxes & Benefits | \$150,500.00        |
| Insurance                 | 37,000.00           |
| Refunds                   | 500.00              |
| TOTAL                     | <u>\$188,000.00</u> |

DEBT SERVICE

|                          |                     |
|--------------------------|---------------------|
| Interest on Bonded Debt  | \$ 71,525.00        |
| Principal on Bonded Debt | 85,000.00           |
| TOTAL                    | <u>\$156,525.00</u> |

GOVERNMENT STUDY COMMISSION

\$ 2,500.00

TOTAL APPROPRIATIONS FROM GENERAL FUND \$1,947,425.00

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

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

Adopted this 27th day of December, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

Walter E. Loy  
President

ATTEST:

BY

Harry Ward  
Secretary

TAX LEVY ORDINANCE

ORDINANCE NO. 484

AN ORDINANCE OF UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY AND THE COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR THE YEAR 1974.

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

That a tax be and the same is hereby levied on all property and occupations within the said municipality subject to taxation for the fiscal year 1974 as follows:

Tax rate for general purposes, the sum of.....17.5 mills on each dollar of assessed valuation, or the sum of....175 cents on each one hundred dollars of assessed valuation.

For fire protection purposes, the sum of.....1.5 mills on each dollar of assessed valuation, or the sum of....15 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

|                               | Mills on Each<br>Dollar of<br>Assessed<br>Valuation | Cents on Each<br>One Hundred<br>Dollars of<br>Assessed<br>Valuation |
|-------------------------------|---|---|
| Tax Rate for General Purposes | 17.5 mills  | 175 cents   |
| Tax Rate for Fire Protection  | <u>1.5</u> mills                                    | <u>15</u> cents   |
| TOTAL                         | 19.0 mills  | 190 cents   |

Adopted this 27th day of December, 1973.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

By *Kalter E. Long*  
President

ATTEST:

*Henry Ward*  
Secretary

ORDINANCE NO. 485

AN ORDINANCE ESTABLISHING THE DATES OF REGULAR MEETINGS OF THE COMMISSIONERS OF THE TOWNSHIP OF UPPER DUBLIN, MONTGOMERY COUNTY, PENNSYLVANIA, DURING THE YEAR 1974.

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.

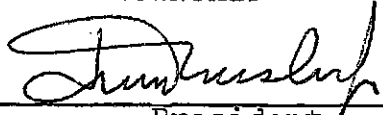
SECTION 1. The regular meetings of the Commissioners for the year 1974 are fixed as follows:

The second Tuesday of each month, beginning January 8, 1974 at 8 P. M. prevailing time.

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

ORDAINED AND ENACTED this 7th day of January, 1974.

COMMISSIONERS OF UPPER DUBLIN TOWNSHIP

BY   
President

ATTEST:

  
Secretary

AN ORDINANCE

ORDINANCE NO. 486

AN ORDINANCE TO AMEND ORDINANCE NO. 481 RELATING TO THE SUBMISSION TO THE VOTERS THE QUESTION OF ESTABLISHING AN ANNUAL TAX FOR THE PURPOSE OF ERECTING A BUILDING FOR LIBRARY PURPOSES.

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

SECTION 1. The caption of Ordinance No. 481 which reads as follows:

a. An ordinance authorizing an election to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania, to determine whether the Commissioners should be authorized to establish an annual tax of one mil for the sole purpose of financing the establishment of a new local library at a cost of approximately Five Hundred Thousand Dollars on land of the Township located at the intersection of Susquehanna and Dillon Roads.

b. Change to read, An ordinance authorizing an election to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania, to determine whether the Commissioners should be authorized to establish an annual tax of one mil for the sole purpose of financing construction of a building to be used for local library purposes at a cost of approximately Five Hundred Thousand Dollars on land of the Township located at the intersection of Susquehanna and Dillon Roads.

SECTION 2. Delete the third and fourth paragraphs of the Preamble.

