

**Code of Ordinances**  
**of the**  
**Township of Northampton**  
**Bucks County, Pennsylvania**



**Published by Authority of the Township**

Adopted by *Ord. 561*, 4/25/2012

Revised and Supplemented through:  
Supplement I; February 27, 2013

KEYSTATE PUBLISHERS, INC.  
300 West King Street, P.O. Box 366  
Shippensburg, PA 17257

The Township of Northampton Code of Ordinances was adopted by the Township of Northampton by *Ord. 561* and published by Keystate Publishers, Inc., on April 25, 2012. It has been subsequently revised and supplemented as follows:

Supplement I; February 27, 2013

## CONTENTS

Municipal Officials .....	v	
Foreword .....	vii	
Adopting Ordinance .....	ix	
Chapter 1 .....	Administration and Government .....	1-1
Chapter 2 .....	Animals .....	2-1
Chapter 3 .....	[Reserved] .....	3-1
Chapter 4 .....	Buildings .....	4-1
Chapter 5 .....	Code Enforcement .....	5-1
Chapter 6 .....	Conduct .....	6-1
Chapter 7 .....	[Reserved] .....	7-1
Chapter 8 .....	[Reserved] .....	8-1
Chapter 9 .....	[Reserved] .....	9-1
Chapter 10 .....	Health and Safety .....	10-1
Chapter 11 .....	Housing .....	11-1
Chapter 12 .....	[Reserved] .....	12-1
Chapter 13 .....	Licenses, Permits and General Business Regulations ....	13-1
Chapter 14 .....	[Reserved] .....	14-1
Chapter 15 .....	Motor Vehicles and Traffic .....	15-1
Chapter 16 .....	Parks and Recreation .....	16-1
Chapter 17 .....	[Reserved] .....	17-1
Chapter 18 .....	Sewers and Sewage Disposal .....	18-1
Chapter 19 .....	[Reserved] .....	19-1
Chapter 20 .....	Solid Waste .....	20-1
Chapter 21 .....	Streets and Sidewalks .....	21-1
Chapter 22 .....	Subdivision and Land Development .....	22-1
Chapter 23 .....	Stormwater Management and Grading .....	23-1
Chapter 24 .....	Taxation; Special .....	24-1
Chapter 25 .....	[Reserved] .....	25-1
Chapter 26 .....	Water .....	26-1
Chapter 27 .....	Zoning .....	27-1
<u>Appendix</u>		
A .....	Adjustments to Township Boundaries .....	A-3
B .....	Debt and Bond Issues .....	A-5
C .....	Franchises and Services .....	A-7
D .....	Governmental and Intergovernmental Affairs .....	A-9
E .....	Plan Approval .....	A-11
F .....	Public Property .....	A-13
G .....	Sewers .....	A-15
H .....	Streets and Sidewalks .....	A-17
I .....	Water .....	A-21
J .....	Zoning; Prior Ordinances .....	A-23
Table to Disposition of All Ordinances .....		K-1
Table to Disposition of Significant Resolutions .....		KR-1
Index .....		I-1





**Officials**  
**of the**  
**Township of Northampton**  
County of  
Bucks, Pennsylvania

**ELECTED OFFICIALS**

Board of Supervisors

Chairman	-	Dr. Kimberly Rose
Vice-Chairman	-	James T. Cunningham
Secretary	-	Eileen Silver
Treasurer	-	Frank Rothermel
Member	-	George F. Komelasky
Tax Collector	-	Barbara Buckman
Auditors	-	James Donahue
	-	Lawrence Weinstein
	-	Karen Jim

**APPOINTED OFFICIALS**

Manager	-	Robert M. Pellegrino
Director of Planning and Zoning	-	Michael Solomon
Solicitor	-	Michael J. Savona, Esquire
Engineer	-	James Majewski, P.E., Remington Vernick & Beach



## FOREWORD

### *History*

This comprises the codification of the ordinances of the Township of Northampton. Northampton Township was originally settled by English colonists. They named it after Northampton, the county town of Northamptonshire, England. Northampton Township was incorporated in 1722.

The Code of Ordinances of the Township of Northampton was prepared by Keystate Publishers, Inc., and adopted by the Township of Northampton Board of Supervisors on April 25, 2012, by *Ord. 561*.

### *Organization*

The Code contains four parts which are (1) the valid current ordinances of the Township of Northampton contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or “one time” nature, (3) the Table to disposition of each ordinance ever enacted by the Township of Northampton, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Table to disposition indicates what action has been taken by the Township of Northampton Board of Supervisors with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Table. The Table is a cross reference to the original ordinance books of the Township of Northampton, and to the location within the Code of each ordinance by number.



## ORDINANCE NO. 561

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of Northampton hereby ordains:

**Section 1. Adoption.** The *Township of Northampton Code of Ordinances*, as prepared and published for the said Township of Northampton, is hereby adopted as a consolidation, codification and revision of the ordinances of the Township of Northampton. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Township of Northampton organized as follows:

### TABLE OF CONTENTS

Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 3	[Reserved]
Chapter 4	Buildings
Chapter 5	Code Enforcement
Chapter 6	Conduct
Chapter 7	[Reserved]
Chapter 8	[Reserved]
Chapter 9	[Reserved]
Chapter 10	Health and Safety
Chapter 11	Housing
Chapter 12	[Reserved]
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 14	[Reserved]
Chapter 15	Motor Vehicles and Traffic
Chapter 16	Parks and Recreation
Chapter 17	[Reserved]
Chapter 18	Sewers and Sewage Disposal
Chapter 19	[Reserved]
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	Stormwater Management and Grading
Chapter 24	Taxation; Special
Chapter 25	[Reserved]
Chapter 26	Water
Chapter 27	Zoning

### APPENDIX:

- A. . . . . Adjustments to Township Boundaries
- B. . . . . Debt and Bond Issues
- C. . . . . Franchises and Services
- D. . . . . Governmental and Intergovernmental Affairs
- E. . . . . Plan Approval
- F. . . . . Public Property
- G. . . . . Sewers
- H. . . . . Streets and Sidewalks
- I. . . . . Water
- J. . . . . Zoning; Prior Ordinances

Table to Disposition of All Ordinances

Table to Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township of Northampton shall be authoritative.

**Section 2. Citation and Effective Date.** The codification referred to in Section 1 of this ordinance shall be known and cited officially as the “Township of Northampton Code of Ordinances,” and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

**Section 3. Saving Clause.** The provisions of the Township of Northampton Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of Northampton Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

**Section 4. Consolidation and Revision.** As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

*A. Consolidations.*

Section	Subject	Ordinance No., Section
15, Entire Chapter	Motor Vehicles and Traffic	214; 215; 217; 220; 223; 230; 239; 242; 254; 255; 257; 258; 259; 263; 268; 270; 283; 293; 299; 301; 303; 316; 319; 322; 332; 348; 354; 358; 360; 366; 373; 376; 380; 382; 385; 386; 390; 391; 395; 399; 401; 402; 407; 410; 420; 426; 429; 434; 439; 444; 451; 458; 459; 462; 466; 474; 478; 482; 483; 485; 490; 495; 496; 503; 508; 512; 519; 520; 526; 528; 529; 531; 532; 546; 550

*B. Revisions.*

Section	Subject	Ordinance No., Section
[Reserved]		

**Section 5. New Enactments, Amendments and Repeals.** As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

*A. New Enactments.*

Section	Subject
§§1-101–1-111	Preliminary Provisions
15, Entire Chapter	Motor Vehicles and Traffic

*B. Amendments.*

Section	Subject	Ordinance No., Section
§1-311	Powers and Duties	314; 359
§1-401	Information Request Form	Res. R-08-15
§1-402	Open Records Officer	Res. R-08-15
§1-407	Fees	Res. R-08-15
§1-507	Violations and Penalties	369
§2-108	Violations and Penalties	212; 285
§2-205	Violations and Penalties	212; 285
§4-104	Numbering Requirements	231
§4-105	Violations and Penalties	231; 285
§6-142	Violations and Penalties	202; 285
§6-204	Violations and Penalties	287
§10-108	Violations and Penalties	422; 476
§10-206	Penalties	556, §1
§11-105	Violations and Penalties	457
§11-204	Violations and Penalties	507
§11-305	Fees; Violations and Penalties	515
§13-105	Violations and Penalties	199; 211; 222; 282; 285
§13-201	Application Procedures; Fee	477
§13-301	Definitions	19; 517
§13-304	License Fees	19; 49; 361
§13-313	Violations and Penalties	19; 211; 285
§16-104	Soliciting Prohibited	203

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§16-106	Violations and Penalties	203; 285
§18-141	Violations, Notifications and Penalties	72; 142; 211; 492
§18-206	Exclusiveness of Rights and Privileges	141
§18-211	Violations and Penalties	141; 211; 285
§18-313	Violations and Penalties	427
§20-111	Collection of Residential Solid Waste (Other than Bulky Items and Recyclable Materials).	Res. R-02-01
§20-112	Residential Collection of Bulky Items	Res. R-02-01
§20-113	Separation and Collection of Recyclable Residential Material	Res. R-02-01
§20-114	Separation and Collection of Residential Compostable Material	Res. R-02-01
§21-119	Violations and Penalties	213; 285
§21-203	Violations and Penalties	213
§21-309	Violations and Penalties	510
§24-110	Enforcement and Penalties	387
§24-212	Violations and Penalties	533
§24-315	Violations and Penalties	245; 285
§26-105	Violations and Penalties	396
§26-207	Violations and Penalties	244; 285
§26-314	Violations and Penalties	53; 211; 285

*C. Repeals.*

<b>Ordinance/Resolution</b>	<b>Subject</b>
<i>Ord. 475</i>	Environmental Advisory Council

**Section 6. Adoption of Standard Codes by Reference.** As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

<b>Section</b>	<b>Short Title</b>
	[Reserved]

**Section 7. Land Use Amendments.** The Township of Northampton Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by ~~strike-through~~ and additions shown by underline, all of which is briefly summarized hereinafter.



A. *New Provisions.* The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Section	Subject
	[Reserved]

B. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike-through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No.
§22-104	Compliance with Applicable Standards Required; Filing of Declaration Plan	158
§22-202	Terms Defined	158; 209; 294; 329; 350; 356; 404; 412; 442; 443; 452; 501
§22-403	Design Criteria and Requirements	158; 180; 209; 211; 219; 266; 267; 379; 381; 388; 412; 419; 447; 464; 469; 501; 554
§22-506	Violations and Penalties	158; 294
§27-201	Definitions and General Terminology	160; 177; 179; 189; 201; 210; 221; 237; 262; 265; 295; 297; 298; 300; 309; 339; 340; 341; 362; 370; 371; 405; 411; 413; 438; 441; 450; 473; 481; 488; 497; 500; 522; 523; 534
§27-408	R-5 Mobile Home Park District	160; 177; 289; 339; 349; 445; 470; 488
§27-502	General Commercial/Office District	160; 207; 210; 238; 289; 307; 346; 470; 497; 535, §1
§27-703	Use Regulations	160; 164; 179; 184; 331; 450; 500
§27-1111	Physical Performance Requirements	160; 210; 465
§27-1306	Certificates of Use, Occupancy and Compliance	160; 210; 341

C. *Repealed Provisions.* The following provisions of the Code are repealed, the text of which indicates deletions by ~~strike-through~~, and are as follows:

Section	Subject	Ordinance No.
	[Reserved]	

**Section 8. Procedural Changes.** The following minor procedural changes have been made to existing Township of Northampton ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

**Section 9. Amending the Code of Ordinances.** The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. *Amendment or Revision.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended [revised] to read as follows...”
- B. *Additions.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended by the addition of the following...”
- C. *Repeal.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby repealed in its entirety.”

**Section 10. Responsibility for Code of Ordinances.** It shall be the responsibility of the Township of Northampton Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Northampton Code of Ordinances and shall be available for public inspection.

**Section 11. Penalties.** It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Northampton. Whosoever shall violate this Section shall be guilty of an offense under §4911, “Tampering with Public Records or Information, of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

**Section 12. Severability of Parts of Codification.** It is hereby declared to be the intention of the Township of Northampton that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 25<sup>th</sup> day of April, 2012.

ATTEST:

Township of Northampton

/s/ Eileen Silver  
Secretary

/s/ Frank Rothermel  
Chairman, Board of Supervisors

# **Chapter 1**

## **Administration and Government**

### **Part 1 Preliminary Provisions**

- §1-101. Short Title
- §1-102. Citation of Code of Ordinances
- §1-103. Arrangement of Code
- §1-104. Headings
- §1-105. Tenses, Gender and Number
- §1-106. Construction
- §1-107. Normal Numbering
- §1-108. Special Numbering Problems
- §1-109. Amending Code
- §1-110. Altering Code
- §1-111. Penalties

### **Part 2 Boards, Commissions and Councils**

#### **A. Northampton Township Emergency Services Board (NORTEMS)**

- §1-201. Establishment
- §1-202. Purpose; Authority
- §1-203. Meetings
- §1-204. Membership
- §1-205. Terms

#### **B. Northampton Township Park and Recreation Board**

- §1-211. Board Established; Composition
- §1-212. Appointments; Terms
- §1-213. Service for Full Terms; Vacancies
- §1-214. Organization; Officers; Rules of Procedure
- §1-215. Powers and Duties of Board; Audit of Accounts; Reports
- §1-216. Use of Recreation Facilities and Fields
- §1-217. Enforcement
- §1-218. Violations and Penalties

#### **C. Northampton Township Telecommunications Advisory Board**

- §1-221. Board Created
- §1-222. Membership; Compensation
- §1-223. Organization
- §1-224. Purpose
- §1-225. Meetings; Announcing Time and Place

- §1-226. Reports to Board of Supervisors
- §1-227. Expenditures

#### **D. Zoning Hearing Board**

- §1-231. Establishment; Continuation
- §1-232. Administration and Procedure

#### **E. Northampton Township Historic Commission**

- §1-241. Establishment of Commission
- §1-242. Membership
- §1-243. Residency and Compensation
- §1-244. Quorum; Taking Action
- §1-245. Election of Officers
- §1-246. Duties and Responsibilities
- §1-247. Reports

#### **F. Planning Commission**

- §1-251. Commission Recreated
- §1-252. Membership
- §1-253. Composition; Rights of Officer or Employee Members
- §1-254. Appointments; Terms; Vacancies
- §1-255. Removal from Office
- §1-256. Officers; Bylaws; Reports to Supervisors
- §1-257. Powers and Duties
- §1-258. Funds and Assistance from Governmental and Private Sources

#### **G. Blighted Property Review Committee**

- §1-261. Creation of Committee
- §1-262. Membership; Compensation
- §1-263. Term of Office
- §1-264. Officers
- §1-265. Powers and Duties

### **Part 3 Elected and Appointed Officials**

#### **A. Township Manager**

- §1-301. Office Created
- §1-302. Appointment; Term; Qualifications
- §1-303. Removal from Office
- §1-304. Powers and Duties
- §1-305. Disability or Absence
- §1-306. Bond
- §1-307. Compensation
- §1-308. Vacancy in Office

## **B. Tax Collector**

- §1-311. Powers and Duties
- §1-312. Compensation
- §1-313. Tax Certifications

## **Part 4 Policies and Procedures**

### **A. Open Records Policy**

- §1-401. Information Request Form
- §1-402. Open Records Officer
- §1-403. Access Requests
- §1-404. Access; Time for Response; Exceptions
- §1-405. Denial of Access
- §1-406. Appeal Procedure
- §1-407. Fees

### **B. Warrantless Arrests**

- §1-411. Warrantless Arrests Permitted
- §1-412. Requirements for Warrantless Arrests
- §1-413. Procedure Following Arrest

## **Part 5 Fire Insurance Proceeds Escrow**

- §1-501. Designated Officer
- §1-502. Restrictions on Claim Payments
- §1-503. Payment Procedures
- §1-504. Responsibilities of Township
- §1-505. Construal of Provisions
- §1-506. Establishment of Regulations and Fees
- §1-507. Violations and Penalties

## **Part 6 Free Public Library**

- §1-601. Library Established
- §1-602. Control by Board of Directors; Composition; Terms
- §1-603. Organization of Board; Officers; Bonding; Nonsalaried
- §1-604. Promulgation of Bylaws and Regulations by Board
- §1-605. Annual Reports of Receipts and Expenditures; Auditing of Accounts
- §1-606. Free Use by Residents; Use by Nonresidents
- §1-607. Funding of Library
- §1-608. Location; Authority to Lease, Renovate, Maintain and Equip



**Part 1****Preliminary Provisions****§1-101. Short Title.**

The short title of this Code of Ordinances prepared and published for the Township of Northampton shall be the "Township of Northampton Code of Ordinances."

(Ord. 561, 4/25/2012)

**§1-102. Citation of Code of Ordinances.**

The Township of Northampton Code of Ordinances may be cited by Section number. The approved short form is "Code." Thus, "Code, §27-101" refers to §101 of Chapter 27 of this Code of Ordinances.

(Ord. 561, 4/25/2012)

**§1-103. Arrangement of Code.**

1. This Code is divided into Chapters which are subdivided as follows:
  - A. Subchapters, identified by capital letters, beginning with a Chapter title and number.
  - B. Parts, identified by Arabic numerals, beginning with a Part title and number.
  - C. Subparts, identified by Arabic numerals, beginning with a title.
2. The Sections of the Code are subdivided as follows:
  - A. Subsections, identified by Arabic numerals.
  - B. Paragraphs, identified by capital letters.
  - C. Subparagraphs, identified by Arabic numerals enclosed within parentheses.
  - D. Clauses, identified by lower case letters enclosed within parentheses.
  - E. Subclauses, identified by Arabic numerals followed by a parenthesis.
  - F. Items, identified by lower case letters followed by a parenthesis.
  - G. Subitems, identified small Roman numerals.

(Ord. 561, 4/25/2012)

**§1-104. Headings.**

Chapter, Subchapter, Part, Subpart, Section, Subsection, Paragraph, Subparagraph, Clause, and Subclause headings contained in the Code may not be deemed to govern, limit, modify or affect the scope, meaning or intent of the Code. The headings of Sections, Subsections or other divisions of this Code are intended as mere captions to indicate the contents of the Section, Subsection or other division and shall not be deemed to be taken as titles of such Section, Subsection or other division, nor as any part of said Section, Subsection or other division unless expressly so provided.

(Ord. 561, 4/25/2012)

**§1-105. Tenses, Gender and Number.**

Except as may be otherwise stated in any provision of this Code, the present tense includes the past and future tenses, and the future the present; the masculine gender includes the feminine and neuter, the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine; and the singular includes the plural, and the plural the singular.

(Ord. 561, 4/25/2012)

**§1-106. Construction.**

1. Except as may be otherwise specifically provided by any provision of this Code, the Statutory Construction Act of 1972, 1 Pa.C.S.A. §1501 *et seq.*, shall be applied in construing this Code.

2. *Effect of Repeal or Expiration of Code Section.*

A. The repeal of a Code Section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

B. When any ordinance repealing a former Code Section, ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former Code Section, ordinance, clause or provision, unless it shall be expressly so provided.

3. *Saving Clause.* The provisions of this Code, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of this Code, are intended as a continuation of such ordinances, resolutions and regulations and not as a new enactment. The provisions of this Code shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations. Except as specifically stated in this Code or in the ordinance adopting this consolidation, codification and revision of the ordinances and regulations, it is the intention of the Board of Supervisors that no ordinance or regulation of the Township be amended, revised or repealed by implication.

4. *Resolutions.* The provisions of this Code of Ordinances may contain resolutions, that is, actions of the Board of Supervisors (in written form and designated “resolution”) which did not require prior public notice in accordance with the provisions of the Second Class Township Code, 53 P.S. §65101 *et seq.*, at the time of their passage by the Board of Supervisors. Such “resolutions” are included herein for ease of reference and the Board of Supervisors does not intend by their inclusion herein to require prior public notice before amending, revising or repealing such resolution or resolutions as may have been included herein in the future. It is the intention of the Board of Supervisors that such actions of the Board of Supervisors that may be included in this Code and specifically cited and designated as a resolution shall not become an ordinance (requiring prior public notice before amendment, revision or repeal) by the simple fact of inclusion in this Code.

(Ord. 561, 4/25/2012)

**§1-107. Normal Numbering.**



1. *Chapters.* Chapters are numbered sequentially in Arabic throughout this Code.
2. *Parts.* Parts are numbered sequentially in Arabic throughout this Code.
3. Whenever other divisions are necessary, Chapters shall be divided into Subchapters, Parts into Subparts and designated with the Chapter or Part number followed by a capital letter. For instance, Chapter 1 may be divided into Subchapters 1A and 1B.
4. *Sections.* Sections are numbered sequentially throughout a Chapter and a Part such that the first number or numbers is the Chapter number, followed by a hyphen, followed by the Part number, followed by the Section number within the Part. For example, "§1-101" designates Chapter 1, Part 1, Section 1. Similarly, "§27-305" designates Chapter 27, Part 3, Section 5.
5. *Internal Divisions of Sections.* Whenever internal divisions are necessary, Sections shall be divided into Subsections, Subsections into Paragraphs, Paragraphs into Subparagraphs, Subparagraphs into Clauses, and Clauses into Subclauses, and Subclauses into Items, designated as follows:
  1. Subsection.
    - A. Paragraph.
      - (1) Subparagraph.
        - (a) Clause.
          - 1) Subclause.
            - a) Item.
              - i. Subitem.

(Ord. 561, 4/25/2012)

#### **§1-108. Special Numbering Problems.**

1. *Addition of New Units Between Existing Units.* If it becomes necessary to introduce a new Chapter, Part or Section between existing Chapters, Parts or Sections, the new Chapter, Part or Section shall be designated by the addition of a capital letter suffix to the preceding Chapter, Part or Section number. Thus, a Chapter introduced between Chapters 5 and 6 would be Chapter 5A and Sections in that Chapter would be numbered, for instance, "§5A-101." If it becomes necessary to introduce a Part between existing Parts 5 and 6 the new Part would be Part 5A and Sections in that Part would be numbered, for instance, "§5-5A01." A new Section introduced between existing Sections 5 and 6 would be "§5-105A." When a number of new Parts or Sections have been introduced the Chapter or Part shall be renumbered.
2. If it becomes necessary to introduce a Subsection between Subsections, for instance, Subsections .5 and .6, the new Subsection would be numbered Subsection .5-A.
3. If it becomes necessary to introduce a unit smaller than a Subsection between existing units, the entire Subsection shall be revised and renumbered.
4. *Vacated Numbers.* Whenever a number is vacated by a revocation or repeal, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked: "[Reserved]."

(Ord. 561, 4/25/2012)

**§1-109. Amending Code.**

1. All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed Chapters, Parts, Sections, Paragraphs, Clauses or other part or provision hereof, by subsequent ordinance, such repealed portions may be excluded from this Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as this Code and subsequent ordinances omitted are readopted as a new Code by the Board of Supervisors.

2. Amendment to any provision of this Code shall be made by specific reference to the Chapter, Part, Section and/or Subsection number of this Code in the following language:

A. *Amendment or Revision.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_, is hereby amended (revised) to read as follows . . .” The amended or revised provisions may then be set out in full as desired.

B. *Addition.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_, is hereby amended by the addition of the following . . .” The new provision shall then be set out in full as desired.

C. *Repeal.* “Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_, is hereby repealed in its entirety.”

3. It is the intention of the Board of Supervisors that the numbering scheme of this Code be adhered to in enacting future ordinances. In the event that any ordinance or other enactment be adopted which does not conform to the numbering system of this Code, it is the intention of the Board of Supervisors that such enactment be renumbered in the process of supplementing, revising or updating this Code to conform to the numbering scheme of this Code. The Board of Supervisors hereby acknowledges and confirms that the numbering scheme herein is for ease of reference and that the renumbering of any enactment when added to this Code shall not in any manner affect the validity of said enactment.

(Ord. 561, 4/25/2012)

**§1-110. Altering Code.**

It shall be unlawful for any person to change or amend by addition or deletion any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the Board of Supervisors.

(Ord. 561, 4/25/2012)

**§1-111. Penalties.**

1. *Penalty Where No Penalty Provided.* Whenever in this Code or in any ordinance of the Township any act is prohibited or is declared to be unlawful, or whenever in this Code or other ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor:

A. *Violations of Health, Safety and Welfare Provisions.* For violations of

ordinances adopting building, housing, property maintenance, health, fire or public safety codes; and for ordinances regulating water services, water pollution, air pollution and noise, the following penalty shall be provided:

(1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

B. *Other Violations.* All other penalties, except for penalties in Chapter 15, “Motor Vehicles and Traffic” (based on the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*), penalties and ordinances adopted under the authority of the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, earned income tax ordinances adopted under the Local Tax Enabling Act, 53 P.S. §6913, and ordinances adopted under the authority of the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, should provide, generally:

(1) Any person, partnership or corporation who or which has violated or permitted the violation of any provision of this Part, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not more than \$600 plus all court costs. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure, at which time, in addition to any penalties, the violator shall be liable for any attorney’s fees and costs incurred by the Township. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation.

2. The imposition of a penalty under the provisions of this Code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the laws of the Commonwealth of Pennsylvania and the United States of America. In addition, the Township may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Code. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

(Ord. 561, 4/25/2012)



**Part 2****Boards, Commissions and Councils****A. Northampton Township Emergency Services Board (NORTEMS)****§1-201. Establishment.**

There is hereby established the Northampton Township Emergency Services Board (hereinafter referred to as "NORTEMS"), whose membership shall consist of representation from volunteer emergency service agencies, municipal public safety departments and the Board of Supervisors.

(Ord. 256, 5/27/1987)

**§1-202. Purpose; Authority.**

1. The purpose of NORTEMS is to develop procedures and techniques to coordinate the delivery of emergency services in the Township and to serve in an advisory capacity to the Board of Supervisors for the purpose of recommending policymaking decisions to improve, wherever possible, emergency services for the protection to persons and property in Northampton Township.

2. NORTEMS shall have the authority to adopt rules, regulations and plans of action governing emergency services. However, such rules, regulations and plans of action shall not become effective until submitted to and approved by the Board of Supervisors.

(Ord. 256, 5/27/1987)

**§1-203. Meetings.**

NORTEMS shall hold meetings on a regular basis at the Northampton Township Administration Building at a time to be determined by the Emergency Services Board or its Chairman and shall render to the Board of Supervisors current reports and/or policymaking recommendations through its Secretary.

(Ord. 256, 5/27/1987)

**§1-204. Membership.**

Membership in NORTEMS shall consist of a representative from each of the following volunteer emergency service agencies or officials within the Township government or any other agency or official Township office as may from time to time be authorized by resolution of the Board of Supervisors:

**A. Ambulance Services.**

(1) Trevoise Heights Rescue Squad.

(2) The Newtown American Legion Ambulance Squad as an ex officio member. [Res. R-95-22]

**B. Fire Services.**

(1) Northampton Township Volunteer Fire Company.

(2) Fire Marshal.

C. *Police Services*. Chief of Police.

D. *Emergency Management*. Emergency Management Director.

E. *Board of Supervisors*. A member who shall be a full member of NORTEMS.

[*Res. R-95-22*]

(*Ord. 256*, 5/27/1987; as amended by *Res. R-95-22*, 8/16/1995)

**§1-205. Terms.**

All members of NORTEMS shall serve for an indefinite term of office at the pleasure of the agency that they represent or, in the case of elected or appointed Township officials, until such time as their successors shall qualify.

(*Ord. 256*, 5/27/1987)

**B. Northampton Township Park and Recreation Board****§1-211. Board Established; Composition.**

1. There is hereby established the Northampton Township Park and Recreation Board consisting of five members, who shall serve without compensation.

2. Effective January 1, 1978, there shall be created two additional positions on the Northampton Township Park and Recreation Board, bringing the total to seven members. [Res. R-77-17]

(Res. R-75-13, 3/26/1975; as amended by Res. R-77-17, 12/28/1977)

**§1-212. Appointments; Terms.**

1. The members of said Park and Recreation Board shall be appointed by the Board of Supervisors from among the residents of the Township. The initial appointees shall serve for staggered terms, one of which shall expire at the organization meeting of the Board of Supervisors in January 1976, and one on each of the succeeding four organization meetings. Subsequent appointments under this Section shall be for terms of 5 years, expiring at the organization meeting of the Board of Supervisors in January of the fifth year following their appointment, or until their successors are appointed.

2. The terms of these two new positions shall expire at the organization meetings in 1980 and 1982 and after that term shall expire each 5 years. [Res. R-77-17]

(Res. R-75-13, 3/26/1975; as amended by Res. R-77-17, 12/28/1977)

**§1-213. Service for Full Terms; Vacancies.**

All persons appointed to the Park and Recreation Board shall serve their respective terms in full unless they shall voluntarily resign, be removed by the Board of Supervisors for dereliction or neglect of duty, become unable to serve or become a nonresident of the Township. A vacancy in said Park and Recreation Board occurring otherwise than by expiration of term shall be filled for the unexpired term by the Board of Supervisors.

(Res. R-75-13, 3/26/1975)

**§1-214. Organization; Officers; Rules of Procedure.**

The members of said Park and Recreation Board, annually in January subsequent to the appointment dates set forth in §1-212 hereof, shall elect their own Chairman and Secretary and select all other necessary officers, to serve until the election of such officers in January of the following year, except in case of a vacancy, which shall thereupon be filled for the unexpired term. Said Park and Recreation Board shall have power to adopt rules and regulations for the conduct of all business, within its jurisdiction.

(Res. R-75-13, 3/26/1975)

**§1-215. Powers and Duties of Board; Audit of Accounts; Reports.**

1. It shall be the responsibility of the Park and Recreation Board to maintain all parks within the Township; to control and regulate any and all activities within said parks; to plan for the preservation, continuance and, if desirable, expansion of said

parks; to provide for any recreational activities without said parks; and, to the aforesaid ends, to expend the moneys appropriated or given to said Board or, upon request, to supervise the expenditure of funds of others designated for specific park and recreational projects.

2. Annually, the Park and Recreation Board shall submit its accounting records for audit at the time and in the manner applicable to other Township accounting records. The Park and Recreation Board shall also submit an annual report to the Board of Supervisors, setting forth its recreational activities, the condition of the parks, the use thereof and any recommendations for their improvement, which report shall include an analysis of the extent and adequacy of the program in view of the public expenditure involved and the public needs to be met. Interim reports shall be furnished to the Board of Supervisors upon the request of that body.

3. The Park and Recreation Board shall adopt Facility and Field Use Policies, Rules and Regulations governing the use of all recreation facilities and fields owned by the Township. [Ord. 552]

(Res. R-75-13, 3/26/1975; as amended by Ord. 552, 8/25/2010, §1)

#### **§1-216. Use of Recreation Facilities and Fields.**

Use of Township owned recreation facilities and fields for any purpose is restricted. All use of Northampton Township facilities and fields must be in compliance with the Field and Facility Use Policies, Rules and Regulations, and the Policy on Accreditation of User Groups adopted by the Park and Recreation Board.

(Res. R-75-13, 3/26/1975; as added by Ord. 552, 8/25/2010, §2)

#### **§1-217. Enforcement.**

The Policies, Rules and Regulations for Facility and Field Use as adopted by the Park and Recreation Board shall be enforced by the Northampton Township Police Department.

(Res. R-75-13, 3/26/1975; as added by Ord. 552, 8/25/2010, §2)

#### **§1-218. Violations and Penalties.**

Any person or persons, partnership or other entity whatsoever in violation any of the provisions of §1-216 shall, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Res. R-75-13, 3/26/1975; as added by Ord. 552, 8/25/2010, §2)



**C. Northampton Township Telecommunications Advisory Board****§1-221. Board Created.**

There is hereby created an advisory Board in Northampton Township which shall be known as the “Northampton Township Telecommunications Advisory Board.”

(Ord. 516, 10/10/2007)

**§1-222. Membership; Compensation.**

The Telecommunications Advisory Board shall consist of five members who shall be appointed by the Board of Supervisors. Members of the Board shall serve staggered terms of not more than 3 years. The members of the Board shall serve without compensation.

(Ord. 516, 10/10/2007)

**§1-223. Organization.**

The Telecommunications Advisory Board shall elect from its own membership its own officers and shall make, alter and rescind rules and forms for its procedure, consistent with the ordinances of Northampton Township, the laws of the Commonwealth of Pennsylvania and the United States of America. The Board shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors as shall be required by the Board of Supervisors.

(Ord. 516, 10/10/2007)

**§1-224. Purpose.**

The purposes of the Board shall be to:

A. Make recommendations to the Board of Supervisors on applications for franchises and franchise renewals.

B. Advise the Board of Supervisors on matters which might be grounds for revocation of franchise or imposition of penalties for noncompliance with franchise provisions.

C. Advise the Board of Supervisors with respect to cable rates, policies relating to the services provided to subscribers, and the operation and use of public and institutional cable channels.

D. Advise the Board of Supervisors on the operation of other systems and, where possible, the interconnection of systems.

E. Review any proposed telecommunication services.

F. At the request of the Board of Supervisors, conduct an evaluation of the cable system in consultation with cable operators, utilizing technical consultants if necessary.

G. Advise the Board of Supervisors on emerging telecommunications standards and new technologies to address new community needs and provide maximum service and reasonable cost via the promotion of competition.

H. Strive to improve service and address problems with local telephone, cable/wireless television and broadband/wireless Internet services.

(*Ord. 516, 10/10/2007*)

**§1-225. Meetings; Announcing Time and Place.**

The Telecommunications Advisory Board shall meet on a monthly basis and shall announce the time and place of the meeting pursuant to the requirements of the Second Class Township Code, as amended, 53 P.S. §65101 *et seq.*

(*Ord. 516, 10/10/2007*)

**§1-226. Reports to Board of Supervisors.**

The Telecommunications Advisory Board shall make periodic reports to the Board of Supervisors concerning the use of public access channels, including recommendations for local programming, proposed expenses and purchases of equipment.