SECTION 3. Amend Section No. 1 which reads:

a. That an election be authorized to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania, at the primary election on May 21, 1974, to determine whether the Commissioners should be authorized to establish an annual tax of one mil on the dollars on all taxable property of the municipality for the sole purpose of financing the construction of a new local library at a cost of approximately Five Hundred Thousand (\$500,000) Dollars on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads.

b. To read:

That an election be authorized to be held in the Township of Upper Dublin, Montgomery County, Pennsylvania, at the primary election on May 21, 1974, to



determine whether the Commissioners should be authorized to establish an annual tax of one mil on the dollars on all taxable property of the municipality for the sole purpose of financing the construction of a building for local library purposes at a cost of approximately Five Hundred Thousand (\$500,000) Dollars on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads.

SECTION 4. Amend Section 2 which reads:

a. The Township Secretary shall within five (5) days of the enactment of this Ordinance, file a certified copy hereof with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors, which shall be as follows: "Do you favor the Commissioners establishing a one mil (1) tax on the dollar on all taxable property of the Township for the sole purpose of financing the construction of a new local library at a cost of approximately Five Hundred Thousand (\$500,000) Dollars, on a one-acre tract owned by the Township at the intersection of Dillon and Busquehanna Roads".

b. To read:

The Township Secretary shall within five (5) days of the enactment of this Ordinance, file a certified copy hereof with the Montgomery County Board of Elections, together with a copy of the question to be submitted to the electors, which shall be as follows: "Do you favor the Commissioners establishing a one mil (1) tax on the dollar on all taxable property of the Township for the sole purpose of financing the construction of a building for local library purposes at a cost of approximately Five Hundred Thousand (\$500,000) Dollars on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads".

SECTION 5. Delete Section 3.

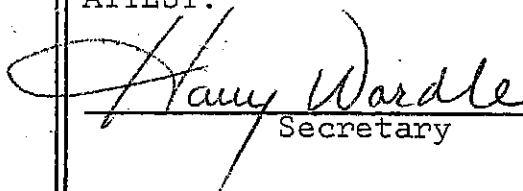
ORDAINED AND ENACTED this 12<sup>th</sup> day of March 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
President

ATTEST:

  
Secretary

UPPER DUBLIN TOWNSHIP

QUESTION TO BE SUBMITTED TO THE ELECTORS

Do you favor the Commissioners establishing a one mil (1) tax on the dollar on all taxable property of the Township for the sole purpose of financing the construction of a building for local library purposes at a cost of approximately Five Hundred Thousand (\$500,000) Dollars, on a one-acre tract owned by the Township at the intersection of Dillon and Susquehanna Roads?

AN ORDINANCE

ORDINANCE NO. --487

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, CREATING SECTION 1907 REGULATING REAPPLICATIONS ON THE SAME TRACT OF LAND FOR CHANGE OF ZONING, CURATIVE AMENDMENTS, VARIANCES, AND SPECIAL EXCEPTIONS.

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. Article 19, Ordinance No. 140 as amended, be and is hereby further amended by adding new Section 1907 as follows:

SECTION 1907, REAPPLICATIONS. The Zoning Hearing Board or The Board of Commissioners, may at their discretion refuse to accept an application for a variance or special exception or change of zoning or curative amendment to the zoning ordinance effecting part or all of any tract of land which was the subject of a request for a similar variance, special exception or change of zoning or curative amendment made by any applicant during the preceding twelve (12) month period.

SECTION 2. All other terms and conditions of said Ordinance No. 140 and the amendments thereto shall remain the same.

ORDAINED AND ENACTED this 9th. day of April A. D., 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *Robert A. Miller*  
Vice President

ATTEST:

*Harry Wardle*  
Secretary

AN ORDINANCE

ORDINANCE NO. 488

AMENDMENT TO ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, AND AS SUBSEQUENTLY AMENDED, DESIGNATED AS "UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956", REGULATING MINIMUM SET-BACK OF ACCESSORY BUILDINGS IN CERTAIN RESIDENTIAL DISTRICTS.

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 11. Article No. 4, Section 409 of Ordinance No. 140, is hereby amended to read as follows:

A. SECTION 409. MINIMUM SET-BACK OF ACCESSORY BUILDINGS.

An accessory building, excluding private garages, may be erected within one side yard if the accessory building is entirely separated from the principal building provided that all of the following criteria are met:

a. The accessory building shall not be greater than one story in height and in no event taller than ten feet (10') when measured from the peak of the roof line to the grade line on the side of such building facing the public way or street;

b. Such building shall be located on the lot not less than ten feet (10') further back from the building line than the rear most portion of the principal building;

c. The building shall be located no closer than ten feet (10') to any side or rear property line in an "A" Residential District.

d. Such building shall be located no closer than four feet (4') to any side and rear property lines in "B" and "C" Residential Districts; provided however, that in "B" and "C" Residential Districts such accessory buildings shall not be located closer to the side or rear property line than ten feet (10') if such building shall be of frame construction or nonfire resistant construction.

B. No farm building or other structure for keeping or raising of livestock or poultry shall be erected or used nearer to any lot line than fifty feet (50').

SECTION 2. All other terms and conditions of said Ordinance No. 140 and the amendments thereto shall remain the same.

ORDAINED AND ENACTED This 9th. day of April A. D., 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Raymond A. Miller Jr  
Vice President

ATTEST:

BY Harry Wardle

AN ORDINANCE

ORDINANCE NO. 489

AN ORDINANCE TO AMEND ORDINANCE NO. 159, ADOPTED AUGUST 8, 1957, REGULATING THE CONSTRUCTION OF SWIMMING POOLS AND ARTIFICIAL BODIES OF WATER.

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 No. 3 is hereby amended to read as follows:

Every bathing, swimming place or swimming pool heretofore constructed and not enclosed in a building, 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 2. All other terms and conditions of said Ordinance No. 159 and the amendments thereto shall remain the same.

ORDAINED AND ENACTED this 9th. day of April 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *Raymond H. Miller Jr.*  
Vice President

ATTEST:

BY *Harry Waddle*

Secretary

AN ORDINANCE

ORDINANCE NO. 490

AN ORDINANCE TO AMEND ORDINANCE NO. 140, ADOPTED AUGUST 20, 1956, DESIGNATED THE UPPER DUBLIN TOWNSHIP ZONING ORDINANCE OF 1956, BY AMENDING ARTICLE II, SECTION 200, SUBPARAGRAPH F DEFINING BUILDING AREA.

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. Article II, Section 200, Subparagraph F of Ordinance 140 is hereby amended to read as follows:

F. BUILDING AREA. The aggregate of the maximum horizontal cross-section areas of all buildings or structures 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.

SECTION 2. All other terms and conditions of said Ordinance No. 140 and the amendments thereto shall remain the same.

ORDAINED AND ENACTED this 9th. day of April A. D., 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *Raymond K. Miller Jr.*  
Vice President

ATTEST:

*Harry Wardle*  
Secretary

ORDINANCE NO. 491

AN ORDINANCE AMENDING ORDINANCE NO. 3, ADOPTED MARCH 12, 1946, AND AS AMENDED BY ORDINANCE NO. 123, AS ADOPTED JULY 5, 1956 AND ORDINANCE NO. 141, ADOPTED SEPTEMBER 11, 1956 AND ORDINANCE NO. 389, ADOPTED DECEMBER 9, 1969, RESPECTIVELY, FURTHER REGULATING THE OPENING OF THE TOWNSHIP HIGHWAYS FOR THE LAYING OF PIPES, SEWERS, DRAINS, CONDUITS, POLES, WIRES, AND THE LIKE: FOR THE REPAIRS THERETO REQUIRING PERMITS THEREFOR, FIXING REQUIREMENTS FOR OBTAINING SAID PERMITS, AND FIXING THE AMOUNT THEREOF: REGULATING THE OPENING OR BREAKING OF THE SURFACE OF IMPROVED SIDEWALKS OR CURBS, REQUIRING A PERMIT THEREFOR, AND FIXING THE FEE FOR SAID PERMIT, AND PROVIDING METHODS OF IMPOSING FINES FOR THE VIOLATION OF THE ORDINANCE OR ORDINANCES.