(*Ord. 516, 10/10/2007*)

**§1-227. Expenditures.**

The Board shall make no expenditures without the prior approval of the Board of Supervisors. When authorized by the Board of Supervisors, the Board may contract for experts and other consultants for such technical services as it may require.

(*Ord. 516, 10/10/2007*)

**D. Zoning Hearing Board****§1-231. Establishment; Continuation.**

The Zoning Hearing Board presently in existence shall continue and be constituted as the Zoning Hearing Board under this Part. Matters pending before the Zoning Hearing Board (hereinafter referred to as the “Board”) at the time this Part becomes effective shall continue and be completed under the law in effect at the time such Board took jurisdiction of them.

(*Ord. 327, 4/10/1991, §I*)

**§1-232. Administration and Procedure.**

1. *Members; Qualifications; Terms.* The membership of the Board shall consist of three residents of the Township of Northampton appointed by resolution of the Board of Supervisors. The terms of office of a three-member Board shall be 3 years and shall be so fixed that the term of office of one member shall expire each year. Members of the Board shall hold no other office in the Township of Northampton. Further regulation of membership and organization shall be as provided in the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, as now in effect or as hereafter amended.

2. *Alternate Member.* The Board of Supervisors may appoint by resolution at least one but no more than three residents of the Township to serve as alternate members of the Board. The term of office of an alternate member shall be three years. Duties, rules and procedures of the alternate members include:

A. When seated, pursuant to the provisions of the Pennsylvania Municipalities Planning Code (MPC), an alternate member shall be entitled to participate in all proceedings and discussions of the Board, to the same and full extent as provided by law for Board members. Specifically, alternate members shall have the right to cast a vote as a voting member during the proceedings and shall have all the powers and duties set forth in this Part, and as otherwise provided in the MPC, as now in effect or as hereafter amended.

B. An alternate member shall continue to serve on the Board in all proceedings involving the matter or case for which he or she was initially seated until the Board has made a final determination of that matter or case.

C. An alternate member shall hold no other office in the Township of Northampton, including, but not limited to, an exclusion from membership on the Planning Commission or service as Zoning/Code Enforcement Officer, during his/her term of office.

D. When designated to sit by the Chairman of the Board due to the absence of a quorum by reason of disqualification or absence of a regular Board member, the alternate member shall receive the same rate of compensation as a regular Board member for each meeting in which he or she participates, as fixed under this Part.

E. When not designated by the Board Chairman to sit, the alternate member may not vote and shall not be compensated but may, at the discretion of the Chairman, participate in any proceeding or discussion of the Board.

[*Ord. 406*]

3. *Rules and Regulations.* The Zoning Hearing Board may make, alter and rescind rules and forms for its procedures such as are consistent with the ordinances of the Township and the laws of the Commonwealth. The Board shall keep full public records of the rules, regulations and forms it adopts. Such records shall be the property of the Township and shall be made available for inspection by any interested person in the Township Building.

4. *Compensation.* Regular and/or alternate members of the Zoning Hearing Board shall be compensated at a rate to be established by resolution of the Board of Supervisors.<sup>1</sup>

(*Ord. 327*, 4/10/1991, §I; as amended by *Ord. 406*, 3/13/1996)

---

<sup>1</sup>Rules of procedure for the Zoning Hearing Board, originally attached to the chapter, are on file in the Township office.

**E. Northampton Township Historic Commission****§1-241. Establishment of Commission.**

There is hereby re-created and re-established the Northampton Township Historic Commission, which shall be an advisory commission to the Board of Supervisors.

(Ord. 541, 2/25/2009, §I)

**§1-242. Membership.**

The Northampton Township Historic Commission shall consist of seven members who shall be appointed by the Board of Supervisors of Northampton Township for staggered terms of 5 years. The Historic Commission members presently serving in their respective terms shall continue and be constituted as the Northampton Township Historic Commission.

(Ord. 541, 2/25/2009, §I)

**§1-243. Residency and Compensation.**

All members of the Northampton Township Historic Commission shall be residents of Northampton Township and serve without compensation other than for such expenses in connection with their duties on said Commission as the Board of Supervisors of Northampton Township shall approve in advance.

(Ord. 541, 2/25/2009, §I)

**§1-244. Quorum; Taking Action.**

A quorum shall consist of four members. Actions may only be taken by affirmative vote of a quorum of the Commission.

(Ord. 541, 2/25/2009, §I)

**§1-245. Election of Officers.**

The Northampton Township Historic Commission shall elect from its members, at the first meeting thereof, and at the annual meeting in January of each and every year thereafter, a Chairman, Secretary and such other officers as the said Commission may deem necessary, by a majority vote of the members present at such meeting constituting a quorum. Written notice of the annual meeting shall be mailed to each member by the Secretary at least 5 days prior to said meeting. Regular or special meetings shall convene at the call of the Chairman, or in such other manner as the members may, by a majority vote, designate.

(Ord. 541, 2/25/2009, §I)

**§1-246. Duties and Responsibilities.**

The Northampton Township Historic Commission shall undertake the following duties and responsibilities in connection with advising the Board of Supervisors of Northampton Township in identifying and preserving historical sites, buildings, papers, documents and relics of historical significance to Northampton Township:

A. Conduct investigations and collect and disseminate data and information

on matters of historical significance to Northampton Township.

B. Publish pamphlets or reports designating the historical sites or buildings of significant value to the history of Northampton Township.

C. Make recommendations for suitable plaques or markers to distinguish the historical sites and buildings of Northampton Township.

D. Cooperate with any qualified historical society in investigations of historical matters relating to Northampton Township.

E. Recommend to the Board of Supervisors a suitable depository and display of historical papers, documents and relics, and coordinate the preservation and display of historically significant items for public view.

F. Maintain a survey of historic sites or buildings of significant value to the history of Northampton Township.

G. When requested by the Board of Supervisors, conduct investigations into the historical significance of any structures or historically significant features shown or affected by any plan of subdivision or land development filed with the Township.

H. When requested by the Township Zoning Officer, assess the historical significance of any structure proposed to be demolished, and render a preliminary report within 30 days of the date the permit application for demolition which shall include whether the subject property, building, or structure is on or eligible for registration on the National, State, or Local Register of Historic Places. If the property, building, or structure is eligible for such registration, the Commission shall assess the subject property, building, or structure to determine the existence of any historically significant features, and shall render a final report to the Board of Supervisors within 60 days of the date the permit application for demolition is made on ways the property, buildings, or structures may be preserved.

(Ord. 541, 2/25/2009, §I)

#### **§1-247. Reports.**

The Northampton Township Historic Commission shall make such reports from time to time to the Board of Supervisors of Northampton Township as requested by the Board of Supervisors or as the Commission shall deem advisable.

(Ord. 541, 2/25/2009, §I)

**F. Planning Commission****§1-251. Commission Recreated.**

There is hereby recreated and reestablished the Northampton Township Planning Commission by authority of and in compliance with Article II of the Pennsylvania Municipalities Planning Code, as amended (53 P.S. §10201 *et seq.*).

(Ord. 195, 9/9/1981)

**§1-252. Membership.**

Said Planning Commission shall consist of seven members, residents of Northampton Township, who shall serve without compensation but may be reimbursed for necessary and reasonable expenses.

(Ord. 195, 9/9/1981; as amended by Ord. 200, 7/14/1982)

**§1-253. Composition; Rights of Officer or Employee Members.**

At least three members of said Planning Commission shall be citizen members and shall not be officers or employees of Northampton Township. Elected or appointed officers or employees of the Township shall not, by reason of membership therein, forfeit the right to exercise the powers, perform the duties or receive the compensation of the Township offices held by them during such membership.

(Ord. 195, 9/9/1981)

**§1-254. Appointments; Terms; Vacancies.**

All members of the Planning Commission shall be appointed by the Board of Supervisors. The term of each of the members of the Commission shall be 4 years or until his successor is appointed and qualified, except that the term of the members first appointed pursuant to this Part shall be so fixed that not more than two members shall be reappointed or replaced during any future calendar year. The Chairman of the Planning Commission shall promptly notify the Board of Supervisors concerning vacancies in the Commission, and such vacancy shall be filled for the unexpired term.

(Ord. 195, 9/9/1981)

**§1-255. Removal from Office.**

Any member of a Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors, taken after the member has received 15 days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

(Ord. 195, 9/9/1981)

**§1-256. Officers; Bylaws; Reports to Supervisors.**

The Commission shall elect its own Chairman and Vice Chairman and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make and alter bylaws and rules and

regulations to govern its procedures, consistent with the ordinances of the Township and the laws of the commonwealth. The Commission shall keep a full record of its business and shall annually make a written report by March 1 of each year of its activities to the Board of Supervisors. Interim reports may be made as often as may be necessary or as requested by the Board of Supervisors.

(Ord. 195, 9/9/1981)

**§1-257. Powers and Duties.**

1. The Planning Commission shall, at the request of the Board of Supervisors, have the power and shall be required to:

A. Prepare the Comprehensive Plan for the development of the Township as set forth in the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, and present it for the consideration of the Board of Supervisors.

B. Maintain and keep on file records of its action. All records and files of the Planning Commission shall be in the possession of the Board of Supervisors.

2. The Planning Commission, at the request of the Board of Supervisors, may:

A. Make recommendations to the Board of Supervisors concerning the adoption or amendment of an official map.

B. Prepare and present to the Board of Supervisors a zoning ordinance and make recommendations to the Board on proposed amendments to it as set forth in the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

C. Prepare, recommend and administer the subdivision and land development ordinance.

D. Prepare and present to the Board of Supervisors a building code and a housing code and make recommendations concerning proposed amendments thereto.

E. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, or the ordinances of the Township.

F. Prepare and present to the Board of Supervisors an environmental study.

G. Submit to the Board of Supervisors a recommended capital improvements program.

H. Prepare and present to the Board of Supervisors a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed. [Ord. 296]

I. Promote public interest in and understanding of the Comprehensive Plan and planning.

J. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.

K. Hold public hearings and meetings.

L. Present testimony before any board. [Ord. 296]

M. Require from other departments and agencies of the Township such



available information as relates to the work of the Planning Commission.

N. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.

O. Prepare and present to the Board of Supervisors a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the Township. [Ord. 296]

P. Review the zoning ordinance, subdivision and land development ordinance, official map, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan. [Ord. 296]

(Ord. 195, 9/9/1981; as amended by Ord. 296, 8/9/1989)

**§1-258. Funds and Assistance from Governmental and Private Sources.**

The Planning Commission may, with the consent of the Board of Supervisors, accept and utilize any funds, personnel or other assistance made available by the County, the Commonwealth or the Federal government or any of their agencies or from private sources.

(Ord. 195, 9/9/1981)



**G. Blighted Property Review Committee****§1-261. Creation of Committee.**

There is hereby created a Blighted Property Review Committee of Northampton Township.

(Ord. 557, 5/25/2011)

**§1-262. Membership; Compensation.**

1. The Blighted Property Review Committee shall consist of five individuals as follows:

- A. One member of the Board of Supervisors of Northampton Township.
- B. One member representing the Redevelopment Authority of the County of Bucks as designated by the Redevelopment Authority.
- C. One member of the Northampton Township Planning Commission.
- D. One member of the community appointed by Board of Supervisors of Northampton Township.
- E. One member of the community appointed by the Chairperson of the Board of Supervisors of Northampton Township.

2. Members of the Committee shall serve without compensation.

(Ord. 557, 5/25/2011)

**§1-263. Term of Office.**

The term of each member of the Committee shall be 1 year expiring on December 31 or until a successor is appointed.

(Ord. 557, 5/25/2011)

**§1-264. Officers.**

The Committee shall elect its own Chairman, Vice Chairman, and Secretary, and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves.

(Ord. 557, 5/25/2011)

**§1-265. Powers and Duties.**

1. The Blighted Property Review Committee shall have the authority to examine properties located within the Township of Northampton and make a determination that a property is blighted if said property has one or more of the following conditions:

- A. Any premises which because of the physical condition or use is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with local housing, building, plumbing, fire and related codes.
- B. Any premises which because of physical condition, use or occupancy is considered an attractive nuisance to children including, but not limited to, abandoned wells, shafts, basement, excavations, and unsafe fences or structures.
- C. Any structure which is a fire hazard, or is otherwise dangerous to the

safety of persons or property.

D. Any structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.

E. Any vacant or unimproved lot or parcel of ground in a predominately built up neighborhood, which by reason of neglect or lack of maintenance has become a place for accumulation of trash and debris, or a haven for rodents or other vermin.

F. Any unoccupied property which has been tax delinquent for a period of 2 years prior to the effective date of this subpart, and those in the future having a 2-year tax delinquency.

G. Any property which is vacant but not tax delinquent, which has not been rehabilitated within 1 year of receipt of notice to rehabilitate from the appropriate code enforcement agency.

H. Any property that is abandoned as is defined in the law.

2. The Committee shall act in conformance with the Pennsylvania Urban Redevelopment Law, 35 P.S. §1701 *et seq.*

(Ord. 557, 5/25/2011)

**Part 3****Elected and Appointed Officials****A. Township Manager****§1-301. Office Created.**

The office of Township Manager is hereby created.

(*Ord. 140, 9/11/1974*)

**§1-302. Appointment; Term; Qualifications.**

1. The Township Manager shall be appointed by majority vote of the Board of Supervisors for an indefinite term. He shall be chosen by the Board solely on the basis of his executive and administrative qualifications, with special reference to his actual experience in or his knowledge of accepted practice in respect to the duties of his office hereinafter set forth. The Manager need not be a resident at the time of his employment, but he shall become a resident of the Township within 12 months after his employment commences.

2. No Supervisor shall receive such appointment during the term for which he shall have been elected nor within 1 year after the expiration of his term.

(*Ord. 140, 9/11/1974; as amended by Ord. 181, 4/9/1980*)

**§1-303. Removal from Office.**

The Board of Supervisors may remove the Township Manager at any time by a majority vote of its members. Notice of removal of the Township Manager shall be given 30 days before the effective date of removal. Upon removal, the Board of Supervisors shall pay his salary under the provisions stated in the contract with the Manager; provided, however, that if the Manager is removed for conviction of an illegal act, or further provided that if the Manager voluntarily resigns, the Township shall have no duty to pay any salary after the removal date or the voluntary resignation, as the case may be.

(*Ord. 140, 9/11/1974; as amended by Ord. 181, 4/9/1980*)

**§1-304. Powers and Duties.**

1. The Township Manager shall be the chief administrative officer of the Township, and he shall be responsible to the Board of Supervisors for the proper and efficient administration of all 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.

2. Subject to recall by ordinance of the Board of Supervisors, the powers and duties of the Manager shall include the following:

A. He shall supervise and be responsible for the activities of all Township departments.

B. He shall hire and, when necessary for the good of the service, shall

suspend or discharge any employee under his supervision with the exception of department heads, who shall be appointed, suspended or discharged with the advice and consent of the Board of Supervisors, provided that persons covered by the civil service statutes shall be hired, suspended or discharged in accordance with such provisions, and provided further that the Manager shall report, at the next meeting thereafter of the Board of Supervisors, any action taken by authority of this subsection.

C. He shall have the power to establish a standard schedule of pay for each appointive office and position in the Township service, including minimum, intermediate and maximum rates of pay, within a range previously determined by the Board.

D. He shall prepare and submit to the Board of Supervisors as of the end of the fiscal year a complete report on the finances and administrative activities of the Township for the preceding year.

E. He shall prepare and submit to the Board of Supervisors an annual budget, together with a message describing its important features, and be responsible for its administration after adoption.

F. He shall keep the Board of Supervisors advised of the financial condition and future needs of the Township and make such recommendations as he may deem desirable. He shall prepare, periodically, recommendations as to a capital expense budget, and he shall also prepare a quarterly report on current budget expenditures.

G. He shall recommend to the Board of Supervisors, from time to time, adoption of such measures as he may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.

H. He shall consolidate or combine offices, positions, departments or units under his jurisdiction, with the advice and consent of the Board of Supervisors. The Manager may be the head of one or more departments.

I. He shall attend all meetings of the Board of Supervisors unless excused therefrom and take part in the discussion of all matters coming before the Board of Supervisors. He shall receive notice of all subsidiary meetings of the Board and its committees and also attend such subsidiary Board meetings as the Board of Supervisors shall from time to time direct.

J. 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.

K. 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.

L. He shall be the purchasing officer of the Township and he shall purchase, in accordance with the provisions of the Second Class Township Code, 53 P.S. §65101 *et seq.*, 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, make a full written report

thereof. He shall also issue rules and regulations, subject to the approval of the Board, governing the procurement of all municipal supplies and equipment.

M. He shall see that the provisions of all laws, ordinances, contracts, franchises, leases, permits and privileges granted by the Township are observed and duly enforced.

N. He shall investigate the affairs of the Township or any department or division thereof. The Manager shall investigate all complaints in relations to matters concerning the administration of the government of the Township. All complaints regarding Township services shall be referred to the office of the Manager. He or an officer designated by him shall dispose of such complaints, and the Manager shall report thereon to the Board.

O. He shall supervise the routing of all reports and correspondence.

P. He shall perform such other duties as may be required by the Board of Supervisors, not inconsistent with the law or ordinances.

(*Ord. 140, 9/11/1974; as amended by Ord. 181, 4/9/1980*)

#### **§1-305. Disability or Absence.**

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 2 weeks without the approval of the Board.

(*Ord. 140, 9/11/1974; as amended by Ord. 181, 4/9/1980*)

#### **§1-306. Bond.**

The Township Manager shall furnish a surety bond, to be approved by the Board of Supervisors, said bond to be conditioned on the faithful performance of his duties. The premium of the bond shall be paid by the Township.

(*Ord. 140, 9/11/1974*)

#### **§1-307. Compensation.**

The Township Manager shall receive such compensation as the Board of Supervisors shall fix from time to time by motion or resolution.

(*Ord. 140, 9/11/1974*)

#### **§1-308. Vacancy in Office.**

Any vacancy in the office of the Township Manager shall be filled within 60 days after the effective date of such vacancy.

(*Ord. 140, 9/11/1974*)





**B. Tax Collector****§1-311. Powers and Duties.**

1. The Tax Collector shall be the collector of all taxes levied within the Township by the authorities empowered to levy taxes. He/she shall, in addition to the powers, perform all the duties and be subject to all the obligations and responsibilities for the collection of such taxes as are now vested in, conferred upon or imposed upon tax collectors by law.

2. The Tax Collector shall deposit all taxes collected to the municipal savings account established for this purpose within 24 hours of the close of each day's business and provide the Treasurer of the taxing district with a written monthly statement of said deposits.

3. The Tax Collector shall on or before the tenth day of each month make a true, verified statement, in writing, to the Secretary of the taxing district for all taxes collected during the previous month, giving the total amount of taxes received, discounts granted and penalties applied. [Ord. 561]

4. The Tax Collector shall be the collector of fees for refuse collection for each eligible residential unit within Northampton Township. In the performance of this duty, the Tax Collector shall comply with the following:

A. Said fee(s) shall be included on the tax bill and shall be designated as "refuse collection fee" or "refuse collection" under the current taxes.

B. A discount shall be provided to all those residential householders who pay their refuse collection fee prior to the expiration of the discount period for real estate taxes, and if payment is delinquent a penalty shall be assessed against the property owner. The discount and penalty shall be the same percentages as those for real estate taxes.

C. The Tax Collector shall provide a delinquency list for refuse collection fees to the Township Manager at the same time that a delinquency list is provided to the Bucks Court Tax Claim Bureau for real estate taxes so that the Township can institute measures for the collection of those delinquent refuse collection fees.

D. The Tax Collector shall work with and be guided by the Township Manager in effectuating the program for the collection of fees for refuse collection service within Northampton Township.

[Ord. 359]

(Ord. 314, 7/11/1990; as amended by Ord. 359, 2/10/1993; and by Ord. 561, 4/25/2012)

**§1-312. Compensation.**

1. The compensation of the Tax Collector of the Township of Northampton, commencing in 1998, for taxes collected shall be equal to the level of compensation provided in the preceding year plus an increase equal to that percentage increase approved for the position classification and pay plan for Township employees for the calendar year 1998; to wit, in 1999 the compensation for taxes collected shall be similarly calculated based upon the compensation provided in 1998 and the percentage increase to the position classification and pay plan for Township employees for the calendar year 1999; to wit, in 2000 the compensation for taxes collected shall be

likewise calculated based upon the compensation provided in 1999 and the percentage increase to the position classification and pay plan for Township employees for the calendar year 2000; to wit, in 2001, the compensation for taxes collected shall be likewise calculated based upon the compensation provided in 2000 and the percentage increase to the position classification and pay plan for Township employees for the calendar year 2001. All adjustments to the Northampton Township pay plan shall be approved by resolution of the Board of Supervisors. A substantiated expense account shall be furnished to the Township of Northampton by the Tax Collector in each tax year, and the Tax Collector shall receive those expenses from the Township of Northampton authorized by law.

2. The compensation of the Tax Collector for collection of the fees for refuse collection service shall be \$5,500 commencing in 1998 with any subsequent annual change to be equal to the change in compensation provided by the position classification and pay Plan for Township employees.

(*Ord. 314*, 7/11/1990; as amended by *Ord. 359*, 2/10/1993; and by *Ord. 416*, 2/12/1997)

#### **§1-313. Tax Certifications.**

The Tax Collector shall be the municipal officer authorized to provide tax certifications upon request by the public. The Tax Collector is further authorized to assess, collect and retain as compensation for providing such additional service a fee as established by resolution of the Board of Supervisors.

(*Ord. 314*, 7/11/1990; as amended by *Ord. 359*, 2/10/1993)

**Part 4****Policies and Procedures****A. Open Records Policy****§1-401. Information Request Form.**

A requester of records shall state the records being requested with sufficient specificity and shall, if the requester intends to preserve the right to appeal a decision by the Open Records Officer, complete an information request form provided by the Office of Open Records and/or the Township.

(*Res. R-08-15*, 10/15/2008; as amended by *Ord. 561*, 4/25/2012)

**§1-402. Open Records Officer.**

The Township hereby designates the Township Manager of the Township as the Open Records Officer in accordance with the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.*, and said Open Records Officer shall receive requests submitted to the Township under the Right-to-Know Law, direct requests to other appropriate persons within the Township or to another agency, if applicable, track the Township's progress in responding to requests and issue responses, as required by the Right-to-Know Law.

(*Res. R-08-15*, 10/15/2008; as amended by *Ord. 561*, 4/25/2012)

**§1-403. Access Requests.**

If a requested record contains both public record information as well as nonpublic record information, the Township may redact the nonpublic information from the record.

(*Res. R-08-15*, 10/15/2008)

**§1-404. Access; Time for Response; Exceptions.**

1. Upon receipt of a written request for access to a public record, the Township shall make a good faith effort to respond as promptly as possible under the circumstances existing at the time of the request. The response shall not exceed 5 business days from the date of written request. The failure of the Township to respond in the designated time frame is equivalent to the denial of the request with the following exceptions:

- A. The request requires the redaction of information within a public record.
- B. The request requires the retrieval of the document from a remote location.
- C. A timely response cannot be accomplished due to legitimate staffing limitations.
- D. A legal review is necessary.
- E. The requester did not comply with the Township's policies regarding public access.
- F. The requester refuses to pay fees.

G. The extent or nature of the request precludes a response within the required time period.

2. If one or more of the above exceptions apply, the Township shall send written notice to the requester within 5 business days of the request stating the request is being reviewed, the reason for review and the exception that applies, the expected response date and an estimate of applicable fees owed when the record becomes available. If a response is expected more than 30 days after the 5-day period, the request is deemed denied unless otherwise agreed to by the requester in writing.

(*Res. R-08-15*, 10/15/2008)

#### **§1-405. Denial of Access.**

If the request is denied, the following will be included with the denial:

- A. Description of the record requested.
- B. Specific reasons for the denial, including a citation of supporting legal authority.
- C. Typed or printed name, title, business address, business telephone number and signature of the open records officer on whose authority the denial was issued.
- D. Date of response.
- E. Appeal procedure.

(*Res. R-08-15*, 10/15/2008)

#### **§1-406. Appeal Procedure.**

If the request is denied or deemed denied, the requester may file an appeal with the Office of Open Records or judicial, legislative or other appeals officer designated under the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.*, within 15 business days of the mailing date of the Township's response or deemed denial. The appeal shall proceed in accordance with the Pennsylvania Right-to-Know Act. The appeal shall state the grounds upon which the requester asserts that the record is a public record and shall address any grounds stated by the Township for denying or delaying the request.

(*Res. R-08-15*, 10/15/2008)

#### **§1-407. Fees.**

Paper copies will be in an amount as established, from time to time, by resolution of the Board of Supervisors, per page. If mailing is requested, the cost of postage will be charged. If the record is available on a disk, it will be provided by the Township at the cost in an amount as established, from time to time, by resolution of the Board of Supervisors, per disk. A new disk will be necessary each time records are provided. If the Township determines that the total fees will exceed \$100, the Township will require prepayment. In the event of a conflict between this Section and the fee structure established by the Office of Open Records, the Office of Open Records' fee structure shall control.

(*Res. R-08-15*, 10/15/2008; as amended by *Ord. 561*, 4/25/2012)

**B. Warrantless Arrests****§1-411. Warrantless Arrests Permitted.**

In addition to any other statutorily permitted warrantless arrest, officers of the Northampton Township Police Department shall be permitted to effect a warrantless arrest of a person violating the following provisions of the Crimes Code, 18 Pa.C.S.A. §101 *et seq.*

- A. Section 5503 (relating to disorderly conduct).
- B. Section 5505 (relating to public drunkenness).
- C. Section 5507 (relating to obstructing highways and other public passages).
- D. Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages).

(*Res. R-96-25, 10/9/1996*)

**§1-412. Requirements for Warrantless Arrests.**

Local police officers shall be governed by:

- A. Rule 71, Pennsylvania Rules of Criminal Procedure (Procedure Following Arrest Without Warrant).
- B. All of the following requirements. The officer has probable cause to believe that:
  - (1) One of the specified crimes is involved.
  - (2) The defendant's conduct is ongoing.
  - (3) The conduct constituting the crime is upon the officer's view.
  - (4) The conduct imperils the personal security of any person, or endangers public or private property.

(*Res. R-96-25, 10/9/1996*)

**§1-413. Procedure Following Arrest.**

Following any such warrantless arrest, the arresting officer(s) shall:

- A. Immediately transport the defendant to the Township Police Department for processing and issuance of a citation.
- B. Process the defendant without unnecessary delay and furnish a copy of the citation.
- C. Release the defendant, provided that he is no longer in a position to imperil his personal security or the personal security of another.
- D. In the case of juvenile defendants:
  - (1) Make timely attempts to contact a parent, guardian or other responsible adult who shall have an interest in such juvenile.
  - (2) Release the juvenile to a parent, guardian or other responsible adult promptly after completion of processing and the issuance of a citation.
  - (3) Contact the Juvenile Probation Department to arrange shelter for such juvenile if, after a period of 6 hours, a parent, guardian or other

responsible adult cannot be contacted or shall refuse to accept custody of the juvenile.

*(Res. R-96-25, 10/9/1996)*

**Part 5****Fire Insurance Proceeds Escrow****§1-501. Designated Officer.**

The Township Manager or such official's designee is hereby appointed as the designated officer who is authorized to carry out all responsibilities and duties stated herein.

(*Ord. 369, 9/22/1993*)

**§1-502. Restrictions on Claim Payments.**

No insurance company, association, exchange, agent or broker (hereinafter the "insurer") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within Northampton Township (hereinafter the "Township") where the amount recoverable for the fire loss to the structure under all policies exceeds \$7,500 unless the named insured or insurer is furnished by the Township Treasurer with a municipal certificate pursuant to §508(b) of Act 98 of 1992 and unless there is compliance with §508(c) and (d) of Act 98 of 1992 and the provisions of this Part, 40 P.S. §638(b), (c) and (d).

(*Ord. 369, 9/22/1993; as amended by Ord. 394, 4/26/1995*)

**§1-503. Payment Procedures.**

Where, pursuant to §508(b)(1)(i) of Act 98 of 1992, 40 P.S. §638(b)(1)(i), the Township Treasurer, upon receipt of any administrative fee established by the Township, issues a certificate indicating that there are no delinquent taxes, assessments, penalties or user charges against real property, the insurer shall pay the claim of the named insured; provided, however, that if the loss agreed upon between the named insured and the insurer equals or exceeds 60 percent of the aggregate limits of liability on all fire policies covering the building or structure, the following procedures must be followed:

A. The insurer shall transfer from the insurance proceeds to the designated officer of the Township an amount equal to \$2,000 for each \$15,000 or fraction thereof of the agreed claim; if the claim is \$15,000 or less, the amount transferred to the Township shall be \$2,000. [*Ord. 394*]

B. If at the time of a proof of loss agreed to between the named insured and the insurer the named insured has submitted a contractor's signed estimate of the costs of removing and/or securing the building or other structure, the insurer shall transfer to the Township from the insurance proceeds the amount specified in the estimate.

C. The transfer of proceeds shall be on pro rata basis by all insurers insuring the building or other structure.

D. After the transfer, the named insured may submit a contractor's signed estimate of the costs of removing and/or securing the building or other structure, and the designated officer shall return the amount of the funds transferred to the Township in excess of the estimate to the named insured, if the Township has not

commenced to remove and/or secure the building or other structure.

(*Ord. 369, 9/22/1993; as amended by Ord. 394, 4/26/1995*)

#### **§1-504. Responsibilities of Township.**

Upon receipt of proceeds under §1-503, the municipality shall do the following:

A. The designated officer shall place the proceeds in a separate fund to be used solely as security against the total costs of removing and/or securing the building or structure which are incurred by the Township. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the municipality in connection with such removal and/or securing of the building or any proceedings related thereto.

B. It is the obligation of the insurer when transferring the proceeds to provide the Township with the name and address of the named insured. Upon receipt of the transferred funds and the name and address of the named insured, the designated officer shall contact the named insured, certify that the proceeds have been received by the Township and notify the named insured that the procedures under this subsection shall be followed.

C. When removal and/or securing of the building or other structure has been completed in accordance with all applicable regulations and orders of the Township and the required proof of such completion received by the designated officer and if the Township has not incurred any costs for removal and/or securing, the fund shall be returned to the named insured. If the Township has incurred costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund, and if excess funds remain, the municipality shall transfer the remaining funds to the named insured.

D. To the extent that interest is earned on proceeds held by the Township pursuant to this Section and not returned to the named insured, such interest shall belong to the Township. To the extent that proceeds are returned to the named insured, interest earned on such proceeds shall be distributed to the named insured at the time that the proceeds are returned.

(*Ord. 369, 9/22/1993*)

#### **§1-505. Construal of Provisions.**

Nothing in this Part shall be construed to limit the ability of the Township to recover any deficiency. Furthermore, nothing in this Section shall be construed to prohibit the Township and the named insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damaged property has been negotiated.

(*Ord. 369, 9/22/1993*)

#### **§1-506. Establishment of Regulations and Fees.**

The Board of Supervisors may by resolution adopt procedures and regulations to implement Act 98 of 1992, 40 P.S. §§636.1 and 638, and this Part and may by resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to Act 98 of 1992 and this Part, including, but not limited to, issuance of certificates and



bills, performance of inspections and opening separate fund accounts.

(*Ord. 369, 9/22/1993*)

**§1-507. Violations and Penalties.**

Any owner of property or any insurer who violates this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 369, 9/22/1993; as amended by Ord. 561, 4/25/2012*)



**Part 6****Free Public Library****§1-601. Library Established.**

The Township of Northampton, under the provisions of the Library Code, the Act approved June 14, 1961, PL. 324, 24 P.S. §4101, hereby establishes a free, public, nonsectarian library, to be known as the "Free Library of Northampton Township," which shall operate under the provisions of this Part and of the Library Code of the Commonwealth of Pennsylvania.

(Ord. 109, 2/27/1969)

**§1-602. Control by Board of Directors; Composition; Terms.**

The affairs of said library shall be under the exclusive control of a Board of Library Directors composed of seven members who shall be appointed by the Board of Supervisors; said Board of Supervisors shall have the right to fill any vacancies occurring from any cause. During the first year, two members of the Board shall be appointed for 1-year terms; two members of the Board shall be appointed for 2-year terms; and three members of said Board shall be appointed for 3-year terms. All appointments to fill the places of those whose terms expire shall be for a term of 3 years. Any vacancies shall be filled for the unexpired portion of the term.

(Ord. 109, 2/27/1969)

**§1-603. Organization of Board; Officers; Bonding; Nonsalaried.**

The Board of Library Directors shall organize as soon as may be after appointment and shall elect from its membership a President, a Secretary, a Treasurer and such other officers and agents as the Board may deem necessary. The Treasurer shall give bond to the Township of Northampton with satisfactory surety in such amount as the Library Board may direct. No member of the Board of Library Directors shall receive any salary for his services as a member of said Board.

(Ord. 109, 2/27/1969)

**§1-604. Promulgation of Bylaws and Regulations by Board.**

The Board of Library Directors shall be authorized to prepare and adopt its own bylaws, rules and regulations, subject, however, to the prior approval by the Board of Supervisors of the Township of Northampton before any such bylaws, rules and regulations or amendments thereto shall become effective.

(Ord. 109, 2/27/1969)

**§1-605. Annual Reports of Receipts and Expenditures; Auditing of Accounts.**

The management and control of said free, public, nonsectarian library shall be vested in the Board of Library Directors; provided, however, that said Board of Library Directors shall report annually to the Board of Supervisors of the Township of Northampton on its receipts and expenditures and the accounts of said library, and the accounts of the Treasurer thereof shall be audited as in the case of other municipal

expenditures.