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 4 of Ordinance No. 3, adopted March 12, 1946, be and is hereby amended to read as follows:

Section 4. Before the issuance of a permit, the applicant shall make payment to the Township of the fee or fees as are hereinafter provided.

a. For openings for excavations in any highway, road, street, avenue or public alley having an unimproved surface, where it will not be necessary for the Township to make any restorations the sum of Five Dollars (\$5.00) per square yard or fraction thereof for each opening.

b. For openings or excavations in any highway, road, street, avenues or public alley having an improved or paved surface, the sum of Thirty-two Dollars (\$32.00) per square yard or fraction thereof, for the first five (5) square yards or less for each opening of paving opened or broken. The sum of Twenty-four (\$24.00) Dollars per square yard or fraction thereof for any and all additional paving opened or broken.

c. For openings or breaks in improved sidewalks, the sum of Twelve Dollars (\$12.00) per square yard or fraction thereof, and for breaking the surface of any improved curb, the reconstruction or resetting fee of Six Dollars (\$6.00) per lineal foot



or fraction thereof. The area of sidewalk and/or curb to be replaced shall be determined by the Township in accordance with Section 5 of this Ordinance.

d. All restorations are to be performed by the Township unless otherwise approved. The Township may, at its option, permit the applicant to make final restoration.

e. Where the applicant is permitted to make final restorations of an opening in an improved highway, road, street, avenue, or public alley, he shall pay an inspection fee of Ten Dollars (\$10.00) for the first ten lineal feet or fraction thereof, plus One Dollar (\$1.00) for each additional ten lineal feet or fraction thereof.

f. In all cases where the applicant is permitted to make his own final restoration he must comply with the specifications set forth herein and work is subject to the approval and inspection of the Upper Dublin Township Engineering Department.

SECTION 3. All other terms and conditions of said Ordinance No. 3 and the amendments thereto shall remain the same.

ORDAINED and ENACTED this 9th. day of April A. D. 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY Raymond J. Miller Jr.  
Vice President

ATTEST:

Harry Wardle  
Secretary

ORDINANCE NO. 492

AN ORDINANCE FIXING THE GRADES, AUTHORIZING AND DIRECTING THE CONSTRUCTION OF CURBS AND SIDEWALKS WITHIN THE RIGHT-OF-WAY OF SUMMIT AVENUE, A PUBLIC ROAD, BETWEEN PENNSYLVANIA AVENUE AND HIGHLAND AVENUE, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA; LEVYING THE COSTS THEREOF; PROVIDING FOR THE COLLECTION THEREOF, THE FILING OF LIENS, ETC.

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

SECTION 1. That both sides of Summit Avenue between Pennsylvania Avenue and Highland Avenue be excavated and curbs and sidewalks be constructed thereon.

SECTION 2. That the curbs and sidewalks shall be of concrete materials and shall be located at the grades and locations as shown on "Plan Series 72-1" as prepared by the Township Engineer dated April 8, 1974. The sidewalks shall be four (4) feet in width.

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 determine 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 expense of the installation of curbs, sidewalks and driveway aprons shall be paid by the owners or real estate abutting on the improvements by an equal assessment on the front foot; provided, however, that credits against the assessment will be given for that portion of any property wherein

in the judgment of the Township Engineer, there is existing curbs and sidewalks which meet the specifications for the project.

SECTION 6. Upon completion of the said project and determination of all costs and assessments 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 thirty days of the service of the notice, it shall be the duty of the Township Solicitor to collect the same, with interest from thirty days after notice of assessment, by action of assumpsit or by filing a lien or municipal claim therefor against the property of such owner, with a penalty of five (5%) percent of the amount of such assessment, and shall collect the same together with interest and costs in accordance with law. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim. Municipal Claims or liens for unpaid assessment must be filed in The Court of Common Pleas of Montgomery County within six (6) months after the completion of the improvement, the date of which shall be certified by the Township Engineer to the Board of Commissioners.

SECTION 8. Any owner of property assessed shall have the option of paying the same in five equal annual installments, bearing interest at the rate of six (6%) percent, provided First, that the first installment be paid within thirty (30) days of the receipt of notice of said assessment and each annual installment, together with interest on the unpaid balance shall be paid

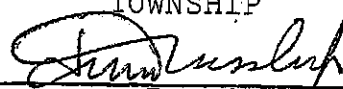
at the expiration of each annual period succeeding the date of the assessment; Second, that notice of intention to exercise such option be given on a form to be prepared by the Secretary of the Board of Township Commissioners containing such stipulations as the Board shall require to be filed at the time of paying the first installment; and Third, that a lien shall be duly filed for the amount of the remaining installments of the assessments, which lien shall not be prosecuted so long as the installments are duly paid. Upon default in the payment of a current installment, the entire unpaid balance, plus a penalty of five (5%) percent of the unpaid balance, interest at six (6%) percent, and costs shall become immediately payable and collectable.

SECTION 9. If anyone, who has not elected to pay by installments, shall fail to pay his or her assessment for thirty (30) days after the assessment shall have been levied and served, then there shall be imposed the penalty of five (5%) percent for failure to pay within that time. Such penalty shall be added to the assessment and included in the amount for which the municipal lien is filed for such unpaid assessment.

ENACTED and ORDAINED this 9<sup>th</sup> day of July, A.D. 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary

ORDINANCE NO. 493

AN ORDINANCE AMENDING ORDINANCE NO. 482 REGULATING THE INSTALLATION, SALE AND/OR LEASING OF ALARM DEVICES CONNECTED DIRECTLY TO UPPER DUBLIN TOWNSHIP'S POLICE DISPATCH CENTER: PROVIDING FOR AN EXEMPTION FROM PENALTY UNDER SECTION 4. OF THE ORDINANCE FOR FALSE ALARMS RESULTING FROM EQUIPMENT MALFUNCTION.

1. Section 4. of Ordinance No. 482 is amended by the addition of the following sentence:


"The penalties provided for herein are not intended to apply to situations where the false alarm is the result of an equipment malfunction."

2. In all other respects the provisions of Ordinance No. 482 shall remain in full force and effect.

ENACTED AND ORDAINED this 9th day of July, A.D., 1974.

COMMISSIONERS OF THE TOWNSHIP  
OF UPPER DUBLIN

BY

  
President

Attest:

  
Secretary

ORDINANCE NO. 494

AN ORDINANCE TO AMEND ORDINANCE NO. 492 TO INCLUDE BOTH SIDES OF MONTGOMERY AVENUE FROM SUMMIT AVENUE TO FORT WASHINGTON AVENUE, AS PART OF THE PROJECT FIXING THE GRADES, AUTHORIZING AND DIRECTING THE CONSTRUCTION OF CURBS, SIDEWALKS, WITHIN THE RIGHT-OF-WAY OF SUMMIT AVENUE.

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

SECTION 1. That Section 1, Ordinance No. 492 be amended to read as follows:

(a) That both sides of Summit Avenue between Pennsylvania Avenue and Highland Avenue be excavated, curbs and sidewalks be constructed thereon and that both sides of Montgomery Avenue between Summit Avenue and Fort Washington Avenue be ~~excavated~~ and curbs only be constructed thereon.

ENACTED and ORDAINED this                      day of August, A. D. 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY *John J. ...*  
President

ATTEST:

*Henry Wardle*  
Secretary

ORDINANCE NO. 495

PROHIBITING ANY PERSONS FROM LOITERING IN A PUBLIC PLACE IN SUCH MANNER AS TO OBSTRUCT ANY PUBLIC STREET, PUBLIC SIDEWALK, OR ANY OTHER PUBLIC PLACE OR BUILDING AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

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

SECTION 1. Definitions.