(*Ord. 109, 2/27/1969*)

**§1-606. Free Use by Residents; Use by Nonresidents.**

The Free Library of Northampton Township shall be free to the use of all the residents of the Township, subject to such reasonable rules and regulations as the Board of Library Directors may adopt. Said Board may exclude from the use of the library a person who has willfully violated such rules and regulations. The Board may extend the privileges of such library to persons residing outside the limits of the Township of Northampton upon such terms and conditions as the Board may prescribe.

(*Ord. 109, 2/27/1969*)

**§1-607. Funding of Library.**

The Board of Library Directors is hereby authorized to accept any funds raised by popular subscription, any appropriations made from time to time by the Board of Supervisors of Northampton Township, either from current revenues or from special taxes levied in accordance with Acts of Assembly in such cases made, gifts, devises, grants, endowments or benefit performances and fund-raising activities as may from time to time be sponsored by said Board of Directors.

(*Ord. 109, 2/27/1969*)

**§1-608. Location; Authority to Lease, Renovate, Maintain and Equip.**

The Free Library of Northampton Township shall occupy such portion of the building and site owned by the Township of Northampton, being a portion of the former Nib Launcher area, acquired by the township for library purposes, as the Board of Supervisors shall from time to time deem appropriate and sufficient for library purposes. The Board of Supervisors of the Township and the Board of Library Directors are authorized to execute and deliver leases for such portions of said building for a rental not to exceed \$1 per year. The Board of Supervisors is further authorized to expend funds or to appropriate funds to renovate, maintain and equip the portion of the building leased, in amounts not to exceed those permitted by said Library Code, 24 P.S. §4101 *et seq.*

(*Ord. 109, 2/27/1969*)

## **Chapter 2**

### **Animals**

#### **Part 1**

##### **Dogs**

- §2-101. Enforcement
- §2-102. Dogs at Large; Owner's Responsibility
- §2-103. Seizure of Dogs at Large
- §2-104. Audible Disturbances
- §2-105. Sanitary Maintenance
- §2-106. Number of Dogs Limited
- §2-107. Interference with Enforcement Officers
- §2-108. Violations and Penalties

#### **Part 2**

##### **Other Animals**

- §2-201. Animals at Large
- §2-202. Noisy Animals Declared Public Nuisances
- §2-203. Sanitary Maintenance
- §2-204. Riding at Dangerous Speeds or in Hazardous Manner
- §2-205. Violations and Penalties



**Part 1****Dogs****§2-101. Enforcement.**

It shall be the duty of every police officer of the Northampton Township Police Department and/or person who may be designated by said Township as Animal Control Officer to enforce all Parts and Sections of this Part.

(Ord. 212, 5/9/1984)

**§2-102. Dogs at Large; Owner's Responsibility.**

It shall be the duty of every citizen or inhabitant of the Township of Northampton who is the owner of any dog or at whose house or premises any dog is harbored or kept to confine and secure such dog. Hereafter it shall be unlawful for the owner of any dog or dogs or person at whose home or premises any dog is harbored or kept, licensed or unlicensed, to permit such dog to run at large, unaccompanied by the owner or person keeping said dog in the Township of Northampton. The owner or person keeping such dog shall be considered as accompanying the dog only if such dog is on a leash of 6 feet or less.

(Ord. 212, 5/9/1984)

**§2-103. Seizure of Dogs at Large.**

It shall be the duty of the Animal Control Officer and/or police officer to seize and/or detain any such dog or dogs, whether they are licensed or unlicensed, which are found running at large either upon the public streets or highways of the Township of Northampton or upon property other than that of the owner of such dog or dogs. Before entering any private property to seize or detain any dog or dogs found running at large, the Animal Control Officer and/or police officer must first obtain permission of the owner of such property, and if the owner cannot be found, the property owner will be notified within 24 hours of seizing the animal.

(Ord. 212, 5/9/1984)

**§2-104. Audible Disturbances.**

It shall be unlawful and is hereby declared to be a public nuisance in the Township of Northampton for any person to keep, maintain or allow to be kept or maintained upon premises under the control of such person any animal which creates or causes audible noise or sound, which is audible off the premises to such an extent that the sleep, rest, quiet and repose of the residents of the community are disturbed or interrupted during the day or night.

(Ord. 212, 5/9/1984)

**§2-105. Sanitary Maintenance.**

It shall be the responsibility of dog owners to keep their dogs from scratching, digging, defecating or urinating upon any lawns, trees, shrubs, plants, buildings or any other public or private property, excluding the property of the dog owner. The owner of

any dog, in the event that such dog defecates on any property other than that of the owner, shall immediately remove and dispose of all feces so deposited in a sanitary manner. Also, it is the responsibility of the owner of any animal to properly clean and otherwise maintain his pounds, kennels, yards and other areas in which such animal is kept to prevent the creation of any nuisance, health hazard or odor.

(*Ord. 212, 5/9/1984*)

**§2-106. Number of Dogs Limited.**

It shall be unlawful to keep more than four dogs 6 months of age or older on any premises, regardless of the number of owners; provided, however, that this Section shall not apply to any premises for which a kennel license has been obtained pursuant to the Dog Law, 3 P.S. §459-101 *et seq.*

(*Ord. 212, 5/9/1984*)

**§2-107. Interference with Enforcement Officers.**

It shall be unlawful for any person to interfere with the Animal Control Officer and/or police officer while engaged in the proper performance of his duties.

(*Ord. 212, 5/9/1984*)

**§2-108. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 212, 5/9/1984; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012*)



**Part 2****Other Animals****§2-201. Animals at Large.**

No cattle, horses, mules, goats, sheep, swine or fowl shall be allowed to run at large within the limits of the Township of Northampton. The owner or person keeping any cattle, horses, mules, goats, sheep, swine or fowl who shall suffer them to run at large, or any other person found responsible, shall be subject to the penalty provided by §2-205 of this Part.

*(Ord. 212, 5/9/1984)*

**§2-202. Noisy Animals Declared Public Nuisances.**

It shall be unlawful and is hereby declared to be a public nuisance in the Township of Northampton for any person to keep, maintain or allow to be kept or maintained upon premises under the control of such person any animal or fowl which makes an audible noise or sound, which is audible off the premises to such an extent that the sleep, rest, quiet and repose of the residents of the community are disturbed or interrupted.

*(Ord. 212, 5/9/1984)*

**§2-203. Sanitary Maintenance.**

It shall be the responsibility of owners of animals and/or fowl to keep their animals and/or fowl from scratching, digging, defecating or urinating upon any lawns, trees, shrubs, plants, buildings or any other public or private property, excluding the property of the owner. The owner of any animal or fowl, in the event that such animal or fowl defecates on any property other than that of the owner, shall immediately remove and dispose of all feces so deposited in a sanitary manner. Also, it is the responsibility of the owner of any animal to properly clean and otherwise maintain his pounds, kennels, yards and other areas in which such animal is kept to prevent the creation of any nuisance, health hazard or odor.

*(Ord. 212, 5/9/1984)*

**§2-204. Riding at Dangerous Speeds or in Hazardous Manner.**

It shall be unlawful for any person to ride or drive horses or other animals through any of the streets of the Township of Northampton at any unreasonable or dangerous speed or in any manner which may be reasonably considered reckless, offensive or hazardous to the animal or a citizen.

*(Ord. 212, 5/9/1984)*

**§2-205. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs

and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 212*, 5/9/1984; as amended by *Ord. 285* 2/22/1989; and by *Ord. 561*, 4/25/2012)

## **Chapter 3**

**[Reserved]**



## **Chapter 4**

### **Buildings**

#### **Part 1**

#### **Numbering of Buildings**

- §4-101. Definitions
- §4-102. Enforcement
- §4-103. Applicability
- §4-104. Numbering Requirements
- §4-105. Violations and Penalties



**Part 1****Numbering of Buildings****§4-101. Definitions.**

The following terms shall have the meanings indicated:

*Code Enforcement Director*—the Director of Code Enforcement of the Township of Northampton.

*Fire Marshal*—the Fire Marshal of Northampton Township.

*Police Department*—the Northampton Township Police Department.

(Ord. 231, 9/25/1985)

**§4-102. Enforcement.**

The Code Enforcement Director, the Fire Marshal and the Police Department shall have the power and the duty to enforce the provisions of this Part.

(Ord. 231, 9/25/1985)

**§4-103. Applicability.**

All residential, commercial, industrial or other structures erected or to be erected within the Township of Northampton shall display identification numbers as provided herein and in accordance with the specifications provided herein.

(Ord. 231, 9/25/1985)

**§4-104. Numbering Requirements.**

1. The owner, occupant or lessee of each and every structure which now fronts or which may hereafter front upon any public or private street or highway within the Township of Northampton who has been assigned a street number prior to the effective date of this Part shall, at his own expense, within 60 days after the effective date of this Part, cause the authorized and assigned number of such structure to be permanently and conspicuously placed in accordance with the specifications set forth herein. Any owner who has not been assigned a number prior to the effective date of this Part shall, within 60 days after notice of assignment of such number, comply with the requirements of this Section.

2. *Specifications.* Street numbers shall be:

A. In Arabic numerals.

B. A minimum height of 4 inches with a minimum stroke width of ½ inch, except as provided in subsection .3 of this Section. [Ord. 561]

C. Placed upon a mailbox, post or other type of man-made fixture of substantial nature, excluding curbs at the vehicular entrance to the premises.

D. Sufficiently legible as to contrasting background, arrangement, spacing and uniformity so as to be clearly visible from the street.

3. *Placing Numbers on a Building.* If the posting of the assigned building number under subsection .2 would not be feasible or practical, then regulations may be satisfied if the owner, occupant or lessee shall provide the Arabic numbers as required by these

regulations mounted in a secure fashion upon the front wall or porch of the building so as to be clearly visible from the street, at least 60 inches above ground level and so placed that trees, shrubs and other obstructions do not block the line of sight of the numbers from the street upon which the building fronts. When such a number is placed on a building, the minimum height of the Arabic numbers shall be 4 inches in height. [Ord. 561]

4. *Occupancy Permits.* Any structure erected, repaired, altered or modified after the effective date of this Part shall have the occupancy permit withheld until the assigned street number is affixed to said structure in accordance with this Part.

(Ord. 231, 9/25/1985; as amended by Ord. 561, 4/25/2012)

#### **§4-105. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 231, 9/25/1985, as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012)



## **Chapter 5**

### **Code Enforcement**

#### **Part 1**

#### **Uniform Construction Code**

- §5-101. Election to Enforce Pennsylvania Construction Act
- §5-102. Uniform Construction Code Adopted
- §5-103. Amendments
- §5-104. Administration and Enforcement
- §5-105. Board of Appeals
- §5-106. Savings and Repeals
- §5-107. Fees



## Part 1

### Uniform Construction Code

#### §5-101. Election to Enforce Pennsylvania Construction Act.

This Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101–7210.1103, as amended from time to time, and its regulations. This Part shall include adoption of the International Fire Code of 2009 as the Fire Code of Northampton Township and include all amendments contained in the 1996 BOCA Fire Prevention Code. This Part shall also include adoption of all amendments enacted under *Ord. 430*, *Ord. 432*, and *Ord. 431*, with the exception of §118.3 of said Ordinance. In addition to the foregoing, Northampton Township hereby adopts the following appendices:

- A. International Building Code 2009–Appendices C and F.
- B. International Residential Code 2009–Appendices A, B, C, H, and K.
- C. International Plumbing Code 2009–Appendices A, B and D.
- D. International Fuel Gas Code 2009–Appendices B and C.
- E. International Mechanical Code 2009–Appendix A.
- F. International Fire Code 2009–Appendix E and Appendix A of the 1996 BOCA Fire Prevention Code as previously adopted.

(*Ord. 547*, 3/24/2010)

#### §5-102. Uniform Construction Code Adopted.

The Uniform Construction Code, contained in 34 Pa.Code Chapters 401–405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of this Township.

(*Ord. 547*, 3/24/2010)

#### §5-103. Amendments.

As permitted under the Uniform Construction Code, the following Sections are hereby amended to require permits as follows:

R403.62 (c) (1) (xvii)	Decks less than 30 inches off grade
R403.62 a (b)	All residential detached accessory buildings 1,000 square feet or more, all residential single-family dwellings, additions or structures shall require signed/sealed construction documents by a design professional, except decks and minor construction as may be determined by the Plan Examiner.
R-403.64 (d)	Residential inspections to include footing, foundation walls, slabs, plumbing, mechanical, electrical, fireplaces, wallboard, framing, masonry, final inspections and any other inspections as may be deemed necessary by this Department.

R-403-65 (b)(1-8)	Present Occupancy Permit form as compiled by the Department shall remain in effect.
-------------------	---

(Ord. 547, 3/24/2010)

#### **§5-104. Administration and Enforcement.**

Administration and enforcement of the Code within this Township shall be undertaken in any of the following ways as determined by the governing body of this Township from time to time by resolution:

- A. By the designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township.
- B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township.
- C. By agreement with one or more other municipalities for the joint administration and enforcement of the Act through an intermunicipal agreement.
- D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Township.
- E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.

(Ord. 547, 3/24/2010)

#### **§5-105. Board of Appeals.**

A Board of Appeals shall be established by resolution of the Board of Supervisors of this Township in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

(Ord. 547, 3/24/2010)

#### **§5-106. Savings and Repeals.**

1. All building code ordinances or portions of ordinances which were adopted by this Township on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect, unless otherwise noted, until time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
2. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
3. All relevant ordinances, regulations and policies of this Township not governed by the Code shall remain in full force and effect.

(*Ord. 547, 3/24/2010*)

**§5-107. Fees.**

Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Board of Supervisors by resolution from time to time.

(*Ord. 547, 3/24/2010*)



## **Chapter 6**

### **Conduct**

#### **Part 1 Littering**

##### **A. Definitions and Word Usage**

§6-101. Definitions

##### **B. General Regulations and Restrictions**

§6-111. Deposits in Public Places

§6-112. Receptacles for Litter Deposits

§6-113. Sweeping Litter into Gutters; Maintenance of Sidewalks

§6-114. Maintenance of Business Premises

§6-115. Litter Thrown from Vehicles

§6-116. Trucks Causing Litter

§6-117. Litter in Parks

§6-118. Litter in Ponds, Streams and Other Bodies of Water

§6-119. Litter in Sewers

§6-120. Litter on Occupied Private Property

§6-121. Property Owner to Maintain Premises Free of Litter

§6-122. Notice to Remove Litter from Open or Vacant Private Property

##### **C. Handbills**

§6-131. Distribution in Public Places

§6-132. Placement in or upon Vehicles

§6-133. Deposit on Vacant Premises

§6-134. Distribution on Posted Property

§6-135. Distribution at Inhabited Private Premises

§6-136. Mail and Newspapers

##### **D. Enforcement**

§6-141. Designation of Enforcement Authorities

§6-142. Violations and Penalties

#### **Part 2 Discharge of Firearms and Other Weapons**

§6-201. Definitions

§6-202. Prohibited Activities

§6-203. Exemptions

§6-204. Violations and Penalties





**Part 1****Littering****A. Definitions and Word Usage****§6-101. Definitions.**

1. *Word Usage.* When not inconsistent with the context, words used in the present tense include the future; words used in the plural numbers include the singular numbers; and the words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

2. *Terms Defined.* For the purpose of this Part, the following terms, phrases, words and their derivatives shall have the meanings given herein:

*Authorized private receptacle*—a little storage and collection receptacle as authorized by Northampton Township and the National Sanitation Foundation.

*Commercial handbill*—any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper booklet or any other printed or otherwise reproduced original or copies of any matter or literature which:

(1) Advertises for sale any merchandise, product, commodity or thing.

(2) Directs attention to any business or mercantile or commercial establishment or other activity for the purpose of, either directly or indirectly, promoting the interest thereof by sales.

(3) Directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit, but the terms of this subsection shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order, provided that nothing contained in this subsection shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license where such is or may be required by any law of Pennsylvania or under any ordinance of Northampton Township.

(4) While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Garbage*—putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Litter*—garbage, refuse and rubbish, as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to the public health, safety and welfare.

*Newspaper*—any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States in accordance with Federal statute or regulations and any newspaper filed and recorded with a recording officer as provided by general law and, in addition thereto, any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

*Noncommercial handbill*—any printed or written matter, any sample or device, dodger, leaflet, pamphlet, newspaper, circular, magazine, paper booklet or any other printed or otherwise reproduced original or copies of any matter or literature not included in the aforesaid definitions of “commercial handbill” or “newspaper.”

*Park*—a park, playground, recreation center or any other public area in the Township, owned or used by the township and devoted to active or passive recreation.

*Person*—any person, firm, partnership, association, corporation, company or organization of any kind.

*Private premises*—any dwelling, house, building or other structure designed to be used, in whole or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walks, driveway, park steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place*—any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

*Refuse*—all putrescible and nonputrescible solid waste, except body waste, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

*Rubbish*—nonputrescible solid wastes consisting of both combustible and noncombustible waste, such as paper, wrappings, cigarettes, cardboard, tin cans, grass, leaves, yard clippings, wood, glass, bedding, crockery and similar materials.

*Township*—the Township of Northampton, Bucks County, Pennsylvania.

*Vehicle*—every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationery rails or tracks.

(Ord. 202, 8/10/1983)

**B. General Regulations and Restrictions****§6-111. Deposits in Public Places.**

No person shall throw or deposit litter in or upon any street, sidewalk or public place within the township, except in public receptacles or in authorized private receptacles for collection.

(Ord. 202, 8/10/1983)

**§6-112. Receptacles for Litter Deposits.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or public property.

(Ord. 202, 8/10/1983)

**§6-113. Sweeping Litter into Gutters; Maintenance of Sidewalks.**

No person shall sweep into or deposit in any gutter, street or other public place within the Township the accumulation of litter from a building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

(Ord. 202, 8/10/1983)

**§6-114. Maintenance of Business Premises.**

No persons owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Township the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Township shall keep the sidewalk in front of their business premises free from litter.

(Ord. 202, 8/10/1983)

**§6-115. Litter Thrown from Vehicles.**

No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or other public place within the township or upon private property.

(Ord. 202, 8/10/1983)

**§6-116. Trucks Causing Litter.**

No person shall drive or move any truck or other vehicle within the Township unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place, nor shall any person drive or move any vehicle or truck within the Township, the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances, litter or foreign matter of any kind.

(Ord. 202, 8/10/1983)

**§6-117. Litter in Parks.**

No person shall throw or deposit litter in any park within the Township except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

(Ord. 202, 8/10/1983)

**§6-118. Litter in Ponds, Streams and Other Bodies of Water.**

No person shall throw or deposit litter in any pond, stream or any other body of water in a park or elsewhere within the Township.

(Ord. 202, 8/10/1983)

**§6-119. Litter in Sewers.**

No person shall throw or deposit litter in any storm or sanitary sewer, including rights-of-way.

(Ord. 202, 8/10/1983)

**§6-120. Litter on Occupied Private Property.**

No person shall throw or deposit litter on any occupied private property within the Township, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

(Ord. 202, 8/10/1983)

**§6-121. Property Owner to Maintain Premises Free of Litter.**

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles for collection.

(Ord. 202, 8/10/1983)

**§6-122. Notice to Remove Litter from Open or Vacant Private Property.**

Northampton Township is hereby authorized and empowered to notify the owner of any open or vacant private property within the Township or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by certified mail, addressed to said owner at his last known address.

(Ord. 202, 8/10/1983)

**C. Handbills****§6-131. Distribution in Public Places.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the Township nor shall any person hand out or distribute or sell any commercial handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street or other public place within the Township for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.

(Ord. 202, 8/10/1983)

**§6-132. Placement in or upon Vehicles.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

(Ord. 202, 8/10/1983)

**§6-133. Deposit on Vacant Premises.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

(Ord. 202, 8/10/1983)

**§6-134. Distribution on Posted Property.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any premises if requested by anyone thereon not to do so if there is placed on said premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisements" or any similar notice indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises.

(Ord. 202, 8/10/1983)

**§6-135. Distribution at Inhabited Private Premises.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted, as provided in this Part, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulation.

*(Ord. 202, 8/10/1983)*

**§6-136. Mail and Newspapers.**

The provisions of §6-135 shall not apply to the distribution of mail by the United States nor to newspapers as defined herein, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

*(Ord. 202, 8/10/1983)*

**D. Enforcement****§6-141. Designation of Enforcement Authorities.**

It shall be the duty of the Code Enforcement Department and the Police Department to enforce the provisions of this Part.

*(Ord. 202, 8/10/1983)*

**§6-142. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 202, 8/10/1983; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012)*





**Part 2****Discharge of Firearms and Other Weapons****§6-201. Definitions.**

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

*Bow and arrow*—all bows and arrows capable of causing personal injury or property damage.

*Firearm*—an instrument used in the propulsion of shot, shell, bullet or any other object by the action of gun powder exploded, explosive powder or the expansion of gas therein.

(Ord. 287, 4/12/1989)

**§6-202. Prohibited Activities.**

The use or discharge of any bow and arrow or firearm within the Township is prohibited.

(Ord. 287, 4/12/1989)

**§6-203. Exemptions.**

The provisions of this Part shall not apply to the following uses or activities involving firearms and/or bows and arrows where otherwise legal:

A. Authorized law enforcement officers acting in their line of duty or in training.

B. Discharging of firearms in the defense of persons or property.

C. Discharging of firearms or bow and arrow by members of a duly organized gun, rifle or archery club, or their bona fide guests, or of military organizations, upon the ranges of such clubs or organizations under the control and supervision of the duly constituted officers of such clubs or organizations, or by the patrons of commercial ranges.

D. A private target practice or archery range constructed entirely within the confines of an individual residential property and on which the projectile expended shall be confined to said individual property.

E. Firearm or archery instruction operated by an established civic, church or school program.

F. Farmers protecting their property from predators.

G. Uses or activities, regulated by and conducted in accordance with the Pennsylvania Game and Wildlife Code, 34 Pa.C.S.A. §101 *et seq.*

(Ord. 287, 4/12/1989)

**§6-204. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of

Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 287*, 4/12/1989; as amended by *Ord. 561*, 4/25/2012)

## **Chapter 7**

**[Reserved]**



## **Chapter 8**

**[Reserved]**



## **Chapter 9**

**[Reserved]**





## **Chapter 10**

### **Health and Safety**

#### **Part 1**

##### **Brush, Grass and Weeds**

- §10-101. Purpose and Intent
- §10-102. Definitions
- §10-103. Accumulation of Objectionable Vegetation Prohibited
- §10-104. Declaration of Nuisance
- §10-105. Service of Notice
- §10-106. Failure to Comply; Abatement of Conditions
- §10-107. Exemptions
- §10-108. Violations and Penalties

#### **Part 2**

##### **Air Pollution Control**

- §10-201. Title
- §10-202. Authority
- §10-203. Policy
- §10-204. Definitions
- §10-205. Regulations
- §10-206. Penalties



**Part 1****Brush, Grass and Weeds****§10-101. Purpose and Intent.**

Whereas the Board of Supervisors has determined that the growth of brush, grass and weeds may be detrimental to the health and safety of the citizens by producing aggravating pollens, providing harborage for insects and rodents, creating hazardous conditions or obscuring sidewalks, roadways, signage and traffic signals, it is hereby declared to be a policy to safeguard and protect the citizens of Northampton Township from such hazards and/or nuisances.

(Ord. 422, 7/9/1997)

**§10-102. Definitions.**

The following words, terms or phrases when used in this Part shall have the following meanings prescribed to them:

*Grass*—various green plants with blade-like leaves.

*Noxious plants*—harmful, distasteful, allergenic or obnoxious plants, such as, but not limited to, ragweed, goldenrod, timothy, rye grass, Canada thistle, Kentucky blue grass, Bermuda grass, poison ivy, poison oak, poison sumac, chicory, succory, blue daisies or other obnoxious, noxious or objectionable vegetation.

*Person*—any individual, partnership, association, syndicate, company, firm, trust, corporation, department, bureau, agency or other entity, recognized by law, as a subject of rights and duties.

*Weeds*—wild vegetation having little or no value.

(Ord. 422, 7/9/1997)

**§10-103. Accumulation of Objectionable Vegetation Prohibited.**

1. No person, being the owner or occupant of a parcel or tract of land with an area of less than 5 acres in Northampton Township, shall permit weeds, tall grasses, noxious plants or objectionable vegetation on such parcel or tract of land or any part thereof to grow in excess of 12 inches in height or grow in such a manner as shall, in the judgment of the Code Enforcement Officer, be prejudicial to the public health or be a safety hazard.

2. No person, being the owner or occupant of a parcel or tract of land with an area of five acres or more in Northampton Township, shall permit weeds, tall grasses, noxious plants or objectionable vegetation on such parcel or tract of land or any part thereof within 50 feet of an adjoining residential property, to grow in excess of 12 inches in height or grow in such a manner as shall, in the judgment of the Code Enforcement Officer or his/her designee, be prejudicial to the public health or be a safety hazard.

(Ord. 422, 7/9/1997; as amended by Ord. 476, 7/11/2001)

**§10-104. Declaration of Nuisance.**

Whenever the Code Enforcement Officer of Northampton Township or his/her

designee shall consider the growth of ragweed, goldenrod, timothy, rye grass, Canadian thistle, Kentucky blue grass, Bermuda grass, poison ivy, poison oak, poison sumac, chicory, succory, blue daisies or other obnoxious, noxious, allergenic or objectionable vegetation to be in excess of 12 inches in height on any premises as aforesaid, to be prejudicial to the public health or be a safety hazard, and that continued growth would have a detrimental effect on the welfare of the inhabitants of the Township, the Code Enforcement Officer may declare the same to be a public nuisance.

(Ord. 422, 7/9/1997)

#### **§10-105. Service of Notice.**

Whenever the Code Enforcement Officer of Northampton Township or his/her designee has declared the growth of ragweed, goldenrod, timothy, rye grass, Canada thistle, Kentucky blue grass, Bermuda grass, poison ivy, poison oak, poison sumac, chicory, succory, blue daisies or other obnoxious, noxious or objectionable vegetation on any premises to be a public nuisance and in violation of this Part, the service of such notice shall be made upon the owner or occupant of said premises either by registered mail or by hand delivering the notice to such owner or occupant personally or by delivering such notice to any adult person in charge of said premises or, in case no such person is found on the premises, by posting such a notice upon said premises.

(Ord. 422, 7/9/1997)

#### **§10-106. Failure to Comply; Abatement of Conditions.**

1. If an owner or occupant neglects or refuses to comply with the order of the Code Enforcement Officer of Northampton Township for the abatement or the removal thereof within a period of 5 days as required by such notice, the Code Enforcement Officer or his/her designee may enter upon the premises to which such order relates and abate, remove or cut such nuisance.

2. The expense incident to such abatement, removal or cutting of weeds, tall grasses or objectionable vegetation shall be paid by the owner or occupant of such premises, and any such additional expense as may be incurred by the Township, at a reasonable rate of cost thereof, plus an additional charge of 20 percent, together with any penalty authorized; the aforesaid bill amount to be collectible as municipal claims are collected by law.

(Ord. 422, 7/9/1997)

#### **§10-107. Exemptions.**

1. *Useful Vegetation.* Subject to judgment by the Code Enforcement Officer or his/her designee, any grass, weeds or vegetation that can be shown to have been planted and regularly cultivated for experimental, ornamental or some other useful purpose shall be exempt from this Part.

2. *Exempt Areas.* The following types of areas are exempt from the provisions of this Part:

- A. All areas containing crops planted for some useful agricultural purpose.
- B. All wooded areas.
- C. All areas planted with vegetation designed to prevent erosion of steep

slopes.

D. All State park lands.

E. All areas adjacent within 20 feet of a stream.

F. All mature hedge rows.

G. All areas containing cultivated wild flowers and other ornamental plantings.

H. All areas determined to be wetlands.

I. All stormwater management areas maintained as natural areas.

3. *Exemption Voided.* This exemption shall be void should it be found that the vegetation emits any unpleasant or noxious odor, conceals vermin, litter or any filthy deposit, produces allergenic pollens or has a detrimental impact on the public safety, health or welfare.

(Ord. 422, 7/9/1997)

#### **§10-108. Violations and Penalties.**

In addition to the provisions contained in §10-106, any person found in violation of any of the provisions of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 422, 7/9/1997; as amended by Ord. 476, 7/11/2001; and by Ord. 561, 4/25/2012)



**Part 2****Air Pollution Control****§10-201. Title.**

This Part shall be known and may be cited as the “Northampton Township Air Pollution Control Ordinance of 2011.”

(Ord. 556, 3/23/2011, §1)

**§10-202. Authority.**

The Board of Supervisors of Northampton Township, under and by virtue of and pursuant to the authority granted by the Second Class Township Code, 53 P.S. §65101 *et seq.*, does hereby enact and ordain this Part.

(Ord. 556, 3/23/2011, §1)

**§10-203. Policy.**

Whereas the Board of Supervisors of Northampton Township has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare, and safety of the citizens of Northampton Township, it is hereby declared to be the policy of the Township to safeguard the citizens of Northampton Township from such air pollution.

(Ord. 556, 3/23/2011, §1)

**§10-204. Definitions.**

1. The following words, terms, and phrases, when used in this Part, unless the context clearly indicates otherwise, shall have the following meanings ascribed to them:

*Air basin*—a geographic area of this Commonwealth as delimited Southeast Pennsylvania Air Basin—the counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia.

*Air curtain destructor*—a mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

*Board*—the Board of Supervisors of Northampton Township.

*Burning*—the act of consuming by fire; to flame, char, scorch, or blaze. As used in this Part, smoldering shall have the same meaning, as burning and smoldering shall be deemed as burning.

*Clearing and grubbing wastes*—trees, shrubs, and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt-laden roots.

*Composting*—the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield a humus-like product.

*Domestic refuse*—waste that is generated from the normal occupancy of a

structure occupied solely as a dwelling by two families or less. The term does not include appliances, carpets, demolition waste (insulation, shingles, siding, etc.), furniture, mattresses or box springs, paint, putrescible waste, solvents, tires, or treated wood.

*Municipality*—a city, incorporated town, township, borough, county, municipal authority, or other public body created under State law having jurisdiction over the disposal of sewage, industrial wastes, or other wastes.

*Open burning*—a fire, the air contaminants from which are emitted directly into the outdoor atmosphere.

*Person*—any individual, public or private corporation for profit or not for profit, association, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth or the Federal Government, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

*Yard waste*—leaves, grass clippings, garden residue, tree trimmings, chipped shrubbery, and other vegetative material.

(Ord. 556, 3/23/2011, §1)

#### **§10-205. Regulations.**

1. It is unlawful for any person or entity to burn solid waste, including domestic refuse and yard waste, in violation of any provision of the Solid Waste Management Act, 35 P.S. §6018.101 *et seq.*, or any rule or regulation promulgated by any Commonwealth agency pursuant thereto.

2. In addition to the specific exceptions set forth in the Solid Waste Management Act, 35 P.S. §6018.101 *et seq.*, and any regulation thereof, the following exceptions are also recognized:

A. A fire set to prevent or abate a fire hazard, when approved by the Department of Environmental Protection's Regional Air Quality Program Office and set by or under the supervision of a public officer.

B. Any fire set for the purpose of instructing personnel in firefighting, when approved by the Department of Environmental Protection's Regional Air Quality Program office.

C. A fire set for the prevention and control of disease or pests, when approved by the Department of Environmental Protection's Regional Air Quality Program office.

D. A fire set for the purpose of clearing and grubbing waste. If an air curtain destructor must be used within an air basin, the process must be approved by the Department of Environmental Protection's Regional Air Quality Program office.

E. A fire set in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation (under 25 Pa.Code §129.14).

F. A fire set solely for cooking food.

G. A fire set solely for recreational or ceremonial purposes.

3. No person shall cause, suffer, or permit any open burning operation whatsoever



if said open burning operation is contrary to 25 Pa.Code §129.14, Rules and Regulations of the Department of Environmental Resources.

4. No person shall in any manner hinder, delay, obstruct, resist, prevent, or in any way interfere with the Fire Marshal or his designees in the performance of their duty hereunder, or refuse such personnel, after proper identifications, entrance at reasonable hours to any premises.

5. Any person or entity failing, neglecting, or refusing to comply with a lawful abatement notice issued by the Fire Marshal of the Township shall be subject to the penalties as set forth in this Part. Any person or entity receiving such abatement notice may, obtain, upon written request, an extension of time to comply therewith by making application to the Fire Marshal.

(*Ord. 556, 3/23/2011, §1*)

**§10-206. Penalties.**

1. Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default thereof, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues shall constitute a separate and distinct offense. [*Ord. 561*]

2. The Board may institute an action in equity for an injunction to restrain any violation of this Part.

(*Ord. 556, 3/23/2011, §1; as amended by Ord. 561, 4/25/2012*)



# **Chapter 11**

## **Housing**

### **Part 1**

#### **Sale of Residential Property**

- §11-101. Applicability
- §11-102. Intent
- §11-103. Disclosure Requirements
- §11-104. Residential Disclosure Statement
- §11-105. Violations and Penalties
- §11-106. Information Provided to Seller

### **Part 2**

#### **Sex Offenders Residency Restrictions**

- §11-201. Definitions
- §11-202. Sexual Offender Residency Restrictions
- §11-203. Exceptions to Residency Restrictions
- §11-204. Violations and Penalties
- §11-205. Enforcement

### **Part 3**

#### **Tenant Registration**

- §11-301. Definitions
- §11-302. Registration Required
- §11-303. Permit and Registration Process
- §11-304. Registration Forms
- §11-305. Fees; Violations and Penalties



**Part 1****Sale of Residential Property****§11-101. Applicability.**

This Part shall apply to the seller, owner, developer or agent of the owner (the “seller”) of a vacant subdivided residential lot or a newly constructed home located within this Township (“new residential property or properties”) to a member(s) of the general public (the “buyer”). This applies to any existing vacant parcels. This Part is not intended to duplicate any information included in disclosures made under the Uniform Planned Community Act, 68 Pa.C.S.A. §5101 *et seq.*, or the Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.*, and where there is any conflict these Acts take precedence. (Ord. 457, 7/14/1999)

**§11-102. Intent.**

These requirements are intended to inform the buyer of important facts pertaining to the new residential property including, but not limited to, the general nature of the subdivision and/or land development project (the “project”) in which the new residential property is located, limitations, easements and restrictions. (Ord. 457, 7/14/1999)

**§11-103. Disclosure Requirements.**

1. Before signing a sales agreement for any new residential property, the seller shall obtain from the buyer a signed disclosure statement that verifies that the seller has provided, reviewed and explained the information that is required by this Part.