(a) Public Place - Any property owned or leased by the Commonwealth of Pennsylvania, County of Montgomery, the Township of Upper Dublin, the School District of Upper Dublin, or any other governmental agency.

SECTION 2. It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle either alone and or in consort with others in a public place in such manner so as to:

(a) Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians.

(b) Commit in or upon public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress, and regress, therein, thereon, and thereto.

SECTION 3. When any person causes or commits any of the conditions enumerated in Section 1 herein, a police officer or any law enforcement officer, shall order that person to stop causing or committing such conditions and to move on or disperse. Any

person who fails or refuses to obey such orders including an order not to move or disperse to another place shall be guilty of a violation of this ordinance.

SECTION 4. Any person violating any of the provisions of this ordinance shall upon a conviction thereof by any District Justice be sentenced to pay a fine not exceeding Three Hundred (\$300.00) Dollars together with the costs of prosecution. Each day a violation exists shall constitute a separate offense. In default of the payment of any fine the defendant may be sentenced and committed to the Township lock-up for a period not exceeding five (5) days or to the county jail for a period not exceeding thirty (30) days.

ENACTED and ORDAINED this 13<sup>th</sup> day of August, A. D., 1974

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

BY

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary



ORDINANCE NO. 496

AN ORDINANCE LAYING OUT LINCOLN AVENUE BETWEEN AVENUE "H" AND THE PROPERTY LINE OF THE QUEEN OF PEACE ROMAN CATHOLIC CHURCH, UPPER DUBLIN TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, the hereinafter described portion of ground was laid out but never physically opened; and

WHEREAS, the Township of Upper Dublin has never exercised any control or jurisdiction over said strip of ground; and

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

WHEREAS, proper notice has been given to the property owners affected and are held in conformity with Section 2007 Article XX of Act of June 24, 1931, P.L. 1206, as amended.

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

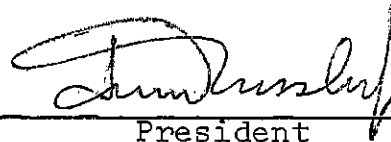
SECTION 1. The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be and the same is hereby entered and received in the general plan of streets and accepted by the Township of Upper Dublin as, and for, a public highway, all in accordance with the Act of Assembly in such case made and provided.

SECTION 2. The proper officers of the Township are authorized and directed to make a written report, together with a draft or survey of the aforesaid road and the names of the owners of property abutting thereon, and file the same on behalf of the Township in the Office of the Clerk of 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 *8th* day of October, A. D. 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP



President

ATTEST:

  
Secretary

Beginning at a point on the northern right-of-way intersection of Lincoln Avenue and Avenue "H" (forty feet wide), said point being measured 370.17 feet in a direction North 45 degrees 21 minutes 0 seconds East from the northern right-of-way intersection of Quarry Avenue (forty feet wide) with Avenue "H"; thence along the northeasterly side of Lincoln Avenue North 44 degrees 38 minutes 0 seconds West 215 feet to the eastern right-of-way intersection of Lincoln Avenue with Avenue "J" (forty feet wide); thence South 45 degrees 21 minutes 0 seconds West 40 feet to the southern right-of-way intersection of Lincoln Avenue with Avenue "J"; thence South 44 degrees 38 minutes 0 seconds East 215 feet along the southwesterly side of Lincoln Avenue to the western right-of-way intersection of Lincoln Avenue with Avenue "H"; thence North 45 degrees 21 minutes 0 seconds East 40 feet to the point and place of beginning.

Beginning at a point at the eastern right-of-way intersection of Lincoln Avenue with Avenue "J", said point being measured 255 feet in a direction North 44 degrees 38 minutes 0 seconds west from the above mentioned point of beginning; thence North 44 degrees 38 minutes 0 seconds West 59.62 feet along the northeasterly side of Lincoln Avenue to a point on the property line of then or now Queen of Peace School; thence along said property line North 42 degrees 46 minutes 30 seconds East 40.04 feet to a point on the southwesterly side of Lincoln Avenue; thence South 44 degrees 38 minutes 0 seconds East 57.81 feet along the southwesterly side of Lincoln Avenue to the western right-of-way intersection of Lincoln Avenue with Avenue "J"; thence North 45 degrees 21 minutes 0 seconds East 40 feet to the point and place of beginning.

ORDINANCE NO. 497

AN ORDINANCE VACATING LINCOLN AVENUE BETWEEN AVENUE "H" AND THE PROPERTY LINE OF THE QUEEN OF PEACE ROMAN CATHOLIC CHURCH, 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 2005, Article XX of Act of June 24, 1931, P.L. 1206, as amended; and

WHEREAS, in the judgment of the Board of Commissioners, the said road serves no useful public purpose or convenience.

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

SECTION 1. The described tract of land as set forth in Exhibit "A" attached hereto and made part of this ordinance be vacated as a public highway and that all the right, title and interest of the Township of Upper Dublin Therein are hereby divested.

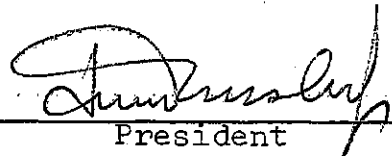
SECTION 2. That the proper officers of the Township are authorized and directed to make a written report together with a draft or survey of the aforesaid public highways and the names of of the owners of property abutting thereon and file the same on behalf of the Township in the Office of the Clerk of the Court of Quarter Sessions of the Peace in and for the County of Montgomery.

SECTION 3. That within ten (10) days after the passage of this ordinance the proper officers of the Township are authorized and directed 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 entered into an ordinance this <sup>8<sup>th</sup></sup> day of *October* A. D. 1974.

COMMISSIONERS OF UPPER DUBLIN  
TOWNSHIP

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary

Beginning at a point on the northern right-of-way intersection of Lincoln Avenue and Avenue "H" (forty feet wide), said point being measured 370.17 feet in a direction North 45 degrees 21 minutes 0 seconds East from the northern right-of-way intersection of Quarry Avenue (forty feet wide) with Avenue "H"; thence along the northeasterly side of Lincoln Avenue North 44 degrees 38 minutes 0 seconds West 215 feet to the eastern right-of-way intersection of Lincoln Avenue with Avenue "J" (forty feet wide); thence South 45 degrees 21 minutes 0 seconds West 40 feet to the southern right-of-way intersection of Lincoln Avenue with Avenue "J"; thence South 44 degrees 38 minutes 0 seconds East 215 feet along the southwesterly side of Lincoln Avenue to the western right-of-way intersection of Lincoln Avenue with Avenue "H"; thence North 45 degrees 21 minutes 0 seconds East 40 feet to the point and place of beginning.

Beginning at a point at the eastern right-of-way intersection of Lincoln Avenue with Avenue "J", said point being measured 255 feet in a direction North 44 degrees 38 minutes 0 seconds west from the above mentioned point of beginning; thence North 44 degrees 38 minutes 0 seconds West 59.62 feet along the northeasterly side of Lincoln Avenue to a point on the property line of then or now Queen of Peace School; thence along said property line North 42 degrees 46 minutes 30 seconds East 40.04 feet to a point on the southwesterly side of Lincoln Avenue; thence South 44 degrees 38 minutes 0 seconds East 57.81 feet along the southwesterly side of Lincoln Avenue to the western right-of-way intersection of Lincoln Avenue with Avenue "J"; thence North 45 degrees 21 minutes 0 seconds East 40 feet to the point and place of beginning.

EXHIBIT "A"

YEAR END BUDGET ADJUSTMENT ORDINANCE

ORDINANCE NO. 498

AN ORDINANCE appropriating and making changes in certain appropriations heretofore made by the Board of Commissioners of the Township of Upper Dublin under Ordinance No. 483, dated December 27, 1973.