2. The seller of any new residential property shall display the record plan of the subdivision and/or land development in the location where property sales are transacted by the seller. The approved plans for the subdivision and/or land development must be reviewed with and made available to the buyer. The seller must inform the buyer that a copy of the plan may be seen at the Northampton Township Administration Building.

3. The seller shall present to the buyer a copy of the proposed grading plan of the lot depicting the street upon which the residence will front, the building envelope with front, rear and side yards shown and the proposed first floor elevation for the property.

4. The information listed below shall be clearly shown or noted on the record plan and/or summarized in a text narrative, and a full size copy of the record plan and a text narrative shall be given to the buyer.

A. Common areas, such as parklands, streets, open space, bike paths, walking trails and other amenities which are part of the subdivision or adjacent to the lot and/or building being sold.

B. All lot lines within the subdivision.

C. Membership in a common ownership regime such as a condominium association or homeowners' association, if applicable. Copies of the declaration documents and bylaws shall be provided to the buyer prior to the signing of an agreement of sale.

D. All uses permitted within the subdivision by the current Zoning Ordinance [Chapter 27], including accessory uses, and all limitations, easements, deed restrictions and other restrictions of record, at this time, which affect the development of lots and their use.

E. All current dimensional requirements for the primary use on each lot, such as setback requirements, building coverage, impervious coverage and height limits.

F. All current dimensional requirements for the accessory uses permitted on each lot, such as size, setback requirements and height limits.

G. The location of all areas which are classified as either wetlands or floodplains by current governmental law, rule, regulation or ordinance, with a notation that such Federal, State and local laws and regulations govern the use of property within wetlands and floodplains, which may limit the use and development of these areas.

H. The location of all stormwater management facilities, including detention/retention basins, stormwater management easements and the ownership and maintenance responsibilities for such facilities and easements.

I. The date of the Zoning Ordinance [Chapter 27] and Subdivision and Land Development [Chapter 22] regulations the plan is being developed under shall be provided to the buyer. If the plan is being developed by stipulation, a copy, including all amendments, shall be provided to the buyer.

J. The existence, location and maintenance responsibilities of any on-site wells and/or on-site sanitary sewage facilities or systems. Local authorities may make connection to public water and sewer systems mandatory in the future. Tapping/connecting fees and/or easements may apply.

K. The present zoning classification of the project and property which abuts the project and a description of the permitted uses of the abutting property.

L. The disclosure of any known environmental surveys, studies or reports done on the property of the record plan. These reports are to be made available to the buyer for review.

M. The buyer of any new residential property which is located within 100 yards of a natural gas or petroleum transmission line must be informed in writing of the existence, location and owner of record of the line and the possibility that the right-of-way of said line may be used to expand, enlarge or modify the lines.

(Ord. 457, 7/14/1999)

#### **§11-104. Residential Disclosure Statement.**

The buyer shall complete the disclosure statement prior to the signing of an agreement of sale. The seller will be obligated to provide a copy of the signed disclosure statement to the Code Enforcement Officer prior to the issuance of a certificate of occupancy and shall provide a copy to the buyer prior to signing the agreement of sale. The seller shall retain a copy for a period of not less than 3 years. The disclosure statement shall be in the following form:

THIS DOCUMENT IS FOR YOUR PROTECTION. READ IT CAREFULLY BEFORE SIGNING.

Township Ordinance No. 457 requires that the seller of any new residential

property provide the purchasers with certain specific information regarding the property to be sold prior to the signing of any agreement of sale. This information is intended to benefit the buyer by clearly defining the nature of the property, inclusive of any restrictions or conditions that may affect its desirability, suitability and/or current or future value.

The checklist below is required by Northampton Township to make certain that you have been shown the information required by this Part. It is your obligation to evaluate the information and to consider its implications relative to your situation. The importance of understanding the material presented to you cannot be overstressed.

If you have any questions, you are advised that the seller or the seller's agent may not be qualified to render explanations or interpretations of the information required to be disclosed. You are advised to seek the assistance of an unbiased professional prior to signing the agreement of sale.

The seller must make available the current information, required by this document, in effect as of the date of the subdivision or land development approval and to thereafter update the required disclosures so that at the time the information is made available, the information is current.

(See the Residential Disclosure Statement on the following page)

(Ord. 457, 7/14/1999)

**RESIDENTIAL DISCLOSURE STATEMENT**

Please initial next to each of the following to verify that information about each of the following was presented and explained with regard to your property.

- \_\_\_\_\_ (1) Public or private common areas, such as parklands, streets, stub streets, open space, walking paths, etc., and the access to these areas.
- \_\_\_\_\_ (2) All lot lines within the development. The property being considered is \_\_\_\_\_ square feet (\_\_\_\_\_ acres) in size.
- \_\_\_\_\_ (3) Membership in a common ownership regime, such as a homeowners or condominium association, if applicable. A copy of the declaration and/or bylaws have been provided.
- \_\_\_\_\_ (4) Current zoning of the lot. All uses presently permitted within the development by the Zoning Ordinance, including accessory uses, and all deed restrictions and other restrictions which affect the development of the lot. The location of all easements of record through the development, describing the uses, and the owners of the easements such as, but not limited to, sanitary sewer, storm-water, domestic water, gas, electric, telephone, cable or any other utility. The buyer is aware the existing zoning regulations are subject to change.
- \_\_\_\_\_ (5) All current dimensional requirements for the primary use on each lot, such as setback requirements, building coverage, impervious coverage and height limitations.
- \_\_\_\_\_ (6) All current dimensional requirements for all accessory uses (decks, pools, sheds, etc.) such as setback requirements, building coverage and height limitations.
- \_\_\_\_\_ (7) The location of all areas which are classified as wetlands, floodplains or other resource conservation areas by current law. The use and development of these areas may be severely restricted. The buyer understands substantial penalties exist for violations of these restrictions.

The property being considered has \_\_\_\_\_ square feet of resource protected areas which equal \_\_\_\_\_ % of the total lot.

\_\_\_\_\_ square feet of wetlands equals \_\_\_\_\_ % of the total lot.

\_\_\_\_\_ square feet of floodplain equals \_\_\_\_\_ % of the total lot.

\_\_\_\_\_ square feet of steep slopes equals \_\_\_\_\_ % of the total lot.



- \_\_\_\_\_ (8) The location of all stormwater management facilities, including detention/retention basins, stormwater management easements, defined swales and the ownership and maintenance responsibilities for each.
- \_\_\_\_\_ (9) The date of the Zoning Ordinance and Subdivision and Land Development Ordinance the particular plan is being developed under shall be provided to the buyer. If the plan is being developed by stipulation, a copy including all amendments shall be provided.
- \_\_\_\_\_ (10) The buyer is aware of the existence and location of any on lot wells and septic systems and the maintenance requirements of these particular systems. The buyer has been informed of any potential mandatory connection to public water or sewer systems. Tapping/connecting fees and/or easements may apply. The buyer is aware that auxiliary water pressure pumps and/or sewage grinder pumps may be necessary to provide adequate water and sewer to the dwelling.
- \_\_\_\_\_ (11) The zoning classification of the development and the property which abuts the development and a description of permitted uses.
- \_\_\_\_\_ (12) The buyer has seen and reviewed any known environmental surveys, studies or reports done on the property of the record plan.
- \_\_\_\_\_ (13) The buyer is aware of any natural gas or petroleum transmission line which is located within 100 yards of the property. The buyer has been given, in writing, the location and owner of record of the line and has been made aware that the right-of-way of said line may be used to expand, enlarge or modify the lines.

I/We the undersigned, acknowledge that I/we have received a full size copy of the record plan and a text narrative, if applicable, detailing the scope of the subdivision and/or land development plan of which the considered property is a part, as well as a separate lot plan of my/our property and understand and agree to the constraints imposed therein with regard to my/our property. I/we also understand that signing this disclosure statement does not release me/us from meeting requirements imposed by Northampton Township.

\_\_\_\_\_  
Purchaser

\_\_\_\_\_  
Owner or Authorized Agent

\_\_\_\_\_  
Purchaser

\_\_\_\_\_  
Date

**§11-105. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 457, 7/14/1999; as amended by Ord. 561, 4/25/2012*)

**§11-106. Information Provided to Seller.**

The Township of Northampton will make a good faith effort to provide information necessary for the seller to comply with this Part in a timely manner.

(*Ord. 457, 7/14/1999*)

**Part 2****Sex Offenders Residency Restrictions<sup>1</sup>****§11-201. Definitions.**

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

*Child-care facility*—a licensed day-care center, licensed child-care facility or any other child-care services facility exempt from licensing pursuant to the laws of the Commonwealth of Pennsylvania.

*Community center*—a building and related facilities used for educational, social, cultural, library or recreational activities.

*Open space*—the area of land or water available and accessible for use by the public and residents of the Township which is restricted from future development for the purpose of protecting natural features or for providing recreational opportunities for the residents of the Township. Open space generally includes such land or area of land that is regulated, maintained or owned by the Township and may include steep slopes, floodplains and other significant features to be preserved.

*Public park or recreational facility*—any land, or tract of land, or facility used for passive or active recreation, including any playground, park, skate parks, athletic fields or any other facility owned or operated by the Township or any other governmental agency, including the Council Rock School District, the County of Bucks or the Commonwealth of Pennsylvania.

*School*—any educational building or facility that provides educational services to a minor child, as defined by the laws of the Commonwealth of Pennsylvania, including any public or private facility.

*Sex offender*—any person, over the age of 18 years who has been convicted of any sexual offense or crime as defined in 42 Pa.C.S.A. §9795.1, including, but not limited to, kidnapping where the victim is a minor, institutional sexual assault, indecent assault, incest, prostitution and related offenses, sexual abuse of a child, unlawful contact with a minor, sexual exploitation of a minor, rape, involuntary deviate sexual intercourse, sexual assault, and aggravated indecent assault. “Sex offender” shall also include any individuals convicted of any attempt to commit the offenses as enumerated herein.

*Township*—the Township of Northampton, including its residents and all land within its territorial boundaries.

(Ord. 507, 11/16/2005)

**§11-202. Sexual Offender Residency Restrictions.**

---

<sup>1</sup>This Part was invalidated as a result of the decision of the Pennsylvania Supreme Court in *Fross v. County of Allegheny*, 20 A.3d 1193 (Pa. 2011), and is therefore unenforceable by the Township. Notwithstanding the Court’s decision, the Board of Supervisors retains this Part of Chapter 11 as a statement of public policy.

1. It shall be unlawful for any sex offender or other person over the age of 18 years who has been convicted of a violation which requires registration pursuant to 42 Pa.C.S.A. §9791 *et seq.*, or who has been convicted of a violation which requires registration in another jurisdiction, to reside, lodge, abide or live within 2,500 feet of any school, child-care facility, open space, community center, public park or recreational facility in the Township.

2. For the purpose of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the residence or lodging of the sex offender to the nearest outer property line of the school, child-care facility, open space, community center, public park or recreational facility.

3. Such person who resides or lives within 2,500 feet of any school, child-care facility, open space, community center, public park or recreational facility shall have 60 days from receipt of written notice of the prohibition set forth herein to move. Failure to move to a location which is in compliance with this Section within that time period shall constitute a violation of this Part. [Ord. 518]

(Ord. 507, 11/16/2005; as amended by Ord. 518, 9/19/2007)

#### **§11-203. Exceptions to Residency Restrictions.**

This Part shall not apply to any person or sex offender who has established a residence prior to the date of adoption of this Part, and shall not apply if the school, child-care facility, open space, community center, public park or recreational facility within 2,500 feet of the sex offender's residence or lodging was established subsequent to the establishment of the sex offender's residence or lodging. The provisions of this Section shall not apply to any person or sex offender who has established a residence or lodging and then relocates to a different residence or lodging within the Township after the adoption of this Part.

(Ord. 507, 11/16/2005)

#### **§11-204. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 507, 11/16/2005; as amended by Ord. 561, 4/25/2012)

#### **§11-205. Enforcement.**

All agencies and authorities within the Township, including, but not limited to, the Northampton Township Police Department, have full authority to enforce this Part, and impose such fines and other penalties as necessary and appropriate.

(Ord. 507, 11/16/2005)

**Part 3****Rental Property****§11-301. Definitions.**

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

*Residential tenant*—any person who is subject to payment of any tax imposed by Northampton Township and resides in a leased residential property located within the Township.

(Ord. 515, 9/19/2007)

**§11-302. Registration Required.**

1. All persons, firms or corporations owning property in the Township of Northampton which is leased or licensed for residential use (i.e., houses, apartments, furnished or unfurnished rooms) are prohibited from leasing or licensing to any person or entity unless and until the person or entity leasing or licensing the property produces a registration from the Township acknowledging the occupancy of the premises. The owner of the property shall maintain a current file of registered tenants or lessees for all leased property in Northampton Township. This file shall be available for inspection by the Township upon 3 days notice.

2. All owners of property leased for residential occupancy shall annually report the names and addresses of all residential tenants by January 31 of each new year. In addition, all owners of property leased or licensed for residential properties shall report to the Township the names and addresses of the tenant or lessee whenever there is a change in the occupancy of any leased property. Said report shall be filed within 10 days of occupancy of the property.

(Ord. 515, 9/19/2007)

**§11-303. Permit and Registration Process.**

The Township Manager is hereby authorized to compile and maintain a database of all residential real estate leased within the boundaries of the Township, and shall cause to be reviewed all applications therefor, and, when appropriate, issue registration forms.

(Ord. 515, 9/19/2007)

**§11-304. Registration Forms.**

Northampton Township shall provide forms for the registration of tenants in leased properties within the boundaries of Northampton Township. Information required on the form shall include the name or names and addresses of all tenants who reside in the leased property.

(Ord. 515, 9/19/2007)

**§11-305. Fees; Violations and Penalties.**

1. Fees for moving permits shall be established by resolution of the Board of

Supervisors of Northampton Township.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 561*]

(*Ord. 515*, 9/19/2007; as amended by *Ord. 561*, 4/25/2012)

## **Chapter 12**

**[Reserved]**





## **Chapter 13**

### **Licenses, Permits and General Business Regulations**

#### **Part 1**

##### **Alarm System Registration**

- §13-101. Legislative Intent
- §13-102. Definitions
- §13-103. Enforcement
- §13-104. False Alarms; Registration of Alarm Systems
- §13-105. Violations and Penalties

#### **Part 2**

##### **Liquor License Transfer**

- §13-201. Application Procedures; Fee
- §13-202. Public Hearing
- §13-203. Denial of License

#### **Part 3**

##### **Peddling and Soliciting**

- §13-301. Definitions
- §13-302. License Required
- §13-303. Denial of License
- §13-304. License Fees
- §13-305. Contents of License; Possession and Exhibition
- §13-306. Hours of Conduct of Business
- §13-307. Use of Vehicles; Littering
- §13-308. Fixed Locations for Conducting Business Prohibited
- §13-309. Record of Licenses; Duty of Police Chief
- §13-310. Revocation or Suspension of Licenses
- §13-311. Fraud and Harassment Prohibited
- §13-312. Hawking Prohibited; Use of Loudspeakers or Bells
- §13-313. Violations and Penalties



**Part 1****Alarm System Registration****§13-101. Legislative Intent.**

It is the intent of this Part to reduce the false alarms and false notifications to the Police Department and fire company that emergencies exist or situations exist wherein police or fire assistance or investigation is required, as they are detrimental to the welfare and safety of the citizens of Northampton Township and the members of the Police Department and the fire company and the receipt of said false alarms and notifications detracts from the efficiency of the Departments in discharging their responsibilities to the citizens of Northampton Township. It is hereby declared to be the policy to safeguard and protect the citizens, the members of the Police Department and the members of all fire companies, present and future, from such hazards or risks.

(Ord. 199, 5/12/1982)

**§13-102. Definitions.**

1. *Word Usage.* Words in the singular number include the plural, and words in the plural number include the singular; the present tense includes the future; the word “building” shall be deemed to include the word “structure.” An individual shall be deemed to include any person, group, group of persons and/or partnership or corporation.

2. *Words Defined.* Unless otherwise expressly stated, the following words shall, for the purposes of this Part, have the meanings herein stated:

*Alarms*—any mechanical, electrical or electronic signal reporting by means of telephone cables or other means of transmission received by the Police Department or fire company, or audible alarm which is heard and/or called in by another, that an emergency exists at the sounding location. Said alarms shall include but are not limited to those types installed to indicate robberies, burglaries and fires.

*False alarm*—any report or request for police and/or fire service or assistance by any means of communication as herein defined wherein the situation, condition, incident or emergency did not and does not exist.

*Fire company*—the Northampton Township Fire Company or any other fire company which may operate in Northampton Township in the future.

*Fire Marshal*—the Fire Marshal of Northampton Township.

*Police Department*—the Northampton Township Police Department.

(Ord. 199, 5/12/1982)

**§13-103. Enforcement.**

The Police Department and the Fire Marshal shall have the power and the duty to enforce the provisions of this Part insofar as they relate to any false alarm or request for service or assistance.

(Ord. 199, 5/12/1982)

**§13-104. False Alarms; Registration of Alarm Systems.**

It shall be unlawful for any person or persons, including, but not limited to, an owner or lessee of any building in which a fire, holdup or burglar alarm has been installed:

A. To cause, suffer, allow or permit the accidental or purposeful transmission of a false alarm signal from any public or private place to the Police Department or fire company.

B. To cause, suffer, allow or permit to be made any report or request for police or fire service or assistance by any means of communication wherein the situation, condition, incident or emergency did not and does not exist.

C. To fail to register with the Police Department an alarm system, to include, but not be limited to, burglary, robbery and fire, within 24 hours of the installation. Registration is to include the name, address and telephone number of the subscriber and of the installer and the name, address and telephone number of at least one person who has the knowledge and means to reset the alarm. [Ord. 282]

(Ord. 199, 5/12/1982; as amended by Ord. 282, 10/12/1988)

**§13-105. Violations and Penalties.**

1. Any person violating any of the provisions of this Part shall receive written notice of violation(s) on a Northampton Township ordinance violation report. If no person is present to receive the ordinance violation report in person, a copy of the ordinance violation report shall be delivered by certified mail, return receipt requested, to the alarm subscriber. Upon receipt of a copy of the ordinance violation report, the alarm subscriber shall, within 48 hours, personally or through his or her representative, bring the copy of the ordinance violation report and the sum of \$15 to the offices of the Police Department at 55 Township Road, Richboro, Pennsylvania.

2. Failure to comply with subsection .1 above shall result in the issuance of a citation in accordance with the Pennsylvania Rules of Criminal Procedure, and, upon conviction thereof by the proper issuing authority, shall be sentenced to pay a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [Ord. 561]

(Ord. 199, 5/12/1982; as amended by Ord. 211, 5/9/1984, §46-5; by Ord. 222, 3/13/1985; by Ord. 282, 10/12/1988; by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012)

**Part 2****Liquor License Transfer****§13-201. Application Procedures; Fee.**

Any individual, partnership, corporation, and/or business entity who applies for either the intermunicipal transfer of a liquor license or for the issuance of an economic development liquor license (hereinafter an “applicant”) shall be subject to, and shall adhere to, the following procedures:

A. An applicant shall prepare and submit to the Township Zoning Officer an original and 15 copies of an application, in a form that shall be provided by the Township, and which shall contain information:

(1) The name, address, telephone number, fax number, and e-mail address of the applicant.

(2) The type of license sought.

(3) The street address and tax parcel number(s) of the property for which the license is sought.

(4) The name, address, telephone number, fax number, and e-mail address of the owner of the property for which the license is sought.

(5) The street address, municipality and tax parcel number(s) of the property from which the license is sought to be transferred.

(6) The name, address, telephone number, fax number, and e-mail address of any attorney representing the applicant and any attorney representing the subject property owner.

(7) Where the applicant is a corporation, partnership, and/or any entity other than an individual, the name, address, telephone number, fax number, and e-mail address of the principal offices of the applicant, the State of incorporation and/or registration of the applicant, and the name, address, telephone number, fax number, and e-mail address of each and every owner, director, officer and/or equity owner of the applicant.

(8) A statement of the applicant's ownership interest in the subject property, together with proof of the same in the form of a deed, agreement of sale or lease.

(9) A statement of all other properties and/or businesses owned and/or operated by the applicant and/or the owners, equity owners, directors and/or officers of the applicant that have, at any time, been issued or held liquor licenses. Such statement shall include the name, address, telephone number, fax number, e-mail address, and tax parcel number of each such property or business, together with the liquor license number of each and every license issued to each such property, business, owner, equity owner, director, officer, and/or to the applicant.

(10) A statement that the applicant and/or the owners, equity owners, directors and/or officers of the applicant have never been convicted of, and/or received citations for, any violations of the Pennsylvania Liquor Code; the

Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. §780-101 *et seq.*; and/or any provisions of the Pennsylvania Crimes Code, 18 Pa.C.S.A. §101 *et seq.* If the applicant and/or the owners, equity owners, directors and/or officers of the applicant have ever been convicted of, and/or cited for, any such violations, then the applicant shall, for each such conviction and/or citation, provide the date and location at which the violation occurred, the nature of the violation, the statute, ordinance or regulation violated, the court or agency before which the violation was adjudicated, and the fine and/or punishment imposed for the violation.

(11) A description of nature of proposed operations to take place at the property and/or facility including:

(a) A sketch plan of the property identifying the existing and proposed improvements thereon.

(b) A plan of the interior of the building/facility identifying the location and dimensions of the bar area, restaurant area, kitchen, bathrooms, outdoor patron areas, and storage areas, as applicable, together with a floor plan identifying the proposed layout of the bar, restaurant, and/or outdoor patron areas, including, but not limited to, the location of the bar(s), tables, chairs, stools, dance floor(s), stage(s), and/or any other areas to which the public will have access, as applicable.

(c) A statement of and/or description of the intended use of the property/facility. The statement and/or description must identify the proposed hours of operation, must indicate if live music or entertainment are to be made available to patrons, must indicate if dancing will be permitted on the premises, must indicate if billiards, darts, video and/or arcade games will be available for patrons, and must identify if any bar, restaurant, athletic and/or entertainment services are to be provided outdoors and, if so, a description of all such services.

(12) The name, address, and tax parcel number of every school, preschool, day-care facility, place of religious worship, park, recreation and/or amusement facility, and/or establishment with a liquor license.

(13) A certification by the applicant that the information contained in the application is true and correct; an acknowledgment that the presentation of false information shall subject the applicant to possible arrest, fines, and imprisonment; and an acknowledgment that submission of false or inaccurate information may constitute grounds for revocation of the liquor license by the Commonwealth and rejection of the application by the Township.

B. The applicant shall submit with the application, at the time of filing, a fee in the amount as established, from time to time, by resolution of the Board of Supervisors, as shall hereafter be modified by the Township and reflected in the Township fee schedule then in effect. [*Ord. 561*]

C. The Township shall schedule a public hearing on the said application to be held within 45 days of the receipt of the fully completed application. The applicant shall provide notice of the scheduled hearing to adjacent property owners under the procedures set forth in §27-1403.1 of the Code of the Township of Northampton.

(*Ord. 477, 8/8/2001; as amended by Ord. 561, 4/25/2012*)

**§13-202. Public Hearing.**

The Township Supervisors shall hold a public hearing on the said application within 45 days of the receipt of the fully completed application, at which hearing a court reporter shall be present to make a transcript of the hearing. Public comment on the applicant's request for the transfer and/or issuance of the license shall also be allowed during the hearing or hearings on the application. At the conclusion of the hearing or hearings on the application, and within the same 45 days following the receipt of the fully completed application, the Supervisors shall render a decision to either approve or disapprove the application.

(*Ord. 477, 8/8/2001*)

**§13-203. Denial of License.**

The Township Manager and/or the Township Solicitor shall, in writing, advise the Commonwealth Liquor Control Board of the decision of the Supervisors. If the application is not approved by the Township, the Supervisors may direct the Township Manager and/or the Township Solicitor to file a formal protest against the transfer and/or issuance of the license with the Commonwealth Liquor Control Board, and to participate in any and all proceedings before the Commonwealth Liquor Control Board in regard to the desired license. Further, the Supervisors may similarly direct the Township Solicitor to participate in any appeal, to any court, of or from the decision of the Township in regard to the application.

(*Ord. 477, 8/8/2001*)





**Part 3****Peddling and Soliciting****§13-301. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated:

*Peddler*—any person who shall engage in peddling, as herein below defined.

*Peddling and soliciting*—

- (1) Includes:

*Peddling*—the transient selling or offering for sale, not at a fixed location, of any goods, wares, services or merchandise for immediate delivery, including activities traditionally known as a door-to-door sales, which the person selling or offering for sale carries with him in traveling or has in his possession or control upon any of the streets or sidewalks or from house-to-house or by visitation to private residences or nonresidential property within the Township.

*Soliciting*—the advertising of services by leaflets, flyers, handbills and the like; seeking or taking of contracts or orders for any goods, wares, services or merchandise for future delivery, or for subscriptions or contributions by one who is peddling; or, the seeking or taking of contracts or orders for home or other building repairs, improvement and alterations, and also orders or contracts for any mechanical, electrical, plumbing or heating device or equipment for houses, or other building improvements or repairs, upon or from the places aforesaid within the Township.

[Ord. 517]

- (2) The words “peddling” and “soliciting” shall not apply:

- (a) To farmers seeking or taking orders for the sale of their own products.

- (b) To the seeking or taking of orders by any manufacturer or producer for the sale of bread and bakery products, meat and meat products or milk or milk products.

- (c) To the sale of goods, wares, and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.

- (d) To the seeking or taking of orders for insurance by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.

- (e) To persons, corporations, partnerships and associations, their agents or employees, who have complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. §162.1 *et seq.*

[Ord. 561]

- (f) To any person taking orders for merchandise from dealers or merchants for resale to an ultimate consumer.

*Person*—any natural person, association, partnership, firm, organization or corporation.

*Solicitor*—any person who shall engage in soliciting as hereinabove defined.

2. *Word Usage.* In this Part, the singular shall include the plural, and the masculine shall include the feminine and the neuter.

(*Ord. 19, 2/11/1956; as amended by Ord. 517, 9/19/2007; and by Ord. 561, 4/25/2012*)

### **§13-302. License Required.**

No person shall engage in soliciting or peddling in the Township of Northampton without first having taken out a license as herein provided.

(*Ord. 19, 2/11/1956*)

### **§13-303. Application for License.**

1. Every person desiring to engage in soliciting or peddling in the Township of Northampton shall first make application to the Secretary of the Board of Supervisors for a license. If such person shall also be required to obtain a license from any county officer, he shall, on making such application, exhibit a valid County license. The said application shall be upon a blank provided by the Township Secretary and shall contain at least the following information, verified by oath or affirmation;

A. Full name of the applicant and local address, if any.

B. Permanent address.

C. Name of employer or a statement that such applicant is self-employed.

D. The nature of the goods, wares, services or merchandise offered for sale.

E. A statement as to whether or not the applicant has ever been convicted of any crime, and if the answer is in the affirmative, the nature of the offense or offenses and the punishment or punishments imposed therefor.

F. The type of vehicle to be used, if any.

2. Upon request, the applicant shall also submit to fingerprinting and furnish a photograph.

3. Where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper and verified or affirmed by oath or affirmation by him and an individual license shall be required for each helper. No license under this Part shall be transferable from one person to another.

(*Ord. 19, 2/11/1956*)

### **§13-304. License Fees.**

1. No license shall be issued under this Part until the prescribed fee shall be paid to the Township Secretary, for the use of the Township. A separate application and separate license fee shall be required for each solicitor or peddler employed or engaged in the soliciting for or peddling of a person's goods, wares, merchandise or services.

2. License fees for solicitors or peddlers shall be set by resolution of the Board of Supervisors, from time to time. [*Ord. 561*]

3. It shall be unlawful to continue to solicit or peddle within Northampton Township after the expiration of a license; a new application form must be submitted with the required fee to obtain a renewal license.

(*Ord. 19, 2/11/1956*; as amended by *Ord. 49, 11/24/1961*; by *Ord. 361, 4/2//1993*; and by *Ord. 561, 4/25/2012*)

**§13-305. Contents of License; Possession and Exhibition.**

Such license, when issued, shall state, inter alia, the products to be sold or services to be rendered by the licensee. Every solicitor or peddler shall at all times, when engaged in soliciting or peddling in the Township of Northampton, carry such license upon his person and shall exhibit it upon request to all police officers, Township officials and citizens. No solicitor or peddler shall engage in selling any product or service not mentioned on such license.

(*Ord. 19, 2/11/1956*)

**§13-306. Hours of Conduct of Business.**

No person licensed as a solicitor or peddler under this Part shall engage in soliciting or peddling on any day of the week before 9 a.m. or after 8 p.m. During the time of the year when Eastern Standard Time is effective, the aforesaid hours shall be Eastern standard time, and during the time of the year when daylight saving time is effective, the aforesaid hours shall be Daylight Saving Time.

(*Ord. 19, 2/11/1956*)

**§13-307. Use of Vehicles; Littering.**

No person licensed as a solicitor or peddler under this Part shall park any vehicle upon any of the streets, highways or alleys of the Township in order to sort, rearrange or clean any of his goods, wares, services or merchandise; nor shall any such person place or deposit any refuse on any such streets, highways or alleys; nor shall any such person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in the Township for longer than necessary in order to sell therefrom to persons residing in the immediate vicinity.

(*Ord. 19, 2/11/1956*)

**§13-308. Fixed Locations for Conducting Business Prohibited.**

No person licensed as a solicitor or peddler under this Part shall occupy any fixed location upon any of the streets, highways, alleys or sidewalks of the Township for the purpose of soliciting or peddling, with or without any stand or counter.

(*Ord. 19, 2/11/1956*)

**§13-309. Record of Licenses; Duty of Police Chief.**

The Secretary shall keep a record of all licenses issued under this Part, and the Chief of Police shall apply daily for a list of licenses issued hereunder since the previous day. The Chief of Police shall supervise the activities of all holders of such licenses.

(*Ord. 19, 2/11/1956*)

**§13-310. Revocation or Suspension of Licenses.**

Any license issued under this Part may be suspended or revoked at any time by the Board of Supervisors upon proof being furnished to it of the following causes:

- A. The application for the license contained false or misleading information.
- B. The applicant or licensee was convicted of a crime involving fraud, misappropriation of funds or property or moral turpitude after the issuance of the license.
- C. The applicant or licensee engaged in any false, misleading or fraudulent selling, soliciting or peddling during the term of such license.
- D. The applicant or licensee harassed, annoyed or badgered the residents and inhabitants of the Township during the term of such license.
- E. The licensee was convicted of disorderly conduct or disturbing the peace under any law of the Commonwealth of Pennsylvania or any ordinance of the Township of Northampton.

(*Ord. 19, 2/11/1956; as amended by Ord. 49, 11/24/1961*)

**§13-311. Fraud and Harassment Prohibited.**

It shall be unlawful for any solicitor or peddler to engage in false, misleading or fraudulent selling, soliciting or peddling or to harass, annoy or badger any resident within the Township of Northampton, subject to the fines and penalties set forth in this Part.

(*Ord. 19, 2/11/1956; as amended by Ord. 49, 11/24/1961*)

**§13-312. Hawking Prohibited; Use of Loudspeakers or Bells.**

No person licensed as a solicitor or peddler under this Part shall hawk or cry his wares or services upon any of the streets or sidewalks of the Township, nor shall he use any loudspeaker, bell, whistle or other device for announcing his presence by which the public is annoyed.

(*Ord. 19, 2/11/1956*)

**§13-313. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 19, 2/11/1956; as amended by Ord. 211, 5/9/1984, §95-13; by Ord 285, 2/22/1989; and by Ord. 561, 4/25/2012*)

## **Chapter 14**

**[Reserved]**



## **Chapter 15**

### **Motor Vehicles and Traffic**

#### **Part 1**

##### **General Regulations**

- §15-101. Definitions and Interpretations
- §15-102. Manner of Adopting Permanent Traffic and Parking Regulations
- §15-103. Provisions to Be Continuation of Existing Regulations
- §15-104. Temporary and Emergency Regulations
- §15-105. Experimental Regulations
- §15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events
- §15-107. Use of Streets by Processions and Assemblages
- §15-108. Authority of Police Officers
- §15-109. Authorization for Use of Speed Timing Devices

#### **Part 2**

##### **Traffic Regulations**

- §15-201. Maximum Speed Limits Established on Certain Streets
- §15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures
- §15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades
- §15-204. Maximum Speed Limits Established in Parks
- §15-205. Traffic Signals at Certain Locations
- §15-206. Intersections Where Turn Prohibited on Red Signal
- §15-207. One-Way Roadways Established
- §15-208. Turning at Certain Intersections Prohibited or Restricted
- §15-209. Right Turns Prohibited at Certain Intersections
- §15-210. U-turns Prohibited at Certain Locations
- §15-211. Center Structures at Intersections
- §15-212. No Passing Zones Established
- §15-213. Through Highways Established
- §15-214. Stop Intersections Established
- §15-215. Yield Intersections Established
- §15-216. Operation of Motor Vehicles Restricted on Public Lands
- §15-217. Rotary Traffic Islands Established
- §15-218. Play Highways Established and Authorized
- §15-219. Snowmobile Roads Designated

#### **Part 3**

##### **Restrictions on Size, Weight and Type of Vehicle and Load**

- §15-301. Vehicle Weight Limits Established on Certain Streets and Bridges
- §15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges

- §15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges
- §15-304. Truck Traffic Restricted on Certain Streets

#### **Part 4**

##### **General Parking Regulations**

- §15-401. Vehicles to Be Parked Within Marked Spaces
- §15-402. Parking Prohibited at All Times in Certain Locations
- §15-403. Parking Prohibited in Certain Locations, Certain Days and Hours
- §15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations
- §15-405. Parking Time Limited in Certain Locations Certain Days and Hours
- §15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited
- §15-407. Fire Lanes Designated
- §15-408. Standing or Parking on Roadway for Loading or Unloading
- §15-409. Angle Parking Required on Portions of Certain Streets
- §15-410. Residential Permit Parking
- §15-411. Parking Prohibited on Portions of Certain Highways During Street Sweeping Hours
- §15-412. Penalties

#### **Part 5**

##### **On-Street Metered Parking**

- §15-501. Parking Meter Zone Established
- §15-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply
- §15-503. Placement and Characteristics of Parking Meters
- §15-504. Parked Vehicles to Be Wholly Within Marked Spaces
- §15-505. Coin Deposit in Meter; Overtime Parking Unlawful
- §15-506. Unlawful to Deposit Substitute for Coin in Meter
- §15-507. Unlawful to Deposit Coin in Meter to Extend Parking Time Beyond Legal Limit
- §15-508. Unlawful to Remain Parked at Meter Showing Violation
- §15-509. Unlawful to Tamper with Meter
- §15-510. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [    ] Hours
- §15-511. Penalty for Violation
- §15-512. Exceptions

#### **Part 6**

##### **Off-Street Metered Parking**

- §15-601. Metered Parking Lots Established
- §15-602. Placement and Characteristics of Parking Meters
- §15-603. Reserved Parking Spaces for Handicapped May Be Provided
- §15-604. Parked Vehicles to Be Wholly Within Marked Spaces
- §15-605. Manner of Parking at Meters
- §15-606. Coin Deposit in Meter; Overtime Parking Unlawful



- §15-607. Unlawful to Deposit Substitute for Coin in Meter
- §15-608. Unlawful to Remain Parked at a Meter Showing Violation
- §15-609. Unlawful to Tamper with Meter
- §15-610. Metered Parking Lots for Certain Types of Vehicles Only
- §15-611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [    ]  
Hours
- §15-612. Penalty for Violation

## **Part 7**

### **Off-Street Unmetered Parking**

- §15-701. Unmetered Parking Lots Established
- §15-702. Reserved Parking Spaces for Handicapped May Be Provided
- §15-703. Unlawful to Park Overtime or When Lot Closed
- §15-704. Unmetered Lots for Certain Types of Vehicles
- §15-705. Manner of Parking
- §15-706. Parking on Rental Basis Only
- §15-707. Penalty for Violation

## **Part 8**

### **Removal and Impoundment of Illegally Parked Vehicles**

- §15-801. Applicability and Scope
- §15-802. Authority to Remove and Impound
- §15-803. Tow Away Zones Designated
- §15-804. Designation of Approved Storage Garages; Bonding; Towing and Storage
- §15-805. Payment of Towing and Storage Charges
- §15-806. Reclamation Costs
- §15-807. Records of Vehicles Removed and Impounded
- §15-808. Restrictions upon Removal of Vehicles
- §15-809. Penalty for Violation
- §15-810. Reports and Disposition of Unclaimed Vehicles

## **Part 9**

### **Snow Events**

- §15-901. Declaration of Snow and Ice Event
- §15-902. Parking Prohibited During Snow Event
- §15-903. Special Powers of the Chairman of the Board of Supervisors, or the Chief  
of Police to Regulate Parking
- §15-904. Posting of Signs
- §15-905. Towing of Vehicles
- §15-906. Violations and Penalties

## **Part 10**

### **Regulation of Pedalcycles and Nonmotorized Vehicles**

- §15-1001. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets  
Prohibited
- §15-1002. Restrictions on Use of Pushcarts

§15-1003. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles

**Part 11**  
**Pedestrian Regulations**

§15-1101. Pedestrians to Obey Traffic-Control Signs

§15-1102. Pedestrian-Control Signal Locations Established

§15-1103. Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted

§15-1104. Locations Where Pedestrians May Cross Only in Crosswalk

§15-1105. Penalty for Violation

**Part 1****General Regulations****§15-101. Definitions and Interpretation.**

1. Words and phrases, when used in this Chapter, except for Sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa. C.S.A. §101 *et seq.*, except that in this Chapter the word “street” may be used interchangeably with the word “highway,” and shall have the same meaning as the word “highway” as defined in the Vehicle Code.

2. The term “legal holidays” as used in this Chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 561, 4/25/2012)

**§15-102. Manner of Adopting Permanent Traffic and Parking Regulations.**

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this Chapter, except where the law specifically authorizes less formal action.

(Ord. 561, 4/25/2012)

**§15-103. Provisions to Be Continuation of Existing Regulations.**

The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

(Ord. 561, 4/25/2012)

**§15-104. Temporary and Emergency Regulations.**

1. The *[Designated Official]* shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.

B. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

2. Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulation, or who shall, move, remove, destroy, injure or deface any sign or marking erected, posted or made to

give notice of any such regulation, upon conviction thereof, shall be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution.

(Ord. 561, 4/25/2012)

#### **§15-105. Experimental Regulations.**

The Township may, from time to time by resolution, designate places upon and along the highways in the Township where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this Chapter. No person shall operate and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section, upon conviction thereof, shall be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution; provided, the purpose of this Section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

(Ord. 561, 4/25/2012)

#### **§15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.**

1. The Township shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

2. The Township shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

3. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

#### **§15-107. Use of Streets by Processions and Assemblages.**

1. For the purpose of this Section, the words “assemblage” and “procession” shall have the following meanings:

*Assemblage* - a gathering of people without vehicles, which interferes with the

movement of pedestrian or vehicular traffic on any street.

*Procession* - a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the [Designated Official], which shall be issued without fee. Application for the permit shall be made at least 1 week in advance of the day on which the assemblage is proposed to be held, but in any case where a State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the [Designated Official], which shall be issued without fee. Application for the permit shall be made at least 2 weeks in advance of the day when the procession is proposed to be held, but in any case where the State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.

4. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

#### **§15-108. Authority of Police Officers.**

The police officers of the Township are hereby authorized to direct traffic on the highways of the Township and at intersections thereof and to otherwise enforce the provisions of this Chapter.

(Ord. 561, 4/25/2012)

#### **§15-109. Authorization for Use of Speed Timing Devices.**

1. The Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with 75 Pa.C.S.A. §3368.

2. This Section authorizes the use of said devices upon all highways within the Township be they Township, County or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the

Commonwealth of Pennsylvania, 75 Pa.C.S.A. §6101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(*Ord. 561*, 4/25/2012)

**Part 2****Traffic Regulations****§15-201. Maximum Speed Limits Established on Certain Streets.**

1. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle on any part of a street where a maximum speed limit applies at a higher speed than the maximum prescribed for that part of the street:

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Acorn Drive	Entire length	All	25
Adams Court	Entire length	All	25
Addis Drive	Entire length	All	25
Adele Drive	Entire length	All	25
Alan Road	Entire length	All	25
Alberts Court	Entire length	All	25
Alderberry Court	Entire length	All	25
Almshouse Road	From the Township line (Warwick) to Jacksonville Road	East/West	45
Almshouse Road	From Jacksonville Road to a point feet west of Second Street Pike	East/West	50
Almshouse Road	From a point 6,896 feet west of Second Street Pike to a point 2,396 feet west of Second Street Pike	East/West	40
Almshouse Road	From a point 2,396 feet west of Second Street Pike to Street Pike	East/West	35
American Drive	Entire length	East/West	25
Amsterdam Avenue	Entire length	All	25
Andrea Drive	Entire length	All	25
Ann Circle	Entire length	All	25
Ann Drive	Entire length	All	25
Anselm Drive	Entire length	All	25
Anthony Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Antler Drive	Entire length	All	25
Appaloosa Court	Entire length	All	25
Appaloosa Trail	Entire length	All	25
Aqua Drive	Entire length	All	25
Arabian Way	Entire length	All	25
Arbor Road	Entire length	All	25
Arrowhead Road	Entire length	All	25
Aspen Drive	Entire length	All	25
Auburn Drive	Entire length	All	25
Auckland Drive	Entire length	All	25
Austin Drive	Entire length	All	25
Autumn Road	Entire length	All	25
Averstone Court	Entire length	All	25
Averstone Drive	Entire length	All	25
Barley Road	Entire length	All	25
Barry Court	Entire length	All	25
Bellwood Drive	Entire length	East/West	25
Belsam Court	Entire length	All	25
Barley Road	Entire length	All	25
Basswood Circle	Entire length	All	25
Beech Street	Entire length	All	25
Bellmont Way	Entire length	All	25
Beverly Road	Entire length (from Mallard Road to East Patricia Road)	North/South	25
Birch Avenue	Entire length	All	25
Black Pine Road	Entire length	All	25
Black Rock Drive	Entire length	All	25
Black Rock Place	Entire length	All	25
Blaises Gate	Entire length	All	25
Bless Circle	Entire length	North/South	25



<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Bluebird Drive	Entire length	All	25
Blue Fox Lane	Entire length	All	25
Bobbie Drive	Entire length	East/West	25
Bonnie Road	Entire length	All	25
Boxwood Road	Entire length	All	25
Bradley Court	Entire length	All	25
Brae Bourne Drive	Entire length	All	25
Braintree Common	Entire length	All	25
Breckenridge Drive	Entire length	All	25
Brendan Court	Entire length	All	25
Brentwood Place	Entire length	All	25
Brianna Road	Entire length	All	25
Briarwood Drive	Entire length from Buck Road to Ponderosa Drive	East/West	25
Bridgetown Pike	From the Township line (Middletown) to Maple Avenue	East/West	35
Bridgetown Pike	From Maple Avenue to Bristol Road	East/West	45
Bridgetown Pike	From the Middletown Township line to West Maple Avenue	All	35
Bridgetown Pike	From Lanhorne Avenue to Maple Avenue	West	35
Bridgetown Pike	From Maple Avenue to the Lower Southampton Township line	West	45
Bridle Path	Entire length	All	25
Bristol Road	From Chinquapin Road to a point 528 feet east of Hilltop Drive	East/West	40
Bristol Road	From Means Road to a point 528 feet east of Hilltop Drive	East/West	45
Bristol Road	From the Upper Southampton Township line to a point east of Hilltop Drive	West	40

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Bristol Road	From the Warwick Township line to a point 528 feet east of Hilltop Drive	West	45
Broadview Road	Entire length	All	25
Brook Drive	Entire length	North/South	25
Brookline Road	Entire length	All	25
Brookside Drive	Entire length	All	25
Brookwood Drive	Entire length	All	25
Brown Drive	Entire length	All	25
Bruce Drive	Entire length	All	25
Bryan Drive	Entire length	All	25
Buck Hill Drive	Entire length	All	25
Buck Road	From the Township line (Lower Southampton) to Holland Road	North/South	25
Buck Road	From Holland Road to Rocksville Road	North/South	25
Buck Road	From Rocksville Road to Pine Run Drive	North/South	40
Buck Road	From Pine Run Drive to the Township line (Newtown)	North/South	45
Buck Road	From Holland Road to East Heron/Heron Roads	All	45
Buck Road	From East Heron/Heron Roads to the Newtown Township line	All	45
Buckhorn Road	Entire length	All	25
Bucknell Lane	Entire length	All	25
Buckshire Drive	Entire length	All	25
Buckshire Place	Entire length	All	25
Burdsal Avenue	Entire length	All	25
Bustleton Pike	From Bristol Road to Second Street Pike	North/South	35
Bustleton Pike	Entire length	All	25
Butternut Court	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Buttonwood Drive	Entire length	All	25
Camberly Road	Entire length	All	25
Cameo Drive	Entire length	All	25
Cameron Drive	Entire length	North/South	25
Candace Court	Entire length	All	25
Cardinal Drive	Entire length	All	25
Carmelita Drive	Entire length	All	25
Carol Lane	Entire length	All	25
Carriage House Drive	Entire length	All	25
Casey Road	Entire length	All	25
Castleton Lane	Entire length	All	25
Cathleen Drive	Entire length	All	25
Cecilia Acres Drive	Entire length	All	25
Cedar Drive	Entire length	All	25
Cedarbrook Drive	Entire length	All	25
Center Street	Entire length	All	25
Chapel Drive	Entire length	All	25
Charles Drive	Entire length	All	25
Charlotte Drive	Entire length	All	25
Charter Circle	Entire length	All	25
Chatham Court	Entire length	All	25
Chelsea Circle	From Tinari Drive entire length	All	25
Cherokee Drive	Entire length	All	25
Cherry Blossom Drive	From Bristol Road to Second Street Pike	East/West	25
Cheshire Court	Entire length	All	25
Chestnut Drive	From Newtown-Richboro Road to Upper Holland Road	All	25
Chimney Hill Court	Entire length	All	25
Chinquapin Road	From Buck Road to Bristol Road	East/West	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Christopher Drive	Entire length	All	25
Churchville Lane	From Holland Road to Bristol Road	East/West	40
Clark Court	Entire length	All	25
Clinton Court	Entire length	All	25
Clover Road	Entire length	All	25
Cloverly Drive	Entire length	All	25
Cobblestone Court	Entire length	All	25
Columbia Circle	Entire length	All	25
Commerce Drive	Entire length	All	35
Copperleaf Court	Entire length	All	25
Cornell Avenue	Entire length	All	25
Council Rock Drive	Entire length	All	35
Covey Lane	Entire length	All	25
Creek Road	Entire length	All	25
Crescent Drive	Entire length	All	25
Crest View Drive	Entire length	All	25
Cricket Drive	Entire length	All	25
Cropwell Lane	Entire length	All	25
Crossroad's Plaza Traffic Way	From Bustleton Pike to Second Street Pike	East/West	20
Cynthia Drive	Entire length	All	25
Cypress Avenue	Entire length	All	25
Cypress Circle	Entire length	All	25
Daffodil Drive	Entire length	All	25
Dalton Way	Entire length	All	25
Danby Court	Entire length	All	25
Dartmouth Lane	Entire length	All	25
David Road	Entire length	All	25
Dawn Drive	Entire length	All	25
Deborah Road	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Deer Path Drive	Entire length	All	25
Delft Drive	Entire length	All	25
Devon Road	Entire length	All	25
Doe Run Drive	Entire length	All	25
Dogwood Road	Entire length	All	25
Dorchester Lane	Entire length	All	25
Doris Avenue	Entire length	All	25
Douglas Road	Entire length	All	25
Dove Court	Entire length	All	25
Dover Place	Entire length	All	25
Drew Drive	Entire length	All	25
Drexel Drive	Entire length	North/South	25
Driscoll Drive	Entire length	All	25
Dutch Drive	Entire length	All	25
Eagle Mount Drive	Entire length	All	25
East Elizabeth Lane	Entire length	All	25
East Gate Place	Entire length	All	25
East Georgianna Drive	Entire length	All	25
East Heron Road	Entire length	East/West	25
East Holland Road	From Buck Road to Holland Road	East/West	40
East Holland Road	From Holland Road to Bridgetown Pike	East/West	45
East Holland Road	From Buck Road to Holland Road	All	40
East Holland Road	From Buck Road to Bridgetown Pike	All	45
East Julianna Drive	From Friesland Drive to West Julianna Drive	North/South	25
East Norton Drive	Entire length	All	25
East Patricia Road	Entire length	All	25
East Pickering Bend	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
East Rambler Drive	Entire length	All	25
East Ridge Circle	Entire length	All	25
East Robin Road	Entire length	East/West	25
East Village Road	From Buck Road to Stoney Ford Road	East/West	25
East Village Road	From Stoney Ford Road to the intersection of Sheffield Place	East/West	25
East Village Road	From Buck Road to the intersection of Sheffield Place	All	25
East Windrose Drive	Entire length	All	25
Edgewood Court	Entire length	All	25
Edwards Drive	Entire length	All	25
Eisenhard Drive	Entire length	North/South	25
Elaine Drive	Entire length	All	25
Elk Drive	Entire length	All	25
Elm Avenue	Entire length	All	35
Elsa Way	Entire length	All	25
Emily Drive	Entire length	All	25
Erich Drive	Entire length	All	25
Erin Drive	Entire length	All	25
Evan Road	Entire length	All	25
Evergreen Court	Entire length	All	25
Exeter Court	Entire length	All	25
Fairhill Drive	Entire length (from New Road to terminus point)	All	25
Falcon Drive	Entire length	All	25
Farmway Drive	Entire length	All	25
Fairview Drive	Entire length	All	25
Fawn Drive	Entire length	All	25
Feather Court	Entire length	All	25
Fieldstone Drive	Entire length	All	25
Fir Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Firethorn Court	Entire length	All	25
Firewood Drive	Entire length	All	25
Florence Drive	Entire length	All	25
Forrest Drive	Entire length	North/South	25
Foxcroft Drive	Entire length	All	25
Friesland Drive	Entire length	East/West	25
Frog Hollow Road	Entire length	All	25
Furlong Court	Entire length	All	25
Gaelic Court	Entire length	All	25
Galena Court	Entire length	All	25
Galloway Road	Entire length	All	25
Gambrel Court	Entire length	All	25
Garrison Court	Entire length	All	25
Gatehouse Drive	Entire length	All	25
Gelder Drive	Entire length	All	25
Georgianna Drive	Entire length	East/West	25
Glasgow Road	Entire length	All	25
Glenfield Drive	Entire length	All	25
Glen Meadow Road	Entire length	All	25
Glennifer Hill Road	Entire length	All	25
Golden Gate Drive	Entire length	All	25
Golfview Drive	Entire length	All	25
Gordon Wilbur Court	Entire length	All	25
Grace Drive	Entire length	All	25
Granary Court	Entire length	All	25
Grant Drive	Entire length	All	25
Grasshopper Drive	Entire length	All	25
Great Oak Drive	Entire length	All	25
Green Drive	Entire length	All	25
Green Meadow Circle	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Green Valley Drive	Entire length	All	25
Gregory Place	Entire length	All	25
Grenoble Road	Entire length	All	25
Grenville Circle	Entire length	All	25
Grouse Court	Entire length	All	25
Hals Drive	Entire length	All	25
Hampshire Drive	Entire length	All	25
Hampton Drive	From New Road to Post Road	North/South	25
Harmony Drive	Entire length	All	25
Harriet Road	Entire length	All	25
Harvest Road	Entire length	All	25
Hatboro Road	From Almshouse Road to Bristol Road	North/South	35
Hatboro Road	From Almshouse Road to Sackettsford Road	North/South	45
Hatboro Road	From Temperance Lane to Almshouse Road	North/South	45
Hatboro Road	From Sackettsford Road to Temperance Lane	South	45
Hawthorne Terrace	Entire length	All	25
Hayhurst Drive	Entire length	All	25
Heather Road	From Second Street Pike to South Kitty Knight Drive	All	25
Hearthstone Court	Entire length	All	25
Heather Road	Entire length	All	25
Heather Valley Road	Entire length	All	25
Hemlock Drive	Entire length	All	25
Heron Place	Entire length	All	25
Heron Road	Entire length (from Mallard Road to Buck Road)	East/West	25
Heron Way Terrace	Entire length	All	25
Hickory Drive	Entire length	All	25
Hidden Cove Drive	Entire length	All	25



<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Highland Drive	Entire length	All	25
Highpoint Circle	Entire length	All	25
Highpoint Drive	Entire length	All	25
Highspire Road	Entire length	All	25
Hill Drive	Entire length	All	25
Hilltop Drive	Entire length	East/West	25
Holland Road	From Newtown-Richboro Road to Rocksville Road	North/South	40
Holland Road	From Rocksville Road to Buck Road	North/South	25
Holly Hill Drive	Entire length	East/West	25
Holly Hill Road	Entire length	All	25
Hollyknoll Drive	Entire length	All	25
Holyoke Road	Entire length	All	25
Homestead Drive	Entire length	All	25
Honeysuckle Road	Entire length	All	25
Hope Road	Entire length	All	25
Hopkins Court	Entire length	All	25
Howard Road	Entire length	All	25
Hudson Court	Entire length	All	25
Humphreys Drive	Entire length	All	25
Hunt Drive	Entire length	All	25
Huntingdon Drive	Entire length	All	25
Independence Drive	Entire length	North/South	25
Indian Drive	Entire length	All	35
Indian Summer Drive	Entire length	All	25
Industrial Drive	Entire length	All	35
Inland Drive	Entire length	All	25
Inverness Court	Entire length	All	25
Iron Rock Court	Entire length	All	25
Iroquois Road	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Jacksonville Road	From Almshouse Road to Bristol Road	North/South	45
Jacksonville Road	From Ginko Farms to Bristol Road	South	50
Jacqueline Circle	Entire length	All	25
James Drive	Entire length	All	25
Jasons Way	Entire length	All	25
Jean Avenue	Entire length	All	25
Jefferson Court	Entire length	All	25
Jennifer Lane	Entire length	All	25
Jericho Road	Entire length	All	25
Joanne Road	Entire length	East/West	25
Jodie Road	Entire length	North/South	25
Johanna Drive	Entire length	All	25
Joshua Drive	From Almshouse Road to Sharon Drive	All	25
Joyce Kilmer Drive	Entire length	All	25
Jules Gate	Entire length	All	25
Juniper Drive	Entire length	All	25
Justice Drive	Entire length	North/South	25
Justice Drive	Entire length	All	25
Karen Road	Entire length	East/West	25
Kasi Circle	Entire length	All	25
Kay Avenue	Entire length	All	25
Kelinger Road	Entire length	All	25
Keenan Lane	Entire length	All	25
Kings Lane	Entire length	All	25
Kings Way Drive	Entire length	All	25
Knowles Avenue	From Bustleton Pike to Bristol Road	East/West	40
Knox Court	Entire length	All	25
Lake Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Lakeside Drive	Entire length	All	25
Lakeview Drive	Entire length	All	25
Langhorne Avenue	Entire length	All	25
Larch Circle	Entire length	All	25
Lark Drive	Entire length	All	25
Laurel Road	Entire length	All	25
Lawrence Avenue	Entire length	All	25
Lea Road	Entire length	All	25
Leemar Drive	Entire length	All	25
Lehigh Drive	Entire length	All	25
Lempa Road	Entire length	All	25
Lenape Drive	Entire length	All	25
Lexington Court	Entire length	All	25
Liberty Drive	Entire length	All	25
Lincoln Circle	Entire length	All	25
Linden Road	Entire length	All	25
Lindley Road	Entire length	All	25
Lisa Drive	Entire length	All	25
Lisette Road	Entire length	All	25
Livery Drive	Entire length	All	25
Locust Road	Entire length	All	25
Longstem Lane	Entire length	All	25
Longview Drive	Entire length	All	25
Loretta Circle	Entire length	All	25
Louise Drive	Entire length	All	35
Lower Holland Road	From Holland Road to Bustleton Pike	East/West	35
Lower Holland Road	Entire length	All	35
Lydia Avenue	Entire length	All	25
Lynford Road	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
MacFarland Avenue	Entire length	All	25
Madison Court	Entire length	All	25
Magnolia Drive	Entire length	All	25
Mallard Road	Entire length (from Buck Road to terminus point)	North/South	25
Manor Drive	Entire length	All	25
Maple Drive	Entire length	All	25
Marie Drive	Entire length	All	25
Martin Drive	Entire length	All	25
Matthew Circle	Entire length	All	25
Maureen Road	Entire length	All	25
Mayflower Circle	Entire length	All	25
Meadow Lane	Entire length	All	25
Meer Drive	Entire length	All	25
Mehler Drive	Entire length	All	25
Meredith Drive	Entire length	All	25
Merry Dell Drive	Entire length	All	25
Michael Road	Entire length	All	25
Middle Holland Road	From Holland Road to Buck Road	East/West	35
Middle Holland Road	Entire length	All	35
Milbob Drive	Entire length	All	25
Mildred Avenue	Entire length	All	25
Mill Creek Road	Entire length	All	25
Mill Race Lane	Entire length	All	25
Misty Meadow Drive	Entire length	North/South	25
Mohawk Drive	Entire length	North/South	25
Monica Drive	Entire length	All	25
Monroe Court	Entire length	All	25
Morgan Court	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Morning Glory Avenue	From Buck Road to Beverly Road	East/West	25
Morning Glory Avenue	Entire length	All	25
Mount Pleasant Drive	Entire length	All	25
Murray Road	Entire length	All	25
Musket Circle	Entire length	All	25
Mustang Court	Entire length	All	25
Nancy Drive	Entire length	All	25
Nathaniel Road	Entire length	All	25
Nelson Drive	Entire length	All	25
Neshaminy Drive	Entire length	All	25
Netherlands Drive	Entire length	All	25
Newburyport Road	Entire length	All	25
New Road	From Second Street Pike to Bustleton Pike	East/West	25
New Road	From Hatboro Road to Second Street Pike	East/West	35
Newtown-Richboro Road	From Second Street Pike to the Civic Center	East/West	35
Newtown-Richboro Road	From the Civic Center to the Township line (Newtown)	East/West	45
Nikol Drive	Entire length	All	25
North Drive	Entire length	All	25
North Hilltop Drive	Entire length	All	25
North Kitty Knight Drive	From West Julianna Drive to Still Pond Drive	North/South	25
North Kitty Knight Drive	Entire length	All	25
North Marmic Drive	Entire length	All	25
North Timber Road	Entire length	All	25
North Traymore Avenue	Entire length	All	25
Norton Drive	Entire length	All	25
Norwood Road	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Nottingham Drive	Entire length	All	25
Old Bristol Road	From Buck Road to Bridgetown Pike	North/South	25
Old Hickory Drive	Entire length	All	25
Old Jacksonville Road	From Almshouse Road to Sackettsford Road	North/South	35
Old Jordan Road	From Middle Holland Road to East Holland Road	North/South	25
Old Jordan Road	Entire length	All	25
Orthodox Drive	Entire length	All	25
Overlook Drive	Entire length	All	25
Paddock Way	Entire length	All	25
Paisley Road	Entire length	All	25
Palomino Court	Entire length	All	25
Par Drive	Entire length	All	25
Patrick Drive	Entire length	All	25
Payne Court	Entire length	All	25
Peach Blossom Drive	Entire length	All	25
Pebble Court	Entire length	All	25
Pebble Drive	Entire length	All	25
Penn Circle	Entire length	All	25
Pennlyn Road	Entire length	All	25
Pepperell Drive	Entire length	All	25
Peter Drive	Entire length	All	25
Pheasant Drive	Entire length	All	25
Pine Run Drive	Entire length	All	25
Pine Run Place	Entire length	All	25
Pine Avenue	Entire length	North/South	25
Pineview Drive	Entire length	All	25
Plymouth Court	Entire length	All	25
Polder Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Polinski Road	From Jacksonville Road to Hatboro Road	East/West	35
Ponderosa Drive	Entire length	All	25
Pond View Drive	Entire length	All	25
Poplar Drive	Entire length	All	25
Post Road	Entire length	North/South	25
Powdertown Court	Entire length	All	25
Primrose Drive	Entire length	All	25
Prince Circle	Entire length	All	25
Providence Drive	Entire length	All	25
Pulinski Road	Entire length	All	35
Purdue Drive	Entire length	East/West	25
Putnam Drive	Entire length	All	25
Quail Drive	Entire length	All	25
Quincy Place	Entire length	All	25
Rachel Road	Entire length	All	25
Radcliffe Drive	Entire length	All	25
Raffaella Drive	Entire length	All	25
Railroad Circle	Entire length	All	35
Randolph Court	Entire length	All	25
Redwood Drive	Entire length	All	25
Rembrandt Drive	Entire length	All	25
Remington Place	Entire length	All	25
Renee Circle	Entire length	All	25
Revere Drive	Entire length	All	25
Richard Road	Entire length	All	25
Ridgewood Place	Entire length	All	25
Rising Sun Avenue	Entire length	All	25
Robies Court	Entire length	All	25
Robin Road	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Rocking Horse Way	Entire length	All	25
Rocksville Road	From Buck Road to Woodenbridge Road	East/West	35
Rocksville Road	From Woodenbridge Road to Bridge-town Pike	East/West	25
Rocksville Road	Holland Road to Buck Road	All	25
Rock Way	Entire length	North/South	30
Rohiwee Road	Entire length	All	25
Rolling Hill Drive	Entire length	All	25
Ronald Drive	Entire length	All	25
Rosemary Drive	Entire length	All	25
Rosette Lane	Entire length	All	25
Ross Road	Entire length	All	25
Rotterdam East	Entire length	All	25
Rotterdam North	Entire length	All	25
Rotterdam West	Entire length	All	25
Rucker Drive	Entire length	All	25
Sackettsford Road	Entire length	All	35
Sackettsford Road	From Rushland Road to Second Street Pike	All	35
Saint Michael's Court	Entire length	All	25
St. Leonard's Road	From Middle Holland Road to Newtown-Richboro Road	North/South	25
Sandtrap Circle	Entire length	All	25
Saratoga Court	Entire length	All	25
Sassafras Drive	Entire length	All	25
Savage Drive	Entire length	All	25
Sawmill Court	Entire length	All	25
Schan Drive	Entire length	All	25
Schoolhouse Road	Entire length	All	25
Scott Drive	Entire length	All	25



<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Second Street Pike	From Bristol Road to Tanyard Road	North/South	45
Second Street Pike	From Tanyard Road to Worthington Mill Road	North/South	35
Second Street	From Worthington Mill Pike Road to Chain Bridge	North/South	45
Seedling Drive	Entire length	All	25
Serene Drive	Entire length	All	25
Seton Hill Court	Entire length	All	25
Shady Lawn Drive	Entire length	All	25
Sharon Drive	Entire length from Tanyard Road to Wendy Way	All	25
Shelbourne Road	Entire length	All	25
Shelly Road	Entire length	North/South	25
Sherwood Drive	Entire length	All	25
Sienna Circle	Entire length	All	25
Signal Hill Road	Entire length	All	25
Silo Hill Road	Entire length	All	25
Sima Road	Entire length	All	25
Sophia Drive	Entire length	All	25
South Cliff Court	Entire length	All	25
South Kitty Knight Drive	From Still Pond Drive to Merry Dell Drive	North/South	25
South Kitty Knight Drive	Entire length	All	25
South Marmic Drive	Entire length	All	25
South Timber Road	Entire length	All	25
South Traymore Avenue	Entire length	All	25
Spencer Road	From Almshouse Road to Sackettsford Road	North/South	35
Spencer Road	Entire length	All	35
Spring Avenue	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Spring Garden Mill Road	Entire length	All	25
Springwood Place	Entire length	All	25
Spruce Drive	Entire length	All	25
Stallion Circle	Entire length	All	25
Standing Tree Circle	Entire length	All	25
Stardust Drive	Entire length	All	25
Starling Drive	Entire length	All	25
Steamwhistle Drive	Entire length	All	35
Steeplechase Drive	Entire length	All	25
Stella Drive	Entire length	All	25
Still Pond Drive	Entire length	All	25
Stoneyford Road	Entire length	All	35
Stoney Ford Road	Entire length from Buck Road to East Holland Road	All	35
Stratford Drive	Entire length	All	25
Strawberry Lane	Entire length	All	25
Sugartree Road	Entire length	All	25
Summer Drive	Entire length	All	25
Summit Circle	Entire length	All	25
Sunrise Court	Entire length	All	25
Sunset Drive	Entire length	All	25
Surrey Drive	Entire length	All	25
Suzanne Court	Entire length	All	25
Swallow Road	Entire length	All	25
Sycamore Circle	Entire length	All	25
Sydney Road	Entire length	All	25
Sylvan Court	Entire length	All	25
Syracuse Lane	Entire length	All	25
Tall Oaks Drive	Entire length	All	25
Tangle Brook Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Tanyard Road	From Bustleton Pike to Second Street Pike	East/West	25
Tanyard Road	From Second Street Pike Road to Hatboro Road	East/West	25
Tanyard Road	Entire length	All	25
Tartan Road	Entire length	All	25
Temperance Lane	From Hatboro Road to Spencer Road	All	35
Temperance Lane	From Almshouse Road to Hatboro Road	East/West	35
Temperance Lane	Entire length	All	35
Temple Drive	Entire length	All	25
Tennis Road	Entire length	All	25
Thoroughbred Drive	Entire length	All	25
Timber Drive	From St. Leonard's Road to St. Leonard's Road	All	25
Timothy Drive	Entire length	All	25
Tinari Drive	From Twining Road entire length	All	25
Tinari Drive	Entire length	All	25
Titus Avenue	Entire length	All	25
Torresdale Drive	Entire length	All	25
Township Road	Entire length	All	25
Trailwood Drive	Entire length	All	25
Traub Drive	Entire length	All	25
Tree Bank Lane	Entire length	All	25
Tree Line Drive	Entire length	East/West	25
Tulip Road	Entire length	All	25
Twigkenham Drive	Entire length	All	25
Twiningford Road	Entire length	All	25
Twining Road	Entire length	East/West	25
Twist Drive	Entire length	All	25
Upland Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
Upper Holland Road	From Holland Road to Bustleton Pike	East/West	45
Upper Holland Road	Entire length	All	45
Valley Drive	Entire length	All	25
Vanderveer Avenue	Entire length	All	25
Van Dyck Drive	Entire length	All	25
Vemeer Court	Entire length	All	25
Vemeer Drive	Entire length	All	25
Vernasa Drive	Entire length	All	25
Verna Way	Entire length	All	25
Victoria Court	Entire length	All	25
Vincent Circle	Entire length	All	35
Virginia Drive	Entire length	All	25
Walnut Drive	Entire length	All	25
Ward Court	Entire length	All	25
Watergate Drive	Entire length	All	25
Wayne Court	Entire length	All	25
Wendy Way	Entire length from Wendy Way to Tanyard Road	East/West	25
West Bellwood Drive	Entire length	All	25
West Buttonwood Drive	Entire length	All	25
West Elizabeth Lane	Entire length	All	25
West Georgianna Drive	Entire length	All	25
West Julianna Drive	From East Julianna Drive to North Kitty Knight Drive	North/South	25
West Julianna Drive	Entire length	All	25
West Lynford Road	Entire length	All	25
West Norton Drive	Entire length	All	25
West Patricia Road	Entire length	All	25
West Pickering Bend	Entire length	All	25
West Rambler Drive	Entire length	All	25