WHEREAS, pursuant to Acts of Assembly in such cases made and provided, the Board of Commissioners of Upper Dublin Township, Montgomery County, Pennsylvania, by ordinance adopted and enacted the 27th day of December, 1973 appropriated out of the estimated revenue and income available for year 1974 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: Government Study Commission, Regulations, Planning & Zoning, Protection to Persons and Property, Health & Sanitation, Highways and Insurance, Benefits, etc. and

WHEREAS, the sums accumulated from receipts are in excess of the estimated income for 1974.

NOW, therefore, the Board of Commissioners of Upper Dublin Township do hereby enact and ordain:

That the sum of \$47,616.00 from excess receipts to be transferred as follows:

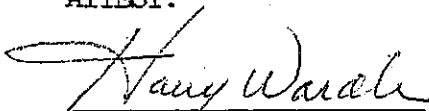
\$ 6,790.94 to Protection to Persons & Property  
1,091.03 to Regulations, Planning & Zoning  
10,556.04 to Health & Sanitation  
13,168.47 to Highways  
12,515.03 to Insurance, Benefits, etc.  
3,494.48 to Government Study Commission

Adopted and enacted into an Ordinance this 30th day of December, 1974



Thomas M. Tressler, Jr.  
President  
Upper Dublin Township  
Board of Commissioners

ATTEST:



Township Secretary

ANNUAL BUDGET OF THE TOWNSHIP OF UPPER DUBLIN FOR THE YEAR 1975

ORDINANCE NO. 499

An Ordinance of Upper Dublin Township, Montgomery County, and the Commonwealth of Pennsylvania, appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth, during the current year.

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

SECTION 1. That for the expenses for the fiscal year 1975 the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form.

GENERAL OPERATING FUNDS  
SUMMARY OF ESTIMATED RECEIPTS

|                                       |                   |
|---------------------------------------|-------------------|
| Cash and securities for Appropriation | \$ 187,910.00     |
| Receipts from Current Tax Levy        | 1,111,500.00      |
| Receipts from Taxes of Prior Years    | 15,000.00         |
| Other Revenue Receipts                | 697,350.00        |
| Miscellaneous non-revenue Receipts    | <u>151,600.00</u> |
| TOTAL ESTIMATED RECEIPTS AND CASH     | \$2,163,360.00    |

SUMMARY OF APPROPRIATIONS

|                                     | <u>Operation and<br/>Maintenance</u> |
|-------------------------------------|--------------------------------------|
| General Government:                 |                                      |
| Administration                      | \$160,505.00                         |
| Treasurer & Tax Collector           | 5,700.00                             |
| Municipal Buildings                 | <u>26,800.00</u>                     |
| TOTAL                               | \$193,005.00                         |
| Protection to Persons and Property: |                                      |
| Police                              | 635,800.00                           |
| Fire                                | 27,350.00                            |
| Civil Service                       | <u>2,000.00</u>                      |
| TOTAL                               | \$665,150.00                         |



Régulations, Planning & Zoning - Total \$ 71,855.00

Health and Sanitation:

Health Bureau 32,400.00  
Trash Collection & Disposal 230,500.00

TOTAL \$262,900.00

Highways:

Highway Maintenance 323,400.00  
Street Lighting 46,000.00

TOTAL \$369,400.00

Library: TOTAL \$ 67,000.00

Parks & Recreation: TOTAL \$121,350.00

Miscellaneous:

Employee Taxes & Benefits 212,000.00  
Insurance 48,500.00  
Refunds 500.00

TOTAL \$261,000.00

TOTAL FOR OPERATION, MAINTENANCE AND CAPITAL OUTLAY \$2,011,660.00

Debt Service:

Interest 66,700.00  
Principal 85,000.00

TOTAL DEBT SERVICE \$151,700.00

TOTAL APPROPRIATIONS FROM GENERAL OPERATING FUNDS \$2,163,360.00

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

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

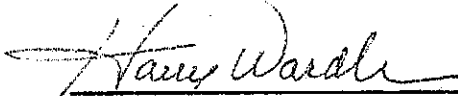
Adopted this 30th day of December 1974.



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Thomas M. Tressler, Jr.  
President  
Upper Dublin Board of Commissioners

ATTEST:



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Harry Wardle, Secretary