<b>Street</b>	<b>Between</b>	<b>Direction of Travel</b>	<b>Maximum Speed Limit</b>
West Village Road	From Buck Road to Middle Holland Road	East/West	25
West Village Road	Entire length	All	25
West Windrose Drive	Entire length	All	25
Westwood Place	Entire length	All	25
Wheatsheaf Road	Entire length	All	25
White Birch Lane	Entire length	All	25
White Hurst Drive	Entire length	All	25
Whitney Lane	Entire length	All	25
Wilhelmina Drive	Entire length	All	25
William Way	Entire length	All	25
Willow Road	Entire length	All	25
Willowbrook Drive	Entire length	All	25
Willowgreene Drive	Entire length	All	25
Wilson Drive	Entire length	All	25
Windmill Drive	Entire length	All	25
Windsor Drive	Entire length	All	25
Windswept Road	Entire length	All	25
Windy Knoll Drive	Entire length	All	25
Winter Road	Entire length	All	25
Wisteria Drive	Entire length	All	25
Witherington Drive	Entire length	All	25
Wood Drive	Entire length	All	25
Woodenbridge Court	Entire length	All	25
Wooden Bridge Road	Entire length from Rocksville Road to terminus	North/South	25
Woodlake Drive	From Buck Road to Forrest Drive	All	25
Woodlake Drive	Entire length	All	25
Woodland Drive	Entire length	All	25
Woodside Drive	Entire length	All	25

Street	Between	Direction of Travel	Maximum Speed Limit
Woodstock Drive	Entire length	All	25
Wood Stream Drive	Entire length	All	25
Worthington Mill Road	Entire length	All	45
Wren Drive	Entire length	North/South	25
Yale Drive	Entire length	All	25
Yerkes Road	Entire length	All	25
Zelkova Drive	Entire length	All	25

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 561, 4/25/2012)

**§15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures.**

1. Maximum speed limits are established, as follows, on certain bridges and elevated structures, and it shall be unlawful for any person to drive a vehicle on any such bridge or elevated structure at a higher speed than the maximum prescribed for that bridge or elevated structure:

Bridge or Elevated Structure	Location	Maximum Speed Limit
[Reserved]		

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 561, 4/25/2012)

**§15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades.**

1. The following are declared to be hazardous grades and, upon any such hazardous grade, no person shall drive a vehicle, having a gross weight in excess of that referred to for that grade, in the direction stated for that grade, at a speed in excess of that established in this Section for that grade, and, if so stated for a particular grade, the driver of every such vehicle shall stop the vehicle before proceeding downhill:

Street	Between	Direction of Travel	Maximum Gross Weight	Maximum Speed Limit	Required to Stop Before Proceeding Downhill
--------	---------	------------------------	----------------------------	---------------------------	--

[Reserved]

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 561, 4/25/2012)

#### **§15-204. Maximum Speed Limits Established in Parks.**

1. A speed limit of 15 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Township, except in the following locations, where the lower maximums, as specified, shall apply:

Park	Street	Location	Maximum Speed Limit
------	--------	----------	------------------------

[Reserved]

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 561, 4/25/2012)

#### **§15-205. Traffic Signals at Certain Locations.**

1. At the following locations traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

Location	Type of Signal
Almshouse Road and Hatboro Road	
Almshouse Road and Jacksonville Road	
Bridgetown Pike and Bristol Road	
Bridgetown Pike and Old Bristol Road	
Bristol Road and Churchville Lane	
Bristol Road and Davisville Road	
Bristol Road and Hatboro Road	
Bristol Road and Jacksonville Road	
Bristol Road and Knowles Avenue	

Location	Type of Signal
----------	----------------

Buck Road (Rt. 532) and East and West Village Roads	
---	--

Buck Road and Holland Road	
----------------------------	--

Buck Road (Rt. 532) and Middle Holland Road, and Stoney Ford Roads	
--	--

Buck Road and Old Bristol Road	
--------------------------------	--

Bustleton Pike at Upper Holland Road and Crossroads Plaza Way	
---	--

Hatboro Road and Tanyard Road	
-------------------------------	--

Holland Road at Middle Holland Road and Upper Holland Road	
--	--

Jacksonville Road (Route 332) and Pulinski Road	
---	--

Middle Holland Road at Jodre Road and Rock Way	
--	--

Newtown Richboro Road (Rt. 332) and Holland Road	
--	--

Newtown Richboro Road at Rock Way and Spring Garden Mill Road	
---	--

Newtown Richboro Road at Township Road and Richboro Plaza Shopping Center	
---	--

Second Street Pike (Rt. 232) and Almshouse and Newtown-Richboro Roads (Rt. 332)	
---	--

Second Street Pike (Rt. 232) and Bristol Road	
---	--

Second Street Pike (Rt. 232) and Bustleton Pike (Rt. 918)	
---	--

Second Street Pike (Rt. 232) and Crossroads Plaza Way	
---	--

Second Street Pike and New Road	
---------------------------------	--

Second Street Pike (Rt. 232) and Tanyard Road	
---	--

Second Street Pike at the entrance to Richboro Shopping Plaza and School House Center	
---	--

2. Any driver of a vehicle who disobeys the directions of any traffic signal, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-206. Intersections Where Turn Prohibited on Red Signal.**



1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

Intersection	Vehicles Traveling On	Facing
[Reserved]		

2. Any driver of a vehicle who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

#### **§15-207. One-Way Roadways Established.**

1. The following are established as one-way roadways, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

Street	From	To	Direction of Travel
[Reserved]			

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

#### **§15-208. Turning at Certain Intersections Prohibited or Restricted.**

1. It shall be unlawful for the driver of any vehicle of the type indicated traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make a left turn and/or a right turn into the second-named street, as indicated, at any time when such a turn is prohibited by this Section:

Vehicles Traveling On	Direction of Travel	Not to Make Turn	Into	When	Type of Vehicle Applicable To
[Reserved]					

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

#### **§15-209. Right Turns Prohibited at Certain Intersections.**

1. It shall be unlawful for the driver of any vehicle traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make other than a left turn, at any time stated, both right turns and straight-across traffic being prohibited:

Vehicles Traveling On	Direction of Travel	Times	Not To Make Right Turn Into or Travel Straight Across
[Reserved]			

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-210. U-turns Prohibited at Certain Locations.**

1. It shall be unlawful for the driver of any vehicle traveling upon any of the following portions of streets, in the direction or directions indicated for that street, to make a U-turn:

Street	Portion	Direction of Travel
Jodie Road	at Joanne Road	
Joanne Road	at Jodie Road	

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-211. Center Structures at Intersections.**

All vehicular traffic shall keep to the right of the following structures or barriers located in the center of the specified intersections:

Structures on (Name of Highway)	At Intersection of
Traffic island on Anthony Drive	Bustleton Pike (Rt. 918)
Traffic island on Bustleton Pike (Rt. 918)	Bristol Road
Traffic island on Crossroad's Plaza Trafficway	Bustleton Pike (Rt. 918)
Traffic island on Crossroad's Plaza Trafficway	Second Street Pike (Rt. 232)
Traffic island on Eagle Mount Drive	Lower Holland Road
Traffic island on Fir Drive (Rt. 332)	Newtown-Richboro Road
Traffic island on Heron Road	Buck Road (Rt. 532)
Traffic island on Independence Drive	Middle Holland Road
Traffic island on Joshua Drive	Almshouse Road (Rt. 332)
Traffic island on Kings Way Drive	Buck Road (Rt. 532)
Traffic island on Merry Dell Drive	Second Street Pike (Rt. 232)
Traffic island on Middle Holland Road	Buck Road (Rt. 532)
Traffic island on Pine Run Drive	Buck Road (Rt. 532)
Traffic island on Second Street Pike (Rt. 232)	Bustleton Pike (Rt. 918)
Traffic island on Sharon Drive	Tanyard Road
Traffic island on Wendy Way	Tanyard Road

**Structures on (Name of Highway)****At Intersection of**

Traffic island on West Georgianna Drive

Lower Holland Road

Traffic island on Yerkes Drive

Upper Holland Road

*(Ord. 561, 4/25/2012)***§15-212. No Passing Zones Established.**

1. The following are established as no passing zones, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no passing zone:

**Street****Direction of Travel****Between**

[Reserved]

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

*(Ord. 561, 4/25/2012)***§15-213. Through Highways Established.**

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this Section shall stop the vehicle or yield right-of-way as required by 75 Pa.C.S.A. §§3323(b), 3323(c) of the Vehicle Code, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that Section of the law:

**Highway****Between**

[Reserved]

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

*(Ord. 561, 4/25/2012)***§15-214. Stop Intersections Established.**

1. The following intersections (in addition to intersections with the through highways established by §15-212) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by of the Vehicle Code, 75 Pa.C.S.A. §§3323(b), and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that Section of the law.

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Acorn Drive	Mount Pleasant Drive	West
Adams Court	Independence Drive	South
Addis Drive	Tanyard Road	North
Addis Drive	Addis Drive	South
Adele Drive	Misty Meadow Drive	South
Alan Road	Johanna Drive	East
Alan Road	Tulip Road	West
Alberts Court	South	Wendy Way
American Drive	Silo Hill Drive	East
American Drive	Nikol Drive	West
Amsterdam Avenue	Vanderveer Avenue	North
Amsterdam Avenue	West	East Holland Road
Andrea Drive	Carol Lane	North
Andrea Drive	West Georgianna Drive	South
Ann Circle	Ann Drive	East
Ann Drive	Juniper Drive	East
Ann Drive	Poplar Drive	East
Ann Drive	Buckhorn Road	North and south
Anselm Drive	Worthington Mill Road	South
Anselm Road	Matthew Circle	East
Anthony Drive	Bustleton Pike	West
Antler Drive	Buckhill Drive	West
Appaloosa Court	Paddock Way	South
Appaloosa Trail	Paddock Way	West
Aqua Drive	North Drive	North
Aqua Drive	Elm Avenue	South
Arbor Road	Cherry Blossom Drive	North
Arbor Road	Ross Road	South
Ashley Drive	Grandview Drive	North
Ashley Drive	Jacksonville Road	South

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Aspen Drive	Spencer Road	East
Atkinson Place	Bennett Place	North
Atkinson Place	Bennett Place	South
Auburn Drive	Yale Drive	East
Auburn Drive	Dartmouth Lane	West
Auckland Drive	Highland Drive	North
Auckland Drive	Manor Drive	South
Austin Drive	West Patricia Road	North
Austin Drive	Serene Drive	South and north
Austin Drive	Serene Drive	West and east
Autumn Road	Devon Road	East
Autumn Road	Cherry Blossom Drive	North
Averstone Drive	Middle Holland Road	North
Averstone Drive	Averstone Court	South
Balsam Court	Forrest Drive	South
Banbury Court	West Village Road	North
Barley Road	Hatboro Road	East
Barley Road	Clover Road	West
Basswood Circle	Bellwood Drive	East
Beech Street	West Buttonwood Drive	North
Beech Street	Holly Knoll Drive	South
Bellwood Drive	Bridgetown Pike	East and south
Bellwood Drive	Old Bristol Road	East and south
Belmont Lane	Thoroughbred Drive	North
Belmont Lane	East Holland Road	South
Bennett Place	Shepherds Way	East
Beth Drive	Lehigh Drive	East
Beverly Road	Morning Glory Avenue	North and south
Beverly Road	Crescent Drive	South
Birch Avenue	Chestnut Drive	East
Birch Avenue	Cedar Drive	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Black Pine Road	Forrest Drive	South
Black Rock Drive	East Heron Road	North
Black Rock Drive	Woodenbridge Drive	West
Black Rock Drive	Black Rock Drive	South
Blaises Gate	Tanyard Road	East
Blaises Gate	Brown Drive	West
Blakers Way	West Village Road	North
Blakers Way	Shepherds Way	South
Bless Circle	American Drive	West
Bluebird Road	Wren Drive	East
Bluebird Road	Cardinal Road	East and West
Bluebird Road	Cameron Drive	West
Bobbie Drive	Hatboro Road	East
Bobbie Drive	Eisenhard Drive	North and west
Bobbie Drive	Hatboro Road	South
Bobbie Drive	Timothy Drive	West
Bonnie Road	Second Street Pike	East
Boxwood Road	Cherry Blossom Drive	North
Bradley Court	Independence Drive	South
Brae-Bourne Drive	Lower Holland Road	South
Brae-Bourne Drive	Eagle Mount Drive	West
Braintree Common	Watergate Drive	West
Braintree Common North	Watergate Drive	South
Breckenridge Drive	Spencer Road	South
Brendon Court	Old Jordan Road	West
Brentwood Place	West Village Road	South
Briarwood Drive	Buck Road	West
Bridgetown Pike	West Maple Avenue	South
Broadview Road	Churchville Lane	North
Brook Drive	Lark Drive	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Brook Drive	North Drive	North
Brook Drive	Elm Avenue	South
Brookline Road	Inland Road	North
Brookline Road <sup>1</sup>	Inland Road	North
Brookside Drive	Carriage House Drive	East and west
Brookside Drive	Woodenbridge Road	West
Brookside Drive	Buckshire Drive	South
Brookwood Drive	Jacksonville Road	East
Brown Drive	Edwards Drive	North
Brown Drive	Addis Drive	South
Bryan Drive	Anselm Road	West
Bubeck Court	Spencer Road	North
Buckhill Drive	Middle Holland Road	South
Buckhill Drive	Doe Run Road	West
Buckhorn Road	Cypress Avenue	North and south
Buckhorn Road	Misty Meadow Drive	North and south
Buckhorn Road	Glen Meadow Drive	South
Buckshire Drive	East Heron Road	South
Buckshire Drive	East Heron Road	West
Buckshire Place	Buckshire Drive	North
Burdsal Avenue	Newtown-Richboro Road	North
Bustleton Pike	Bristol Road	South
Buttonwood Drive	Willow Road	North
Buttonwood Drive	Hickory Drive	West
Camberly Road	Frog Hollow Road	South
Cameron Drive	Elm Avenue	South
Candace Court	Friesland Drive	West
Cardinal Road	Robin Road	North

---

<sup>1</sup>Denotes a separate and distinct intersection from another with the same street names.

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Cardinal Road	Bluebird Road	South
Carmelita Drive	Gregory Place	South
Carol Lane	East Georgianna Drive	South
Carol Lane	West Georgianna Drive	West
Carriage House Drive	Brookside Drive	North
Carriage House Drive	Buckshire Drive	South
Casey Road	Lower Holland Road	North
Casey Road	Lark Drive	South
Castleton Lane	Providence Drive	North
Castleton Lane	Glen Meadow Road	South
Cathleen Drive	Florence Drive	East
Cedar Drive	Chestnut Drive	East and west
Cedar Drive	Walnut Drive	North
Center Street	Manor Drive	South
Center Street	Sunset Drive	South
Chapel Drive	Lower Holland Road	North
Chapel Drive	Lark Drive	South
Charles Drive	Eagle Mount Drive	East
Charles Drive	James Drive	East and west
Charles Drive	East Georgianna Drive	West
Charlotte Drive	Windsor Drive	East
Charlotte Drive	Fairhill Drive	West
Charter Circle	Hill Road	South
Chatham Court	Brae-Bourne Drive	South
Chelsea Circle	Tinari Drive	East
Cherokee Drive	Mohawk Drive	South
Cherokee Drive	Temperance Lane	West
Cherry Blossom Drive	Second Street Pike	East
Cherry Blossom Drive	Autumn Road	East and west
Cherry Blossom Drive	Frog Hollow Road	East and west



<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
*Cherry Blossom Drive	Frog Hollow Road	East and west
Cherry Blossom Drive	Lindley Road	East and west
Cherry Blossom Drive	Bristol Road	West
Cheshire Court	Steeplechase Drive	North
Chestnut Drive	Newton-Richboro Road	North
Chestnut Drive	Upper Holland Road	North
Chestnut Drive	Birch Avenue	North and south
Chestnut Drive	Cedar Drive	North and south
Chestnut Drive	Pine Avenue	North and south
Chestnut Drive	Walnut Drive	North and south
Chestnut Drive	Glennifer Hill Road	South
Chestnut Drive	Upper Holland Road	South
Chimney Hill Court	Brae-Bourne Drive	South
Chinquapin Road	Buck Road	East
Chinquapin Road (Stop Except Right Turn)	Murray Road	West
Christopher Drive	East Rambler Road	East
Christopher Drive	West Rambler Road	West
Churchville Lane	Holland Road	East
Clark Court	Independence Drive	South
Clinton Court	Independence Drive	East
Clinton Court	Independence Drive	South
Clover Road	Clover Road	South
Cloverly Drive	Holly Road	East and west
Cloverly Drive	Lehigh Drive	North and south
Cloverly Drive	Twiningford Road	South
Cloverly Drive	Drexel Drive	West
Clover Road	Harvest Road	South
Cobblestone Court	Glennifer Hill Road	North
Commerce Drive	Jacksonville Road	South
Cooper's Place	Bennett Place	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Cooper's Place	Bennett Place	South
Cornell Avenue	Bustleton Pike	East
Cottonwood Drive	South Timber Road	North
Cottonwood Drive	North Timber Road	South
Council Rock Drive	Industrial Drive	West
Coventry Place	East Gate Drive	North
Covered Bridge Road	Middle Holland Road	North
Covered Bridge Road	Middle Holland Road	North
Covey Lane	Lark Drive	East
*Covey Lane	Lark Drive	East
Creek Road	Buttonwood Drive	South
Crescent Drive	Beverly Drive	East and west
Crescent Drive	Mallard Road	East and west
Crest View Drive	Woodlake Drive	South
Crest View Drive	Forrest Drive	West
Cricket Drive	Summer Drive	North
Cropwell Lane	Bridle Path	South
Cropwell Lane	Stoney Ford Road	South
Crossroads Way	Bustleton Pike	East
Crossroads Way	Second Street Pike	West
Cynthia Drive	Carmelita Drive	East
Cypress Avenue	Buckhorn Road	East
Cypress Avenue	Ann Drive	East and west
Cypress Avenue	Pine Avenue	West
Cypress Circle	Cypress Avenue	South
Daffodil Drive	Merry Dell Drive	North
Danby Court	Nelson Drive	East
Dartmouth Lane	Yale Road	East
Dartmouth Lane	Lenape Road	South
David Road	Tulip Road	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
David Road	Michael Road	West
Dawn Drive	Chapel Drive	East
Dawn Drive	Chapel Drive	West
Deborah Road	East Elizabeth Lane	North
Deborah Road	Tanyard Road	South
Deborah Road	West Elizabeth Lane	South
Deer Path Drive	Frog Hollow Road	East
Deer Path Drive	Frog Hollow Road	West
Delft Drive	Dutch Drive	North
Devon Court	Paddock Way	East
Devon Road	Arbor Road	East
Doe Run Road	Middle Holland Road	South
Doe Run Road	St. Leonard's Road	West
Dorchester Lane	Nottingham Drive	East
Dorchester Lane	Providence Drive	West
Doris Avenue	St. Leonard's Road	East
Doris Avenue	Middle Holland Road	South
Dove Court	Longview Drive	South
Dove Place	Paddock Way	South
Drexel Drive	Twiningford Road	South
Driscoll Drive	MacFarland Drive	West
Dutch Drive	Rotterdam Road North	East
Dutch Drive	Rotterdam Road East	South
Eagle Mount Drive	Brae-Bourne Drive	South
Eagle Mount Drive	Lower Holland Road	South
East Elizabeth Lane	West Elizabeth Lane	North
East Gate Drive	East Gate Place	East
East Gate Drive	Signal Hill Road	West
East Gate Place	East Gate Drive	North
East Georgianna Drive	Carol Lane	West

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
East Heron Road	Buckshire Road	East and west
East Heron Road	East Rambler Road	East and west
East Heron Road	Woodenbridge Road	East and west
East Heron Road	Bridgetown Pike	South
East Heron Road	Buck Road	West
East Holland Road	Amsterdam Avenue	East
East Holland Road	Bridgetown Pike	South
East Holland Road	Holland Road	West
East Julianna Drive	Friesland Drive	North
East Pickering Bend	Newtown-Richboro Road	North
East Pickering Bend	Sunset Drive	North
East Pickering Bend	Newtown-Richboro Road	South
East Rambler Road	Rocksville Road	South
East Ridge Circle	Pepperell Drive	North and south
East Ridge Circle	Watergate Drive	South
East Robin Road	Holland Road	East
East Robin Road	Cardinal Road	West
East Village Road	Stoney Ford Road	East and west
East Windrose Drive	West Windrose Drive	West
Edgewood Court	Windyknoll Drive	East
Eisenhard Drive	Pulinski Road	East and north
Elk Drive	Doe Run Road	South
Elm Avenue	Bustleton Pike	West
Elsa Way	Loretta Circle	East
Elsa Way	Florence Drive	West
Emily Drive	Matthew Circle	East
Emily Drive	Matthew Circle	West
Erich Drive	East Julianna Drive	East
Erin Drive	Matthew Circle	East
Evan Road	Shelly Road	South

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Exeter Court	East	Signal Hill Road
Fairhill Drive	Windsor Drive	North and south
Fairhill Road	Almshouse Road (Route 332)	North
Farmway Drive	Sunset Drive	South
Fawn Drive	Buckhill Drive	South
Fawn Drive	Elk Drive	West
Feather Court	Lark Drive	North
Fieldstone Drive	South Timber Road	East
Fir Drive	Newtown-Richboro Road	North
Fir Drive	Misty Meadow Drive	West
Florence Drive	Cathleen Drive	North
Florence Drive	Upper Holland Road	North
Forrest Drive	Buck Road	East
Forest Drive	Woodlake Drive	North and south
Foxcroft Drive	Timothy Drive	East
Foxcroft Drive	Pulinski Road	East, north and west
Foxcroft Drive	Bobbie Drive	South
Foxcroft Drive	Polinski Road	West
Friesland Drive	Tanyard Road	East and south
Friesland Drive	Almshouse Road	North
Friesland Drive	West Julianna Drive	West
Frog Hollow Road	Cherry Blossom Drive	South
*Frog Hollow Road	Cherry Blossom Drive	South
Furlong Court	Paddock Way	East
Gaelic Court	Holland Road	East
Galena Court	Merry Dell Drive	North
Garrison Court	Heather Valley Road	North
Garrison Court	Heather Valley Road	West
Gatehouse Drive	East Heron Road	North
Gatehouse Drive	Rocksville Road	South

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Gelder Drive	Dutch Drive	East
Gelder Drive	Rotterdam North	West
Georgianna Drive	East Georgianna Drive	North
Georgianna Drive	Lower Holland Road	South
Glasgow Road	Second Street Pike	East
Glenfield Drive	Upper Holland Road	North
Glenfield Drive	Forresdale Drive	West
Glen Meadow Road	Upper Holland Road	South
Golden Gate Drive	Almshouse Road	South
Golfview Drive	Milbob Drive	East
Golfview Drive	Pulinski Road	East
Gordon Wilbur Court	Knowles Avenue	North
Grace Drive	West Georgianna	East
Grace Drive	Lower Holland Road	South
Granary Court	South Kitty Knight Drive	North
Grandview Drive	Ivygreene Run	North
Grandview Drive	Ivygreene Run	South
Grant Drive	East Holland Road	South
*Grant Drive	East Holland Road	South
Grasshopper Drive	Foxcroft Drive	East
Great Oak Drive	North Kitty Knight Drive	North
Great Oak Drive	Woodland Drive	South
Green Drive	Sherwood Drive	East
Green Drive	Fairhill Drive	East and west
Green Drive	Hilltop Drive	East and west
Green Drive	North Hilltop Drive	North
Green Drive	Charlotte Drive	West
Green Drive	Sherwood Drive	West
Green Meadow Circle	Green Valley Drive	North
Green Valley Drive	Schan Drive	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Green Valley Drive	Prince Circle	East and west
Green Valley Drive	Bustleton Pike	West
Gregory Place	Carmelita Drive	East and west
Gregory Place	West Lynford Road	North
Gregory Place	Cynthia Drive	West
Grenoble Road	Old Jacksonville Road	North and south
Grenoble Road	Spencer Road	South
Grenville Circle	Nelson Drive	East
*Grenville Circle	Nelson Drive	East
Griffith Miles Circle	Ashley Drive	East
Grouse Court	Chapel Drive	West
Gwyn Lynn Drive	Jacksonville Road	South
Hampshire Drive	Spencer Road	South
Hampton Drive	Post Drive	South
Hampton Drive	New Road	West
Harmony Drive	Newtown-Richboro Road	South
Harriet Road	Sherwood Drive	East and west
Harriet Road	New Road	North
Harriet Road	Fairhill Drive	West
Harvest Road	Barley Road	North
Hatboro Road	Sackettsford Road	North
Hatboro Road	Bristol Road	West
Hawthorne Terrace	Holland Road	East
Hawthorne Terrace	Shelbourne Road	West
Hayhurst Drive	Signal Hill Road	North
Heather Road	Second Street Pike	East
Heather Road	South Kitty Knight Drive	North
Heather Road	Cedarbrook Drive	North and south
Heatherstone Court	Heather Valley Road	South
Heather Valley Road	West Village Road	South and west

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Hemlock Drive	Stoney Ford Road	West
Heron Place	East Heron Road	South
Heron Road	Buck Road	East
Heron Road	Mallard Road	West
Heron Way Terrace	East Heron Road	South
Hickory Drive	Creek Road	North
Hickory Drive	West Buttonwood Drive	South
Highland Drive	Farmway Drive	East
Highland Drive	Second Street Pike	West
Highpoint Circle	Highpoint Drive	South
Highpoint Drive	Schan Drive	North
Highpoint Drive	Green Valley Drive	South
Highspire Road	Worthington Mill Road	North
Highspire Road	Holly Hill Road	North and south
Highspire Road	Worthington Mill Road	South
Hill Road	Inland Drive	East
Hilltop Drive	Bristol Road	West
Holly Hill Road	Highspire Road	East/west
Holly Hill Road	Holyoke Road	East
Holly Knoll Drive	New Road	South
Holly Road	Holly Hill Road	North
Holly Road	Cloverly Drive	South
Holyoke Road	Beth Drive	East
Holyoke Road	Worthington Mill Road	North
Holyoke Road	Holly Hill Road	South
Holyoke Road	Highspire Road	West
Homestead Drive	MacFarland Drive	West
Hope Road	Holland Road	North
Hope Road	Rocksville Road	South
Hopkins Court	Independence Drive	North



<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Howard Drive	Worthington Mill Road	South
Howard Road	Worthington Mill Road	North
Howard Road	Holly Hill Road	South
Hudson Court	Independence Drive	East
Humphreys Drive	Industrial Drive	East
Independence Drive	Barry Court	East and west
Independence Drive	Ward Court	North and south
Indian Drive	Industrial Drive	West
Indian Summer Drive	St. Leonard's Road	East
Industrial Drive	Railroad Drive	North
Industrial Drive	Jacksonville Road	South
Inland Road	Almshouse Road	East
Inverness Court	Wendy Way	South
Iron Rock Court	Signal Hill Road	North
Iroquois Road	Cherokee Drive	North
Iroquois Road	Mohawk Drive	South
Ivygreene Run	Bristol Road	East
Ivygreene Run	Grandview Drive	West
Jacksonville Road	Almshouse Road	East
Jacksonville Road	Sackettsford Road	East
Jacksonville Road	Almshouse Road	West
Jacqueline Circle	Orthodox Drive	North
James Drive	Lower Holland Road	South
Jasons Way	Sharon Drive	West
Jefferson Court	Grant Drive	East
Jennifer Lane	New Road	South
Jericho Road	Jericho Road	South
Jericho Road	Old Jordan Road	West
Joanne Road	Jodie Road	East and west
Joanne Road	Shelly Road	West

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Jodie Road	Middle Holland Road	North
Jodie Raod	Joanne Road	South
Joshua Drive	Sharon Drive	East and west
Joshua Drive	Almshouse Road	North
Joshua Drive	Sharon Drive	North and south
Joyce Kilmer Drive	Seedling Drive	East
Juniper Drive	Ann Drive	North
Justice Drive	Independence Drive	North
Justice Drive	Middle Holland Road	South
Karen Road	Lempa Road	East
Karen Road	Shelly Road	East and west
Karen Road	Holland Road	West
Kasi Circle	Pulinski Road	North
Kasi Circle	Kasi Circle	West
Kasi Circle	Kasi Drive	West
Kasi Drive	Pulinski Road	East
Kay Avenue	Bristol Road	West
Kelinger Road	Frog Hollow Road	East
Kings Lane	Second Street Pike	East
Kings Lane	Hatboro Road	West
Kings Way Drive	Woodenbridge Road	East
Kings Way Drive	Buck Road	West
Knowles Avenue	Bustleton Pike	East
Knox Court	Independence Drive	South
Lakeside Drive	Churchville Lane	North
Lakeview Drive	Buck Road	North
Lakeview Drive	Rocksville Road	South
Langhorne Avenue	Bridgetown Pike	West
Larch Circle	East Holland Road	North
Lark Drive	Cameron Drive	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Lark Drive	Brook Drive	East and west
Lark Drive	Lower Holland Road	North
Laurel Road	Linden Road	West
Lawrence Avenue	East Holland Road	North
Lawrence Avenue	Wood Drive	South
Legacy Oaks Drive	Friesland Drive	East
Leemar Drive	Hampton Drive	North
Leemar Road	Post Road	South
Lehigh Drive	Cloverly Drive	West
Lempa Road	Joanne Road	North
Lempa Road	David Road	South
Lenape Road	Yale Drive	East
Lenape Road	Cherokee Drive	South
Lincoln Circle	South	Hill Road
Linden Road	Holly Knoll Drive	East
Linden Road	New Road	South
Lindley Road	New Road	North
Lindley Road	Cherry Blossom Drive	South
Lisa Drive	Sophia Drive	East
Lisa Drive	Addis Drive	West
Lisette Drive	Worthington Mill Road	South
Lisette Road	Bryan Drive	North
Lisette Road	Bryan Drive	South
Livery Drive	Brown Drive	East
Locust Road	Holly Knoll Drive	East
Locust Road	Second Street Pike	West
Longstem Lane	Tanyard Road	South
Longview Drive	Chapel Drive	East
Longview Drive	Chapel Drive	West
Louise Drive	Richards Road	West

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Lower Holland Road	Holland Road	East
Lower Holland Road	Bustleton Pike	West
MacFarland Drive	Almshouse Road	West
Madison Court	Independence Drive	South
Magnolia Drive	Holly Knoll Drive	North
Magnolia Drive	Holly Knoll Drive	West
Mallard Road	Buck Road	East
Mallard Road	Cresent Drive	North and south
Manor Drive	Harmony Drive	East
Manor Drive	Auckland Drive	East and west
Manor Drive	Center Street	East and west
Manor Drive	Sunset Drive	East and west
Manor Drive	Second Street Pike	West
Maple Avenue	Redwood Drive	West
Martin Drive	Heron Road	North
Martin Drive	Mallard Road	West
Matthew Circle	Anselm Road	West
Maureen Road	Karen Road	South
Meadow Lane	Farmway Drive	East
Meadow Lane	Highland Drive	South
Meer Avenue	Vermeer Drive	East
Mehler Drive	New Road	North
Mehler Drive	Hilltop Drive	South
Merry Dell Drive	Second Street Pike	East
Merry Dell Drive	South Kitty Knight Drive	West
Michael Road	Karen Road	North
Michael Road	Rotterdam Road	South
Middle Holland Road	West Buck Road	East
Milbob Drive	Eisenhard Drive	East, south and west
Milbob Drive	Golfview Drive	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Milbob Drive	Bobbie Drive	South
Mill Creek Road	East Heron Road	East
Mill Creek Road	Gatehouse Drive	West
Mill Race Lane	Bridgetown Pike	South
Misty Meadow Drive	Redwood Drive	East
Misty Meadow Drive	Fir Drive	East and west
Mohawk Drive	Temperance Lane	East
Mohawk Drive	Golden Gate Drive	West
Mohawk Drive	Temperance Lane	West
Monica Drive	Holland Road	West
Morning Glory Avenue	Beverly Drive	East
Morning Glory Avenue	Holland Road	East
Morning Glory Avenue	Rising Sun Avenue	East and west
Morning Glory Avenue	Holland Road	West
Mount Pleasant Drive	East Julianna Drive	East
Mount Pleasant Drive	Second Street Pike	East
Mulberry Road	South Timber Road	North
*Mulberry Road	South Timber Road	North
Murray Road	Chinquapin Road	East
Murray Road	Bristol Road	West
Musket Circle	Bridgetown Pike	North
Mustang Court	Stoney Ford Road	East
Mustang Court	Appaloosa Drive	West
Mustang Court	Stoney Ford Road	West
Nancy Drive	Lynford Road	North
Nancy Drive	East Georgianna Drive	South
Nelson Drive	Churchville Lane	South
Netherlands Drive	Windmill Drive	East
Newburyport Road	Watergate Drive	East
New Road	Bustleton Pike	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
New Road	Harriet Road	East and west
Nikol Drive	American Drive	North
Nikol Drive	Hatboro Road	North
North Drive	Cameron Drive	East
North Drive	Brook Drive	West
North Hilltop Drive	Green Drive	East and west
North Hilltop Drive	Hilltop Drive	South
North Hilltop Drive	Valley Drive	South
North Hilltop Drive	Hilltop Drive	West
North Kitty Knight Drive	Great Oak Drive	East and west
North Marmic Drive	Witherington Drive	East
North Timber Road	St. Leonard's Road	West
North Traymore Avenue	Inland Road	North
North Traymore Avenue	Jacksonville Road	South
Norton Drive	East Norton Drive	East
Norton Drive	New Road	West
Norwood Place	East Gate Drive	South
Nottingham Drive	Glen Meadow Road	East
Nottingham Drive	Glen Meadow Road	North
Old Hickory Drive	Redwood Drive	East
Old Jacksonville Road	Grenoble Road	East and west
Old Jordan Road	Middle Holland Road	North
Old Jordan Road	East Holland Road	South
Old Mill Lane	North Timber Road	South
Orthodox Drive	Temperence Lane	East
Overhill Drive	Buckshire Drive	South
Overlook Drive	Inland Road	South
Paddock Way	Stoney Ford Road	East
Paddock Way	Stoney Ford Road	North
Paddock Way	Appaloosa Drive	West

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Palimino Court	Ponderosa Drive	West
Par Drive	Kasi Circle	North and west
Patricia Road	Beverly Road	North and south
Patricia Road	Holland Road	West
Peach Blossom Lane	Spencer Road	West
Pebble Drive	South Timber Road	South
Pelder Drive	East Holland Road	East
Penn Circle	Grant Drive	South
*Penn Circle	Grant Drive	West
Pennington Place	West Village Road	North
Pennlyn Road	Upland Drive	North
Pepperell Drive	East Holland Road	East
Pepperell Drive	East Ridge Circle	East and west
Pepperell Drive	Savage Drive	East and west
Pepperell Drive	Watergate Drive	West
Peter Drive	Misty Meadow Drive	South
Pheasant Drive	Swallow Road	North
Pheasant Drive	Lark Drive	South
Pine Avenue	Walnut Drive	North
Pine Avenue	Chestnut Drive	South
Pine Run Drive	Woodenbridge Road	East and west
Pine Run Drive	Buck Road	West
Pine Run Place	Pine Run Drive	West
Pine View Drive	East Holland Road	North
Plumly Way	West Village Road	West
Plymouth Court	Eagle Mount Drive	East
Polinski Road	Jacksonville Road	North and south
Polinski Road	Hatboro Road	South
Ponderosa Drive	Cropwell Lane	East
Ponderosa Drive	Briarwood Drive	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Ponderosa Drive	Palimino Court	North
Ponderosa Drive	East Holland Road	West
Pond View Drive	Tanyard Road	North
Poplar Drive	Misty Meadow Drive	South
Portsmouth Court	Banbury Court	East
Post Road	Jennifer Lane	East
Potters Court	Pennington Place	West
Powderhorn Court	Bridgetown Pike	North
Primrose Drive	Holyoke Road	South
Prince Circle	Green Valley Drive	North
Providence Drive	Glen Meadow Road	North and south
Providence Drive	Upper Holland Road	South
Purdue Drive	Yale Drive	East and west
Putnam Drive	Independence Drive	North
Quail Drive	Lower Holland Road	North
Quail Drive	Chapel Drive	South
Quincy Place	Watergate Drive	West
Rachel Road	Friesland Drive	East
Rachel Road	Wendy Way	North
*Radcliffe Drive	Nelson Drive	West
Radcliffe Drive	Nelson Drive	West
Raffaella Drive	Monica Drive	North
Raffaella Drive	East Holland Road	South
Redwood Drive	Glen Meadow Road	South
Redwood Drive	Fir Drive	West
Rembrandt Drive	Johanna Drive	West
Richard Road	Railroad Drive	North
Richard Road	Jacksonville Road	South
Rising Sun Avenue	Patricia Drive	North
Rising Sun Avenue	Morning Glory Avenue	North and south



<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Robies Court	Jasons Way	South
Robin Road	Cardinal Drive	East
Robin Road	Cameron Road	West
Rocking Horse Way	Thoroughbred Drive	North and south
Rocksville Road	Bridgetown Pike	East
Rocksville Road	Buck Road	East and west
Rocksville Road	Gatehouse Drive	West
Rocksville Road	Holland Road	West
Rohiwee Road	Brookwood Drive	South
*Rolling Hills Drive	Buck Road	West
Rolling Hills Drive	Buck Road	West
Ronald Drive	East Rambler	East
Ronald Drive	West Rambler	West
Rosemary Drive	Holland Road	East
Rosemary Drive	Loretta Circle	West
Rosette Lane	Tanyard Road	North
Ross Road	Cherry Blossom Drive	North
Rotterdam Road East	Dutch Drive	East and west
Rotterdam Road East	Windmill Drive	North
Rotterdam Road West	Holland Road	West
Sackettsford Road	Second Street Pike	East
St. Leonard's Road	Buck Road	East
St. Leonard's Road	Indian Summer Drive	North and south
St. Leonard's Road	Newtown-Richboro Road	North
St. Leonard's Road	Middle Holland Road	South
St. Michael's Court	North Kitty Knight Drive	North
Sandtrap Circle	Golfview Drive	North
Saratoga Court	Appaloosa Drive	East
Saratoga Court	Paddock Way	East
Savage Drive	Pepperell Drive	North and south

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Savage Drive	Watergate Drive	South
Sawmill Drive	Trailwood Drive	South
Schan Drive	Bustleton Pike	West
Schoolhouse Road	Harriet Road	East
Schoolhouse Road	Fairhill Drive	West
Scott Drive	Bristol Road	South
Seedling Drive	Tree Line Drive	South
*Seedling Drive	Tree Line Drive	South
Serene Drive	Holland Road	East
Serene Drive	Austin Drive	South
Seton Hill Court	Averstone Drive	East
Shady Lawn Drive	Schan Drive	North
Shady Lawn Drive	Green Valley Drive	South
Sharon Drive	Joshua Drive	East and west
*Sharon Drive	Joshua Drive	North and south
Sharon Drive	Tanyard Road	South
Sharon Drive	Wendy Way	South
Shelbourne Road	Redwood Drive	West
Shelly Road	Michael Road	East
Shelly Road	Joanne Road	North
Shelly Road	Karen Road	North and south
Shepherds Way	Blakers Way	South
Sherwood Drive	Harriet Road	North
Sherwood Drive	Fairhill Drive	North and south
Sherwood Drive	Windsor Drive	North and south
Sherwood Drive	Bristol Road	South
Signal Hill Court	Signal Hill Road	West
Signal Hill Court	Stoney Ford Road	West
Signal Hill Road	Signal Hill Road	South
Silo Hill Drive	Golden Gate Drive	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Silo Hill Drive	Orthodox Drive	North
Sima Road	Joanne Road	North
Skyview Drive	Spencer Road	East
Sophia Drive	Friesland Drive	South
Sophia Drive	North Kitty Knight Drive	South
South Cliff Court	Hilltop Drive	West
South Kitty Knight Drive	Merry Dell Drive	East
South Mamie Drive	Witherington Drive	East
South Timber Road	St. Leonard's Road	West
South Traymore Avenue	North Traymore Avenue	East
South Traymore Avenue	Inland Road	North
Spencer Road	Sackettsford Road	East
Spencer Road	Almshouse Road	West
Spring Garden Mill Drive	Newton-Richboro Road	South
Springwood Place	West Village Road	South
Spruce Lane	Stallion Circle	East
Spruce Lane	Hemlock Drive	North
Stafford Place	East Gate Road	South
Stallion Circle	East Holland Road	South
Stallion Circle	Spruce Lane and Stallion Circle	West
Stanford Drive	Holyoke Road	North
Starling Road	Cardinal Road	East
Starling Road	Cameron Drive	West
Steamwhistle Drive	Railroad Drive	South
Steeplechase Drive	Rockinghorse Drive	South
*Steeplechase Drive	Rockinghorse Drive	South
Stella Drive	West Village Road	South
Stevens Lane	Bridgetown Pike	South
Still Pond Drive	North Kitty Knight Drive	East
Still Pond Drive	East Norton Drive	North

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Stockton Place	East Village Road	West
Stoney Ford Road	Buck Road	North
Stratford Drive	Fairhill Drive	East
Stratford Drive	Sherwood Drive	East and west
Stratford Drive	Charlotte Drive	West
Strawberry Lane East	Peach Blossom Lane	South
Strawberry Lane West	Peach Blossom Lane	South
Summer Drive	St. Leonard's Road	East
Summer Drive	Stardust Drive	North
Summit Circle	Green Valley Drive	North
Sunrise Court	Lower Holland Road	South
Sunset Drive	Farmway Drive	East and west
Sunset Drive	Manor Drive	South
Sunset Drive	Auckland Drive	West
Surrey Drive	Mount Pleasant Drive	East
Surrey Drive	Woodlawn Drive	North
Suzanne Court	Florence Drive	East
Swallow Drive	Casey Road	East and west
Swallow Road	Lark Drive	West
Sycamore Circle	Bellwood Drive	East
Sylvan Court	Sharon Drive	North
Syracuse Lane	Lenape Road	East
Syracuse Lane	Hatboro Road	West
Tall Oaks Drive	Bridgetown Pike	North
Tanglebrook Drive	Briarwood Drive	North
*Tanglebrook Drive	Briarwood Drive	North
Tanyard Road	Bustleton Pike	East
Tanyard Road	Second Street Pike	East
Tanyard Road	Hatboro Road	West
Tapeworm Road	Second Street Pike	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Tapeworm Road	Sackettsford Road	West
Tartan Road	Second Street Pike	East
Tartan Road	Paisley Road	West
Taylors Way	Bennett Place	South
Temperance Lane	Hatboro Road	North
Temperance Lane	Spencer Road	North
Temperance Lane	Almshouse Road	South
Temperance Lane	Hatboro Road	South
Temple Drive	Lehigh Drive	North
Thoroughbred Drive	Buck Road	West
Tinari Drive	Twining Road	South
Titus Avenue	Newtown-Richboro Road	North
Torresdale Drive	Upper Holland Road	North
Torresdale Drive	West Lynford	South
Township Road	Newtown-Richboro Road	North
Trailwood Drive	Buck Road	East
Trailwood Drive	Bruce Drive	West
Traub Drive	Hilltop Drive	West
Tree Line Drive	St. Leonard's Road	West
Tulip Road	Dutch Drive	South
Tulip Road	Lempa Road	West
Twickenham Drive	Windy Knoll Drive	East
*Twickenham Drive	Windy Knoll Drive	East
Twiningford Road	Second Street Pike	West
Twining Road	Worthington Mill Road	East
Twining Road	Second Street Pike	West
Twist Drive	Buck Road	North
Twist Drive	Rocksville Road	South
Upland Drive	Second Street Pike	East
Upper Holland Road	Holland Road	East

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Upper Holland Road	Bustleton Pike	West
Valley Drive	Bustleton Pike	East
Valley Drive	Hilltop Drive	West
Valley Drive	North Hilltop Drive	West
Vanderveer Avenue	Holland Road	East
Vanderveer Avenue	Rotterdam Road	East
Vanderveer Avenue	North Amsterdam Avenue	East and west
Van Dyck Drive	Meer Avenue	North
Van Dyck Drive	Bridgetown Pike	South
Vernassa Drive	Bridgetown Pike	South
Verna Way	Woodstock Drive	North
Victoria Court	Village Road	West
Vincent Circle	Polinski Road	East
*Vincent Circle	Polinski Road	East
Virginia Drive	Hatboro Road	North
Virginia Drive	Hampton Drive	South
Walnut Drive	Pine Avenue	East and west
Walnut Drive	Chestnut Drive	West
Watergate Drive	Savage Drive	East
Watergate Drive	Savage Drive	North
Watergate Road	Watergate Drive	North
Watergate Road	Bridgetown Pike	South
Wayne Court	Independence Drive	North
Wendy Way	Jasons Way	North
Wendy Way	Tanyard Road	West
West Buttonwood Drive	Hickory Drive	East
West Buttonwood Drive	Creek Road	East and west
West Buttonwood Drive	Second Street Pike	West
West Georgianna Drive	Lynford Road	North
West Georgianna Drive	Grace Drive	North and south

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
West Lynford Road	Gregory Place	East and west
West Lynford Road	Carmelita Drive	West
West Norton Drive	Addis Drive	North
West Patricia Drive	Holland Road	East
West Pickering	Newtown-Richboro Road	North
West Rambler Drive	East Heron Road	North
West Rambler Drive	Rocksville Road	South
West Village Road	Middle Holland Road	North
West Windrose Drive	Tanyard Road	North
Wheatsheaf Road	Polinski Road	West
White Birch Lane	Summer Drive	South
Whitehurst Drive	Eagle Mount Drive	North
Whitehurst Drive	Brae-Boume Drive	South
Whitney Lane	North Friesland Drive	East and west
Whitney Lane	Rachel Road	South
Wilhelmina Drive	Netherlands Drive	South
William Way	Elm Avenue	South
Willowbrook Drive	Acorn Drive	North
Willowbrook Drive	Second Street Pike	South
Willowgreen Drive	East and West Windrose Drive	North
Willowgreen Drive	Second Street Pike	West
Willow Road	Bustleton Pike	East
Willow Road	Buttonwood Drive	East and south
Willow Road	Buttonwood Drive	South
Wilson Drive	Aqua Drive	East
Windmill Drive	Old Jordan Road	East
*Windsor Drive	Fairhill Drive	East
Windsor Drive	Fairhill Drive	East and west
Windsor Drive	Sherwood Drive	East and west
Windsor Drive	Second Street Pike	West

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Windswept Road	Grasshopper Drive	North
Windy Knoll Drive	Eagle Mount Drive	South
Winter Drive	St. Leonard's Road	East
Winter Drive	Summer Drive	South
Wisteria Drive	Linden Road	East
Wisteria Drive	Holly Knoll Drive	West
Witherington Drive	Chinquapin Road	North
Wood Drive	Rolling Hills Drive	West
Woodenbridge Road	East Heron Road	North and south
Woodenbridge Road	Rocksville Road	South
Woodlake Drive	Buck Road	East
Woodlake Drive	Forrest Drive	North
Woodlake Drive	Forrest Drive	South
Woodland Drive	Mount Pleasant Drive	East
Woodland Drive	West Julianna Drive	West
Woodside Drive	Twiningford Road	North
Woodstock Drive	Spring Garden Mill Road	North
Woodstock Drive	Spring Garden Mill Road	West
Woodstream Drive	Bridgetown Pike	South
Worthington Mill Road	Second Street Pike	West
Wren Drive	Elm Avenue	South
Yale Drive	Purdue Drive	North and south
Yerkes Road	Glen Meadow Drive	North
Yerkes Road	Upper Holland Road	South
Zelkova Drive	Briarwood Drive	North
Zelkova Drive	Briarwood Drive (cul-de-sac)	North
Zelkova Drive	Wood Drive	North

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)



**§15-215. Yield Intersections Established.**

1. The following intersections (in addition to intersections with the through highways established by §15-212) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by 75 Pa.C.S.A. §§3323(c) of the Vehicle Code, and then yield the right-of-way as required by that subsection of the Vehicle Code.

<b>Yield Street</b>	<b>Through Street</b>	<b>Direction of Travel</b>
Buck Road (Rt. 532)	Middle Holland Road	West
Second Street Pike (Rt. 232)	Bustleton Pike (Rt. 918)	South

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-216. Operation of Motor Vehicles Restricted on Public Lands.**

1. No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Township or any other public agency or instrumentality within the Township without the permission of the property owner and a permit from the *[Designated Official]* of the Township.

2. Any person who violates an provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-217. Rotary Traffic Islands Established.**

1. The following locations are designated as rotary traffic islands, and every vehicle passing around a rotary traffic island shall be driven only to the right of the island:

**Location**

[Reserved]

2. Any person who drives a vehicle otherwise than to the right of any rotary traffic island shall be guilty of a violation of this Section, and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-218. Play Highways Established and Authorized.**

1. The following areas upon the streets in the Township are established as play highways:

Street	Between	Days	Hours
--------	---------	------	-------

[Reserved]

2. The *[Designated Official]* is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Township where sledding and coasting shall be permitted. That play highway shall be set apart for the purpose under the direction of the *[Designated Official]*.

3. No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency, with special permission of the *[Designated Official]* or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this subsection, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

### §15-219. Snowmobile Roads Designated.

1. The following roads and streets within the Township are designated as special snowmobile roads:

Street or Road	Between	Used by Snowmobiles Only When Closed to Vehicular Traffic	Shared With Vehicular Traffic
----------------	---------	---	-------------------------------

[Reserved]

2. It shall be unlawful for any person to operate a snowmobile on any highway, street or road in the Township other than as provided above. Provided, nothing in this Section shall prohibit any person from operating a snowmobile on any other street in the Township:

A. As authorized by the Vehicle Code, 75 Pa.C.S.A. §7721, for emergency and bridge crossings and for direct crossing of streets or two-lane highways.

B. For special snowmobile events where authorized in advance and the street is blocked off as provided in the Vehicle Code, 75 Pa.C.S.A. §7723. Any person who violates any provision of this Section shall be subject to the penalties prescribed in §7752(a) of the Vehicle Code, 75 Pa.C.S.A. §7752 (a).

(Ord. 561, 4/25/2012)

**Part 3****Restrictions on Size, Weight and Type of Vehicle and Load****§15-301. Vehicle Weight Limits Established on Certain Streets and Bridges.**

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

<b>Street or Bridge</b>	<b>Between</b>	<b>Maximum Gross Weight</b>
Bridgetown Pike	Conrail bridge near Maple Avenue	5 tons
Bridgetown Pike	Mill Creek bridge between Rocksville Road and Krewson Avenue	5 tons
Bridgetown Pike	Neshaminy Creek bridge	3 tons
Grenoble Road	Neshaminy Creek bridge	3½ tons
Lower Holland Road	Bridge-Lower Holland Road	34 tons except combinations 40 tons
Old Bristol Road	Conrail bridge south of Buck Road	11 tons
St. Leonards Road	Bridge north of Buck Road	5 tons
Spencer Road	Bridge near Temperance Lane	10 tons
Twining Road	Bridge 1,584 feet east of Second Street Pike (Rt. 232)	5 tons
Worthington	Neshaminy Creek bridge Mill Road	11 tons

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, 75 Pa.C.S.A. §§4902(a), 4902(g-1) and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

(Ord. 561, 4/25/2012)

**§15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.**

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

<b>Street or Bridge</b>	<b>Between</b>	<b>Restrictions</b>
Cherry Blossom Drive	Bristol Road and	Greater than 25 feet in length, gross vehicle

Street or Bridge	Between	Restrictions
	Second Street Pike	weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Hatboro Road	Almshouse Road and Sackettsford Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Hatboro Road	Bristol Road and Almshouse Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Joanne Road	Middle Holland Road and Joanne Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Jodie Road	Sima Road and Shelly Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Karen Road	Michael Road and Joanne Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
New Road	Second Street Pike and Hatboro Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
North Friesland Drive	Almshouse Road (Rt 332 and Tanyard Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Old Jacksonville Road	Almshouse Road and Sackettsford Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Sackettsford Road	Second Street Pike and Township line	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Shelly Road	Holland Road and Lempa Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Spencer Road	Almshouse Road and Sackettsford Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more

Street or Bridge	Between	Restrictions
		than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Tanyard Road	Second Street Pike and Hatboro Road	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs
Tapeworm Road	Sackettsford Road and Second Street Pike	Greater than 25 feet in length, gross vehicle weight of 14,000 lbs or greater or has more than 2 axles or a trailer that has a registered gross weight of 10,000 lbs

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. §§4902(a), 4902(g)(1) and, upon conviction, shall be sentenced to pay a fine of \$75 and costs.

(Ord. 561, 4/25/2012)

### **§15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.**

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code 75 Pa.C.S.A. §§4902(b), it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street.

Street or Bridge	Between	Restrictions
		[Reserved]

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(b) and 4902(g)(2) of the Vehicle Code, 75 Pa.C.S.A. §§4902(b), 4902(g)(2), and, upon conviction, shall be sentenced to pay a fine of not more than \$500 and costs.

(Ord. 561, 4/25/2012)

### **§15-304. Truck Traffic Restricted on Certain Streets.**

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

Street	Between
	[Reserved]

Provided, nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)



**Part 4****General Parking Regulations****§15-401. Vehicles to Be Parked Within Marked Spaces.**

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

(Ord. 561, 4/25/2012)

**§15-402. Parking Prohibited at All Times in Certain Locations.**

Parking shall be prohibited at all times in the following locations:

<b>Street</b>	<b>Side</b>	<b>Between</b>
Almshouse Road	North	From Route 232 intersection to a point 500 feet west of that intersection
Almshouse Road	South	From Creekside Drive to a point 200 feet west of that intersection
Beverly Road	Both	Between Morning Glory Avenue and Crescent Drive
Bridgetown Pike	East	Between Langhorne Avenue and a point 507 feet north of Langhorne Avenue
Bristol Road	North	Ivygreene Run west to RR tracks
Bustleton Pike (Rt. 918)	East	Between a point 200 feet south of Green Valley Drive and a point 550 feet north of Green Valley Drive
Bustleton Pike (Rt. 918)	East	Between Upper Holland Road and Second Street Pike (Rt. 232)
Cherry Blossom Drive	West	Between Ross Road and Second Street Pike (Rt. 232)
Churchville Lane	Both	Between Lakeside Drive and a point 80 feet west thereof
Churchville Lane	South	Between a point 185 feet east of Hidden Cove Drive and a point 480 feet west of Hidden Cove Drive
Cornell Avenue	North	From the southeast terminus of the roadway 117 feet to the southeast terminus of the roadway
Cornell Avenue	South	From the northwest terminus of the roadway 117 feet to the southeast terminus of the roadway
Council Rock Drive	Both	From Industrial Drive to its terminus

<b>Street</b>	<b>Side</b>	<b>Between</b>
East Village Road	West	Between Southwark Court to its terminus
Elm Avenue	North	Between a point 1,056 feet west of Brook Drive and a point 1,838 feet west of Brook Drive
Fairhill Road	West	From Almshouse Road (Route 332) south to the security gate entrance to Beverly Hills Drive and the Beverly Hills Development
Fieldstone Drive	Both	Between North/South Timber Road and a point 30 feet south thereof
Hatboro Road	North-west	Deceleration zone at St. Vincent DePaul's Church
Heron Road	Both	Between Buck Road and West Rambler Drive for a distance of 85 feet from Buck Road
Holland Road	Both	From Route 332 (Newtown-Richboro Road) to Middle Holland Road
Holland Road	East	Deceleration zone at St. Bede's Church
Holland Road	Both	450 feet north and 450 feet south of the driveway at 1180 Holland Road (Villa Joseph Marie School)
Independence Drive	Interior side, all directions	Entire length
Inland Road	Both	Between Almshouse Road and Brookline Road for a distance of 80 feet from Almshouse Road
Lake Road	Both	
Lakeside Drive	Both	Between Churchville Lane and dead end
Middle Holland Road	Both	From Holland Road to Old Jordan Road
Mulberry Drive	East and west	Between a point no less than 30 feet south of North Timber Drive to its intersection with North Timber Drive
New Road	North	Between Linden Drive and Holly Knoll Drive
North Marmic Drive	Both	Between Witherington Drive and a point 600 feet west of Witherington Drive
North Timber Drive	South	Between a point no less than 30 feet west of Mulberry Drive to a point no less than 30 feet east of Mulberry Drive
North/South Timber Road	South	Between a point 20 feet west of Fieldstone Drive to a point 20 feet east of Fieldstone Drive
Rock Way	Both	From Route 332 (Newtown-Richboro Road) to Middle Holland Road



<b>Street</b>	<b>Side</b>	<b>Between</b>
Ross Drive	Both	Between Upland Drive and the dead end
St. Leonard's Road	East	From Middle Holland Road to Newtown-Richboro Road
Second Street Pike (Rt. 232)	East	Between a point 235 feet north of Tanyard Road and a point 543 feet north of Tanyard Road
Second Street Pike (Rt. 232)	East	Between Newtown-Richboro Road (Rt. 332) and Manor Drive
Second Street Pike (Rt. 232)	East	Between Newtown-Richboro Road (Rt. 332) and a point 800 feet south of Newtown-Richboro Road
Second Street Pike (Rt. 232)	West	Between Almshouse Road and a point 80 feet south of Almshouse Road
Second Street Pike (Rt. 232)	West	Between a point 416 feet north of Tanyard Road and a point 647 feet north of Tanyard Road
South Timber Road	South	From St. Leonard's Road to Mulberry Drive
Tanyard Road	Both	Between Hatboro Road and a point 600 feet south of Hatboro Road
Torresdale Drive	East	From Upper Holland Road to a point 159 feet south of Upper Holland Road
Torresdale Drive	West	From Upper Holland Road to a point 159 feet south of Upper Holland Road
Township Road	East	From Upper Holland Road to a point 220 feet south of Upper Holland Road
Township Road	West	Entire length
Upper Holland Road	North	From a point 2105 feet east of Bustleton Pike to a point 2280 feet east of Bustleton Pike.
Upper Holland Road	North	From Bustleton Pike to a point 1768 feet east of Bustleton Pike.
Upper Holland Road	North	From Torresdale Drive to a point 90 feet east of Torresdale Drive
Upper Holland Road	North	From Torresdale Drive to a point 90 feet west of Torresdale Drive
Upper Holland Road	South	From a point 903 feet east of Bustleton Pike to a point 1,079 feet east of Bustleton Pike.
Upper Holland Road	South	From a point 1,299 feet east of Bustleton Pike to a point 1,475 feet east of Bustleton Pike.
Upper Holland Road	South	From a point 1,586 feet east of Bustleton Pike to a point 1,768 feet east of Bustleton Pike.

Street	Side	Between
Upper Holland Road	South	From a point 2,007 feet east of Bustleton Pike to a point 2,188 feet east of Bustleton Pike.
Upper Holland Road	South	From Bustleton Pike to a point 255 feet east of Bustleton Pike.
Upper Holland Road	South	From Bustleton Pike to a point 2,188 feet east of Bustleton Pike
Witherington Drive	Both	Between Marmic Drive and Chinquapin Road
Worthington Mill Road	South	Between Worthington Mill Road bridge and a point 220 feet west thereof

(Ord. 561, 4/25/2012)

**§15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.**

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

Street	Side	Between	Days	Hours
Crescent Drive	Both	Beverly Drive and Mallard Road	Every day	8 a.m. to 6 p.m.
Joanne Road	Both	Shelly Road east to the end of Joanne Road	Every day	8 a.m. to 4 p.m.
Jodie Road	Both	Middle Holland Road to Joanne Road	Every day	8 a.m. to 4 p.m.
Middle Holland Road	South	Between Old Jordan Road and a point 698 feet west of Old Jordan Road	Every day	6 a.m. to 6 p.m.
Old Jordan Road	East/ West	Between Middle Holland Road and a point 519 feet south of Middle Holland Road	Every day	6 a.m. to 6 p.m.

(Ord. 561, 4/25/2012)

**§15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations.**

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

Street	Between
	[Reserved]

(Ord. 561, 4/25/2012)

**§15-405. Parking Time Limited in Certain Locations Certain Days and Hours.**

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

Street	Side	Between	Days	Hours
[Reserved]				

(Ord. 561, 4/25/2012)

**§15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.**

The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked in any such zone except as specifically provided for that zone:

Street	Side	Location	Authorized Purpose or Vehicle
Buck Road		Northampton Presbyterian Church	Handicapped person
Holland Road		St. Bede's Church	Handicapped person
Middle Holland Road		Twining Village Retirement Center	Handicapped person
Newtown-Richboro Road (Rt. 332)		N.T. Library	Handicapped person
Second Street Pike (Rt. 232)		Addisville Reformed Church	Handicapped person
Second Street Pike (Rt. 232)		Crossroads Plaza	Handicapped person
Second Street Pike (Rt. 232)		Plaza Shopping Center	Handicapped person
Second Street Pike (Rt. 232)		Shop N Bag	Handicapped person
Township Road		Administration building	Handicapped person
Township Road		Bucks County District Court	Handicapped person
Township Road		Police building	Handicapped person
Worthington Mill Road		Advent Lutheran Church	Handicapped person

(Ord. 561, 4/25/2012)

**§15-407. Fire Lanes Designated.**

1. The following areas are designated as fire lanes where parking a vehicle or trailer or leaving a vehicle unattended shall be prohibited:

<b>Premises</b>	<b>Location of Fire Lane</b>
Adams Court	East side, from north curblin of Independence Drive northward 90 feet
Adams Court	West side, from north curblin of Independence Drive northward 65 feet
Adams Court	West side, beginning at northern end of southernmost parking area, which point is 250 feet north of the north curblin of Independence Drive, then northward 50 feet to southern end of next parking area
Bradley Court	East side, beginning at the northern end of the southernmost parking area, which point is 220 feet north of the north curblin of Independence Drive, then northward 50 feet to the southern end of the. next parking area
Churchville Elementary School on New Road	The paved driveway at the front entrance, excluding the area marked for parking. School buses are permitted to load and unload students and to stand in this area, provided that the operator is present at the vehicle
Council Rock Intermediate School in Holland, located on East Holland Road	Entire entrance of school in parking lot facing Buck Road
Council Rock Intermediate School in Richboro on Upper Holland Road	Entire width and length of the rear driveway and front driveway circle
Crossroads Plaza at Route 232 and Bustleton Pike	Front entrance of all stores, plus the entire length and width of the side driveway facing Bustleton Pike
Holland Elementary School located on Crescent Drive	Entrance and entire length and width of circular driveway
Holland Shopping Center at Holland Road and Chinquapin Road	Front entrance of all stores and the entire width and length of the rear driveway
Holland Village at 111 Buck Road	Front entrance of all stores and the entire width and length of the rear driveway, including the sides of the building
Independence Drive	Along the southerly curblin, opposite the intersection with Bradley Court, a length of 30 feet
Madison Court	East side, beginning at the northern end of the southernmost parking area, which point is 150 feet north of the north curblin of Independence Drive, then northward 40 feet to the southern end of the next parking area
Madison Court	West side, beginning at the northern curblin of Independence Drive, then along the curb radius curving to the north 40 feet north of the northern curblin of Independence Drive

<b>Premises</b>	<b>Location of Fire Lane</b>
Monroe Court	West side, beginning at the northern end of the southernmost parking area, which point is 170 feet north of the north curblane of Independence Drive, thence northward 50 feet to the southern end of the next parking area
Northampton Township Cultural Center/Senior Center, located at 25 Upper Holland Road	Entire drive access in front of the building
Northampton Valley Tennis Club, located on Newtown-Richboro Road	Entire width and length of the front of the building and the entire length of the left side of the driveway approaching the building
Payne Court	Beginning at the eastern end of the southern parking area, thence in an easterly direction along the curb radius curving to the right, and then along the westerly side of Bradley Court in a southerly direction 30 feet south from the end of the curb radius
Payne Court	Along the northern side, beginning 30 feet west of the curb radius with Bradley Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve
Payne Court	Along the northern side, beginning 30 feet east of the curb radius with Madison Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve
Payne Court	Along the southern side, beginning 30 feet east of the curb radius with Madison Court, thence along that curve in a southerly direction, extending 20 feet beyond the curve
Payne Court	Along the northern side, beginning 30 feet east of the curb radius with Monroe Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve
Payne Court	Along the northern side, beginning 20 feet west of the curb radius with Monroe Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve
Payne Court	Along the southern side, beginning 30 feet west of the curb radius with Monroe Court, thence along that curve in a southerly direction, extending 20 feet beyond the curve
Payne Court	Beginning at the western end of the southern parking area, thence in a westerly direction along the curb radius curving to the left, and then along the easterly side on Monroe Court in a southerly direction 30 feet south from the end of the curb radius
Randolph Court	Along the northern side, beginning 30 feet east of the curb radius with Adams Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve

<b>Premises</b>	<b>Location of Fire Lane</b>
Randolph Court	Beginning at the western end of the southern parking area, thence in a westerly direction along the curb radius curving to the left, and then along the easterly side of Adams Court 30 feet south from the end of the curb radius
Randolph Court	Beginning at the eastern end of the southern parking area, thence in an easterly direction along the curb radius curving to the right, and then along the westerly side of Knox Court in a southerly direction 30 feet south from the end of the curb radius
Randolph Court	Along the northern side, beginning 30 feet west of the curb radius with Knox Court, thence along that curve in a northerly direction, extending 20 feet beyond the curve
Richboro Care Center on Twiningford Road	Entire entranceway and cul-de-sac and the Road area in the rear parking lot behind the garage-type building approximately 15 feet wide by 60 feet in length
Richboro Elementary School, 125 Upper Holland Road	Entire front driveway access, entrance and exit lanes and the entire side driveway access including rear access area
Richboro Shopping Center, located on Bustleton Pike	Entire length and width of the north side driveway
Richboro Shopping Plaza at Routes 232 and 332	Front entrance of all stores
Rolling Hills Elementary School, located on Middle Holland Road	Entire front entrance of the school
St. Bede School and Church, located on Holland Road	Both driveways, with the exception of handicapped parking spaces that are existing
St. Joseph Home for the Aged at 1182 Holland Road	Entire front entrance drive and access drive to the rear
School House Shopping Center, located on Second Street Pike in Richboro	Front entrance of all stores, plus entire length and width of north side driveway and the rear of all stores, extending from the curbline 22 feet into the drive access
Shop N Bag Market at 1034 Second Street Pike	Front entrance
Spring Garden Mill (Langhorne Players) Theater on Route 332	Entire perimeter, being 30 feet wide from the fact of the building. This parking prohibition shall apply only while the building is open to the public
Tapestry (development) Clubhouse on Independence Drive	The north side of Independence Drive Independence Drive from the entrance/exit of the Clubhouse parking lot to a point approximately even with the fence line of the pool yard on the opposite side of the lot; the fire zone shall extend 18 feet out from the curbline and 200 feet in a westerly direction from the entrance/exit

Premises	Location of Fire Lane
Twining Village Retirement Center on Middle Holland Road	Receiving area at the south end between the nursing facility and the community building, excluding those areas marked for parking, and the cul-de-sac entrance drive at the entrance to the community building off Covered Bridge Road, excluding the area marked for parking

2. The Fire Marshal shall specify and advise the owner(s) of said premises or person(s) in charge or possession of said premises as to the method of posting the designated area(s) either by approved signs, yellow paint striping and labeling or any combination thereof as deemed necessary by the Fire Marshal. Said posting devices shall be maintained in a condition which clearly notifies the motorists of the area of prohibition.

(Ord. 561, 4/25/2012)

**§15-408. Standing or Parking on Roadway for Loading or Unloading.**

It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4 p.m., and for no longer than necessary for the loading or unloading.

Street	Side	Between
		[Reserved]

(Ord. 561, 4/25/2012)

**§15-409. Angle Parking Required on Portions of Certain Streets.**

1. Only angle parking shall be permitted on the following portions of streets:

Street	Side	Between
		[Reserved]

2. On all streets where angle parking is required, every vehicle parked at the angle shall be parked with its front nearest the curb.

(Ord. 561, 4/25/2012)

**§15-410. Residential Permit Parking.**

1. *Findings and Purpose.* The Township finds that:

A. Certain residential areas in the Township are subjected to commuter vehicle parking, therefore depriving the residents of those areas of spaces in which to park their own vehicles.

B. Those residential streets are also subjected to a high degree of commuter traffic which substantially reduces the quality of the ambient air level.

C. The establishment of a parking permit program for certain affected areas

should facilitate efficient movement of traffic by providing for parking preference during certain hours of the day and days of the week. Therefore, the Township considers it to be in the interest of the people of the Township to provide for the establishment of a residential permit parking program to insure primary access to available parking spaces by neighborhood residents and also to provide a cleaner ambient air level.

2. *Definitions.* for the purpose of this Section, words and terms listed in this subsection, as follows, shall have the following meanings:

*Commuter Vehicle* - a motor vehicle parked in a residential area by a person not a resident of that residential area.

*Proprietor* - a person who owns or leases real estate within a residential area of which he is not a resident, but who owns or manages a business enterprise or professional office maintained at that address. for the purpose of this Section, a proprietor shall be entitled to one parking permit for that business or professional office address.

*Resident* - a person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy, or both, at that address.

*Residential Area* - a contiguous area containing public highways or parts of public highways primarily abutted by residential property or residential and nonbusiness property (such as schools, parks, places of worship, hospitals and nursing homes).

3. *Criteria.* The residential areas designated in subsection .4 of this Section are those deemed impacted and hence eligible for residential parking on the basis of the following criteria:

A. During any period between the hours of 7 a.m. and 6:30 p.m., Monday through Saturday, except legal holidays, the number of vehicles parked (or standing), legally or illegally, on the streets in the area is equal to 70 percent or more of the legal, on-street parking capacity of the area. for the purpose of this criterion, a legal parking space shall be 20 linear feet.

B. During the same period as specified in paragraph .A, 10 percent or more of the vehicles parked (or standing) on the streets in the area are not registered in the name of a person residing in the area. for the purpose of this criterion, the latest available information from the Pennsylvania Department of Transportation regarding registration of motor vehicles shall be used.

Provided: in determining that a specific area identified as impacted and eligible for residential permit parking is designated as a residential permit parking area, the following factors are taken into consideration:

(1) The local and metropolitan needs with respect to clean air and environment.

(2) The possibility of a reduction in total vehicle miles driven in the Township.

(3) The likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards.



(4) The proximity of public transportation to the residential area.

(5) The desire and need of the residents for residential permit parking and their willingness to bear the administrative costs in connection with it.

(6) The need for parking in excess of the residential permit parking program in proximity to establishments located in the residential permit parking area and used by the general public for religious, health or educational purposes.

4. *Designation of Residential Permit Parking Areas.* The following are designated as residential permit parking areas:

**Area**

**Bounded By and Including**

[Reserved]

Signs shall be erected along the streets in each residential permit parking area, indicating the days, hours, locations and conditions under which parking shall be by permit only.

5. *Application for Permit.* Application for a residential parking permit shall be made to the Chief of Police by the person desiring the permit, who shall be only the owner or the driver of a motor vehicle who resides on or is a proprietor of property immediately adjacent to a street or other location within a residential parking permit area. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, in an amount as established by resolution of the Township, which shall be for the use of the Township, to be applied to the cost of administering the residential permit parking program. Each application shall contain the following information: the name of the owner or the driver, as the case may be, of the motor vehicle; the address of the resident or the proprietor, as the case may be; the make, model and registration number of the motor vehicle; and the driver number as taken from the applicant's current driver's license. At the discretion of the Chief of Police, the applicant shall be required, at the time of making application, to present his driver's license and the vehicle registration card.

6. *Issuance of Permit.* Upon receipt of the application and the permit fee, and determination by him that the information upon the application shows that the applicant is entitled to a residential parking permit, the Chief of Police shall issue to the applicant a residential parking permit, which shall be valid for the remainder of the calendar year. The permit shall display the serial and registration numbers of the motor vehicles, the residential parking area number and the expiration date. The permit shall be renewable annually before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this Section for any person to display other than the current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.

7. *Temporary and Exemption Parking Permits.* Temporary parking permits may be issued by the Chief of Police, upon payment of a fee in an amount as established by resolution of the Board of Supervisors, to bona fide visitors of residents of a designated residential permit parking area, and exemption parking permits may be issued, without payment of a fee, to handicapped persons.

8. *Responsibility of Permit Holder.*

A. Notwithstanding any provision of this Section to the contrary, the holder of a residential parking permit shall be permitted to stand or park a motor vehicle operated by him in any designated residential parking area during those times when parking of motor vehicles is permitted in that area. While a vehicle for which a residential parking permit has been issued is so parked, that permit shall be displayed so as to be clearly visible through the windshield of the vehicle. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential permit parking area.

B. A residential parking permit shall not authorize its holder to stand or park a motor vehicle in any place where or at any time when stopping, standing or parking of motor vehicles is prohibited or set aside for other specified types of vehicles, nor shall the permit exempt its holder from the observance of any traffic or parking regulation other than residential permit parking regulation or restriction.

C. No person other than the permit holder whose name appears on the permit shall use a residential parking permit or display it on a vehicle operated; any such use or display by a person other than the permit holder shall constitute a violation of this Section by the permit holder and by the person who so used or displayed the parking permit.

D. It shall constitute a violation of this Section for any person falsely to represent himself as eligible for a residential parking permit or to furnish false information in an application to the Chief of Police in order to obtain a residential parking permit.

9. *Revocation of Permits.* The Chief of Police shall have authority to revoke the residential parking permit of any permit holder found to be in violation of any provision of this Section. Upon written notification to the present holder of the revocation, the permit holder shall surrender the permit to the Chief of Police. Failure to do so, when so requested, shall constitute a violation of this Section. Provided, any person receiving such a notice may, within 10 days after the date of the notice, appeal to the Township for a hearing on the revocation, and the decision of the Township shall be final.

(Ord. 561, 4/25/2012)

**§15-411. Parking Prohibited on Portions of Certain Highways During Street Sweeping Hours.**

It shall be unlawful for any person to park a vehicle or to allow the same to remain parked, at any time between [ ] and [ ] on any of the following portions of the highways of the Township on the days hereby respectively designated for street sweeping purposes:

Street	Between	Day
		[Reserved]

(Ord. 561, 4/25/2012)

**§15-412. Penalties.**

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the appropriate official all violations of any provision of this Part indicating, in each case, the Section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of \$\_\_\_\_\_ within \_\_\_\_\_ hours after the time of the notice, or if he will place the sum of \$\_\_\_\_\_ enclosed within the envelope provided in any of the special parking fine boxes installed at various locations within the Township, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this Section.

*(Ord. 561, 4/25/2012)*



**Part 5****On-Street Metered Parking****§15-501. Parking Meter Zone Established.**

Parking meter zones are established upon and along certain streets in the Township as follows:

Street	Between	Rate	Maximum Parking Time
	[Reserved]		

(Ord. 561, 4/25/2012)

**§15-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply.**

Parking meters shall be operated by the deposit of a coin in the meter as prescribed by §15- 505, and the parking rates for specified lengths of time, as well as the maximum parking times prescribed in §15-501, shall apply at all times between the hours of 9 a.m. and 6 p.m. Monday through Thursday and Saturday, and between the hours of 9 a.m. and 9 p.m. Friday, in the parking meter zones listed in §15-501. Provided, however, the requirements of this Part as to parking time limits and as to deposit of coins in meters shall not apply on legal holidays.

(Ord. 561, 4/25/2012)

**§15-503. Placement and Characteristics of Parking Meters.**

Parking meters installed in the parking meter zones established by §15-501 of this Part shall be placed upon the curb or sidewalk, and immediately adjacent to the individual parking spaces described in §15-504 of this Part. Each parking meter shall be placed or set so as to show that the parking space adjacent to that meter is or is not legally occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Township and when the adjacent space is occupied by a vehicle, the parking meter shall indicate on and by its dial and pointer the duration of the period of legal parking and, on the expiration of that period, shall indicate illegal parking or over-parking.

(Ord. 561, 4/25/2012)

**§15-504. Parked Vehicles to Be Wholly Within Marked Spaces.**

Lines and/or markings shall be painted or placed upon the curb, sidewalk or roadway adjacent to each parking meter for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked at any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.

(Ord. 561, 4/25/2012)

**§15-505. Coin Deposit in Meter; Overtime Parking Unlawful.**

Whenever a vehicle is to be parked in any space adjacent to a parking meter, at any time in the period of limited parking as prescribed by §15-502 of this Part, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle shall remain in any such parking space for any length of time that the meter shall indicate by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime, and the parking of a vehicle overtime shall be a violation of this Part.

(Ord. 561, 4/25/2012)

**§15-506. Unlawful to Deposit Substitute for Coin in Meter.**

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

(Ord. 561, 4/25/2012)

**§15-507. Unlawful to Deposit Coin in Meter to Extend Parking Time Beyond Legal Limit.**

It shall be unlawful and a violation of this Part for any person to deposit or cause to be deposited in any parking meter installed under the provisions of this Part any coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time established for that parking zone.

(Ord. 561, 4/25/2012)

**§15-508. Unlawful to Remain Parked at Meter Showing Violation.**

It shall be unlawful, and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

(Ord. 561, 4/25/2012)

**§15-509. Unlawful to Tamper with Meter.**

It shall be unlawful, and a violation of this Part, for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Township under the direction of the *[Designated Official]* or Township.

(Ord. 561, 4/25/2012)

**§15-510. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [     ] Hours.**

1. It shall be the duty of the police officers and parking enforcement personnel of the Township, acting in accordance with the directions of the Chief of Police, to report:

A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.

B. The date and hour of the violation.

C. The license number of the vehicle.

D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.

2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Township, the sum of \$\_\_\_\_\_ within \_\_\_\_\_ hours after the time of the notice, or will place the sum of \$\_\_\_\_\_ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Township within the time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §15-511.1 of this Part.

(Ord. 561, 4/25/2012)

**§15-511. Penalty for Violation.**

1. Any person who violates any provision of this Part, with the exception of §15-509, and who fails to pay the fine set forth in §15-510, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$50 and costs.

2. Any person who violates any provision of §15-509 of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment for not more than 30 days.

(Ord. 561, 4/25/2012)

**§15-512. Exceptions.**

1. By resolution, the Township may temporarily suspend the provisions of this Part requiring coin deposit in meters and establishing a maximum parking time at meters.

2. The Township shall have authority to establish no parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas as previously installed there, and the provisions of this Part shall not apply in those areas where no-parking or special-purpose parking is in effect.

(Ord. 561, 4/25/2012)





**Part 6****Off-Street Metered Parking****§15-601. Metered Parking Lots Established.**

The following are established as the metered parking lots established by this Township:

<b>Lot</b>	<b>Location</b>	<b>Rate</b>	<b>Maximum Parking Time</b>	<b>Days in Operation</b>	<b>Hours in Operation</b>
------------	-----------------	-------------	---------------------------------	------------------------------	-------------------------------

[Reserved]

2. Provided, the parking meters in the metered lots shall be in operation, the parking lots shall be open for parking and the provisions of this Part regulating the operation of parking meters and establishing parking time limits shall be in force on the days and between the hours prescribed for the individual lots. But, on Sundays and legal holidays, no parking time limit shall apply and the placing of coins in meters shall not be required.

(Ord. 561, 4/25/2012)

**§15-602. Placement and Characteristics of Parking Meters.**

Parking meters installed in the parking lots shall be placed immediately adjacent to the individual parking spaces that shall be marked off and maintained in the lots. for each parking meter there shall be a clear indication, through use of a directional arrow, or an identification as to number with the parking space, to show which individual parking space it serves. Each parking meter shall indicate by a proper legend the parking rate and the maximum parking time established by §15-601, and, when the parking space is occupied and the parking meter put into operation by the insertion of one or more coins, the parking meter shall indicate on and by its dial and pointer the duration of legal parking, and, upon the expiration of that period, shall indicate illegal parking or over-parking.

(Ord. 561, 4/25/2012)

**§15-603. Reserved Parking Spaces for Handicapped May Be Provided.**

The Township, at its discretion, may provide, at convenient and suitable locations in any one or more of the metered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate" or a "disabled veteran placard."

(Ord. 561, 4/25/2012)

**§15-604. Parked Vehicles to Be Wholly Within Marked Spaces.**

Lines and/or markings shall be painted or placed upon the surface of the metered parking lots, adjacent to each parking meter, for the purpose of delineating the parking

space for which that meter shall be used. Every vehicle parked adjacent to any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person:

- A. To park a vehicle across any such line or marking.
- B. To park a vehicle in such a position that the vehicle shall not be within the area so delineated by the lines or markings.
- C. To park a vehicle elsewhere in any such lot that in an individual parking space adjacent to a parking meter.

(Ord. 561, 4/25/2012)

**§15-605. Manner of Parking at Meters.**

It shall be unlawful for any person to park a vehicle in any metered parking lot:

- A. Otherwise than with the front of the parked vehicle nearest to the parking meter applicable to that vehicle.
- B. With any Part of the vehicle touching the meter post or head or the raised base or barrier on which meters are erected.

(Ord. 561, 4/25/2012)

**§15-606. Coin Deposit in Meter; Overtime Parking Unlawful.**

Whenever a vehicle is to be parked in any metered parking lot, at any time when the lot is open for use and the meters are to be in operation, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in the proper parking meter, one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle remains in any such parking space for such length of time that the meter indicates that the lawful parking time has expired, that vehicle shall be considered as being parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Provided, every hour that a vehicle remains parked at a meter showing a violation shall constitute a separate violation of this Part.

(Ord. 561, 4/25/2012)

**§15-607. Unlawful to Deposit Substitute for Coin in Meter.**

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

(Ord. 561, 4/25/2012)

**§15-608. Unlawful to Remain Parked at a Meter Showing Violation.**

It shall be unlawful and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which

a coin or coins was deposited in that meter for the parking of that vehicle.

(Ord. 561, 4/25/2012)

**§15-609. Unlawful to Tamper with Meter.**

It shall be unlawful and a violation of this Part for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Township under the direction of the *[Designated Official]* or Township.

(Ord. 561, 4/25/2012)

**§15-610. Metered Parking Lots for Certain Types of Vehicles Only.**

The metered parking lots established by this Part shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other type of vehicle in any of those lots.

(Ord. 561, 4/25/2012)

**§15-611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within [     ] Hours.**

1. It shall be the duty of the police officers and parking enforcement personnel of the Township, acting in accordance with the direction of the Chief of Police, to report:

A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.

B. The date and hour of the violation.

C. The license number of the vehicle.

D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.

2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Township, the sum of \$\_\_\_\_\_ within \_\_\_\_\_ hours after the time of the notice, or will place the sum of \$\_\_\_\_\_ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Township, within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §15-612.1 of this Part.

(Ord. 561, 4/25/2012)

**§15-612. Penalty for Violation.**

1. Any person who violates any provision of this Part, with the exception of §15-609, and who fails to pay the fine set forth in §15-611, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$50 and costs.

2. Any person who violates any provision of §15-609, upon conviction, shall be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment for not more than 30 days.

*(Ord. 561, 4/25/2012)*

**Part 7****Off-Street Unmetered Parking****§15-701. Unmetered Parking Lots Established.**

The following are established as the unmetered parking lots operated by the Township:

Lot	Location	Maximum Parking Time	Days in Operation	Hours in Operation
[Reserved]				

(Ord. 561, 4/25/2012)

**§15-702. Reserved Parking Spaces for Handicapped May Be Provided.**

The Township, at its discretion, may provide, at convenient and suitable locations in one or more of the unmetered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful and a violation of this Part for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a “handicapped registration plate,” a “handicapped parking placard,” a “disabled veteran registration plate,” or a “disabled veteran placard.” Provided, all provisions, requirements and restrictions contained in the other Sections of this Part shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

(Ord. 561, 4/25/2012)

**§15-703. Unlawful to Park Overtime or When Lot Closed.**

It shall be unlawful for any person to park a vehicle or to allow a vehicle to remain parked in any unmetered parking lot:

- A. For longer than the maximum parking time prescribed by §15-701.
- B. At any time when the lot is not in operation and is closed to public use.

(Ord. 561, 4/25/2012)

**§15-704. Unmetered Lots for Certain Types of Vehicles.**

The unmetered parking lots established by §15-701 shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other kind or class of vehicle in any such lot.

(Ord. 561, 4/25/2012)

**§15-705. Manner of Parking.**

Every vehicle parked in an unmetered parking lot shall be parked wholly within the lines bounding or marking the individual parking space assigned to that vehicle, and shall be parked headed into the parking space. It shall be unlawful for any person:

- A. To park a vehicle in a space not rented by him.

B. To park a vehicle otherwise than as required by this Section.

C. To park a vehicle elsewhere than in an individual parking space, the prohibited areas including, but not limited to, the access and exit driveways and turning and maneuvering spaces.

(Ord. 561, 4/25/2012)

**§15-706. Parking on Rental Basis Only.**

The parking spaces in the unmetered parking lots shall be available for parking on a monthly rental basis only. The rental fee shall be fixed by the Township by a resolution and shall be for a calendar month or the part of a calendar month remaining after the rental arrangements are made. The rental fee shall be paid in advance to the *[Designated Official]* for the use of the Township, and after the first month shall be automatically renewable until the renter notifies the Township that he wishes to terminate the rental arrangements. At any time, however, the Township may, by amending §15-701, discontinue provision of a specific unmetered parking lot or a portion of the parking spaces in any such lot, or may change any unmetered parking lot, or part of an unmetered parking lot, to a metered parking lot or to metered parking spaces. The rental parking spaces shall be assigned by the *[Designated Official]*. The name of the renter of a parking space and/or the numbers and/or letters on the registration tag of the vehicle entitled to be parked there shall be posted by the Township at the rental space or shall be painted on the surface of that parking space.

(Ord. 561, 4/25/2012)

**§15-707. Penalty for Violation.**

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the appropriate official all violations of any provision of this Part, indicating, in each case, the Section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and, any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of \$\_\_\_\_\_ within \_\_\_\_\_ hours after the time of the notice, or if he will place the sum of \$\_\_\_\_\_ enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Township, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this Section.

(Ord. 561, 4/25/2012)

## Part 8

### Removal and Impoundment of Illegally Parked Vehicles

#### §15-801. Applicability and Scope.

This Part is enacted under authority of §6109(a)(22) of the Vehicle Code, 75 Pa.C.S.A. §6109(a)(22), and gives authority to the Township to remove and impound those vehicles which are parked in a tow-away zone and in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others may be towed under the provisions of the Pennsylvania Vehicle Code. (Ord. 561, 4/25/2012)

#### §15-802. Authority to Remove and Impound.

The Township shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally; provided that the circumstances of its parking were within the conditions stated in §15-801. Provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part or the provisions of the Vehicle Code.

(Ord. 561, 4/25/2012)

#### §15-803. Tow Away Zones Designated.

The following designated streets and/or parking lots are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of Township parking regulations:

Street	Side	Between	Parking Lot
		[Reserved]	

(Ord. 561, 4/25/2012)

#### §15-804. Designation of Approved Storage Garages; Bonding; Towing and Storage.

Removal and impounding of vehicles under this Part shall be done only by “approved storage garages” that shall be designated from time to time by the Township. Every such garage shall submit evidence to the Township that it is bonded or has acquired liability insurance in an amount satisfactory to the Township as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Township its schedule of charges for towing and storage of vehicles under this Part and, when the schedule is approved by the Township, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. The Township shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under

this Part.

(Ord. 561, 4/25/2012)

**§15-805. Payment of Towing and Storage Charges.**

The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded.

(Ord. 561, 4/25/2012)

**§15-806. Reclamation Costs.**

In order to reclaim his vehicle, the owner shall pay towing and storage costs plus a \$50 fee, of which \$25 shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

(Ord. 561, 4/25/2012)

**§15-807. Records of Vehicles Removed and Impounded.**

The Township shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

(Ord. 561, 4/25/2012)

**§15-808. Restrictions upon Removal of Vehicles.**

No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

(Ord. 561, 4/25/2012)

**§15-809. Penalty for Violation.**

Any person who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under the provisions of the Vehicle Code, 75 P.S. §7301 *et seq.*

(Ord. 561, 4/25/2012)

**§15-810. Reports and Disposition of Unclaimed Vehicles.**

If after a period of 15 days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with §7311 of The Vehicle Code, 75 Pa.C.S.A. §7311 by the person having legal custody of the vehicle. If the vehicle has not been claimed after 30 days, the vehicle may be transferred to a licensed salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Vehicle Code (75 Pa C.S.A. §7301 *et seq.*).

(Ord. 561, 4/25/2012)



**Part 9****Snow Events****§15-901. Declaration of Snow and Ice Event.**

In order to facilitate the movement of traffic and to combat the hazards of snow and ice, the Chief or his/her designate, in his discretion, may declare a snow, and ice emergency (designated in this Part as a “snow emergency”). The Township through available media will give information on the existence of a snow emergency, and information on the termination of the emergency will be given by use of the same media.

(Ord. 561, 4/25/2012)

**§15-902. Parking Prohibited During Snow Event.**

It will be unlawful for any person, firm or corporation, whether principal or agent, to park any motor vehicles on any public street within the Township during the period of time commencing after snow begins to fall and ending 72 hours after the cessation of a snowstorm.

(Ord. 561, 4/25/2012)

**§15-903. Special Powers of the Chairman of the Board of Supervisors, or the Chief of Police to Regulate Parking.**

The Township Manager, or the Chief of Police will have the authority to regulate parking on a temporary basis, or in times of emergency.

A. In the case of fire, flood, storm, or other emergency, to establish temporary parking regulations effective during the period of the emergency.

B. To facilitate public works, or in the event of lawful construction, or other activity interfering with the use of the highway, or in the case of the conduct of parades, processions and other public events. To restrict or prohibit parking in limited areas for periods of not more than 24 hours, without further order imposing additional 24-hour periods of restriction.

(Ord. 561, 4/25/2012)

**§15-904. Posting of Signs.**

The Township will give notice to the public of these regulations by means of the placement of signs at various public locations throughout the Township.

A. Notice will be conspicuously posted of all temporary regulations at the place where parking is restricted or otherwise regulated.

B. The Board of Supervisors and the Police Department will enforce such temporary and emergency regulations in the same manner as permanent regulations.

C. No person will park a vehicle in violation of any such regulation.

(Ord. 561, 4/25/2012)

**§15-905. Towing of Vehicles.**

1. Whenever any motor vehicle is found parked, or stopped in violation of the restrictions imposed by this Part, the Chief of Police or a Township designee will issue instructions to an authorized towing service to remove the vehicle from the street or streets to the towing service's parking lot. This is hereby designated as the approved storage garage as grounds for the storage of such impounded vehicles.

2. An authorized towing service is a towing service that has presented the Township with a certificate establishing it has in full force and effect a garage keeper's liability insurance policy in an adequate amount to provide for the indemnification of the owner of such impounded vehicle against the loss thereof, injury, or damage thereto while said vehicle is in the custody of the towing service.

3. Within 24 hours after the date of removal of such vehicle, the police officers of Northampton Township will notify the owner of record of the fact that such vehicle has been impounded, designating the place from which said vehicle was removed, the reason for its removal, and impounding, and advising where the vehicle has been impounded. Said notice will further state that the payment of such towing and storage charges, unless such payment will be made "under protest" will be final and conclusive, and will constitute a waiver of any right to recover the money so paid. Said notice will also contain the notice that in the event the towing and impounding charges are paid "under protest," the offender will be entitled to a hearing before a magisterial district judge having jurisdiction over Northampton Township.

(Ord. 561, 4/25/2012)

**§15-906. Violations and Penalties.**

1. In the event that a vehicle is parked in violation of this Part and, in the judgment of the enforcing officer, such vehicle constitutes a hazard to the public or an impediment to snow removal operations, the enforcing officer may direct the removal of said vehicle.

2. Any person or persons who will violate any provision of this Part may, within 48 hours after the issuance of a violation notice, waive a summary proceeding and elect to pay a fine of \$25 for the first offense, and be liable to a fine of \$500 the maximum amount allowed by law for any subsequent violations. Violations on separate days will be considered separate offenses.

3. The cost of such removal will be collected from such owner, lessee, operator, or other person responsible for said violation in addition to those fines and costs set forth herein below.

(Ord. 561, 4/25/2012)

**Part 10****Regulation of Pedalcycles and Nonmotorized Vehicles****§15-1001. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited.**

1. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along the following portions of the streets in the Township:

Street	Side	Between
--------	------	---------

[Reserved]

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

(Ord. 561, 4/25/2012)

**§15-1002. Restrictions on Use of Pushcarts.**

1. The word “pushcart,” as used in this Section, shall mean a vehicle, including a pedalcycle, propelled solely by human power, and used or intended for use for the display, transport, exhibit or sale of goods, wares or merchandise.

2. It shall be unlawful for any person to propel a pushcart upon any sidewalk in any business district except as necessary to move the pushcart to a location from which it is to be loaded or unloaded or from which goods, wares or merchandise are to be sold or dispensed under permit from the Township as provided in subsection .3 of this Section.

3. It shall be unlawful for any person to park a pushcart upon any sidewalk except for the purpose of selling or dispensing from that pushcart goods, wares or merchandise to passersby under permit from the Township. Every such permit shall be issued to the person making application for the permit, upon payment of a fee, which shall be for the use of the Township set by the Township by resolution. The permit shall be granted to the applicant, upon payment of the fee, and upon the applicant signing an agreement with the Township that he shall be bound by the conditions imposed by Township and made a part of the permit, dealing with the following matters:

A. Restricting or limiting the parking of the pushcart to one or more stated locations upon the sidewalk and to stated days and hours at each location.

B. Stating requirements to be adhered to in connection with the disposal of garbage and refuse resulting from the operations carried on.

C. Requiring that there be no violation of any law, ordinance or regulation pertaining to health, sanitation and the handling of food or drink.

4. Any person who violates any provision of this Section, or any condition of any permit granted under this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 561, 4/25/2012)

**§15-1003. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.**

1. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Township, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of §§15-105 or 15-217. Provided, nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.

2. It shall be unlawful for any person to engage in roller-skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:

A. Any street except in order to cross the roadway.

B. Any sidewalk located in a business district, except that nothing in this subsection shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.

3. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

*(Ord. 561, 4/25/2012)*

**Part 11****Pedestrian Regulations****§15-1101. Pedestrians to Obey Traffic-Control Signs.**

At all locations in the Township where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals installed under §15-1102 of this Part, shall obey the directions of those traffic-control signals, as follows:

- A. When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk.
- B. When facing a steady yellow signal, a pedestrian shall not start to cross the roadway.
- C. When facing a steady red signal, a pedestrian shall not enter the roadway.

(Ord. 561, 4/25/2012)

**§15-1102. Pedestrian-Control Signal Locations Established.**

1. At the following locations, official pedestrian-control signals shall be erected (or are ratified if previously erected):

**Location**

[Reserved]

2. Every pedestrian facing a steady or flashing “Don't Walk” signal shall obey the directions of that signal, as follows:

- A. When facing a steady “Don't Walk” signal, a pedestrian shall not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the “Walk” signal should proceed to a sidewalk or safety zone while the “Don't Walk” signal is showing.
- B. When facing a flashing “Don't Walk” signal a pedestrian shall not start to cross the roadway in the direction of the indication, but any pedestrian who has partly completed crossing during the “Walk” indication should proceed to a sidewalk or safety zone.

Any pedestrian who fails to obey the directions of a “Don't Walk” signal, as indicated above, shall be guilty of an offense and a violation of this Part.

(Ord. 561, 4/25/2012)

**§15-1103. Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted.**

Except when authorized by a police officer or other appropriately attired person authorized to direct, control or regulate traffic, it shall be unlawful for any pedestrian to cross the roadway at any of the following streets, at the intersection with that street indicated.

**Street****Intersection****Direction of Travel**

[Reserved]

*(Ord. 561, 4/25/2012)***§15-1104. Locations Where Pedestrians May Cross Only in Crosswalk.**

It shall be unlawful for any pedestrian:

A. To cross any roadway in a business district within the Township except in a crosswalk.

B. To cross the roadway, in any of the following portions of streets in the Township, except in a crosswalk.

**Street****Between**

[Reserved]

Provided, nothing in this Section shall permit any pedestrian to cross in a crosswalk at any location where that crossing is prohibited by §15-1102 of this Part.

*(Ord. 561, 4/25/2012)***§15-1105. Penalty for Violation.**

Any pedestrian who violates any provision of this Part shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

*(Ord. 561, 4/25/2012)*

## **Chapter 16**

### **Parks and Recreation**

#### **Part 1**

#### **Rules for Parks, Recreation Areas, Open Space Areas and Public Property**

- §16-101. Unlawful Activities.
- §16-102. Hours of Operation
- §16-103. Use of Public Rooms and Buildings
- §16-104. Soliciting Prohibited
- §16-105. Enforcement
- §16-106. Violations and Penalties





**Part 1****Rules for Parks, Recreation Areas, Open Space Areas and Public Property****§16-101. Unlawful Activities.**

No person in a public building, park, recreation or open space area owned or controlled by Northampton Township shall:

A. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings; bridges; tables; benches; fireplaces; railings, pavings or paving materials; waterlines or other public utilities or parts or appurtenances thereof; signs, notices or placards, whether temporary or permanent; monuments, stakes, posts or other boundary markers or other structures or equipment; facilities; or park property or appurtenances whatsoever, either real or personal.

B. Damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any park or recreation area.

C. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

D. Bring in or dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and shall be properly disposed of elsewhere.

E. Drive any vehicle on any area except the paved park roads or parking areas or such areas as may, on occasion, be specifically designated as temporary areas by the Board of Supervisors.

F. Park a vehicle in other than an established or designated parking area and such shall be in accordance with posted directions or with the instruction of any park attendant who may be present.

G. Allow a vehicle to stand or be parked overnight in established parking areas or elsewhere in the park area.

H. Swim or bathe in any waters or waterways.

I. Bring into or operate any boat, raft or other water craft, whether motor-powered or not, upon any waters in the park area except a toy boat less than 18 inches in length.

J. Fish in any waters except in waters designated by the Park and Recreation Board for that use and under such regulations and restrictions as have or may be prescribed by the Park and Recreation Board.

K. Picnic or lunch in a place other than those places designated for that purpose.

L. Take part in or abet the playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins, horseshoes, quoits or model airplanes, except in those areas set apart for such forms of recreation. Games such as football, baseball, golf and lacrosse are prohibited except on the fields and courts or areas provided expressly therefor.

M. Ride a horse in any Township park or recreation area except on a designated bridle path.

N. Bring alcoholic beverages and drink the same on or in public property or buildings. No person shall be permitted on or in public property or public buildings in an intoxicated condition. [Ord. 226]

O. Bring a controlled substance and/or contraband, as defined in the Controlled Substance, Drug, Device and Cosmetic Act of Pennsylvania, Act No. 64, 35 P.S. §780-101 *et seq.*, and the Pennsylvania Drug and Alcohol Abuse Control Act, Act No. 63, 71 P.S. §1690.101 *et seq.*, possess and/or use the same at any time nor shall any person be under the influence of a controlled substance.

P. Bring a dog or other domestic animal into public park and recreation areas unless on a leash not to exceed 8 feet.

Q. Go onto the ice on any of the waters except such areas designated as skating fields, and provided that a safety signal is displayed by the Park and Recreation Board.

R. Become disorderly with intent to cause public inconvenience, annoyance or alarm or recklessly create a risk thereof by engaging in fighting or threatening or, in violent or tumultuous behavior, make unreasonable noise, use obscene language, make an obscene gesture or create a hazardous or physically offensive condition by an act which serves no legitimate purpose of the actor.

S. Start any fires, except in a designated receptacle, failing to guard such fires at all times.

T. Hunt, trap, gamble or be in the possession of any implement used for such activity.

U. Operate an unregistered motor vehicle or a snowmobile on Township recreation and open space areas.

V. Road test a motor vehicle or use grounds for driving instruction.

W. Enter a rest room designated for the opposite sex.

X. Wash, repair or service a motor vehicle.

(Ord. 203, 8/10/1983, as amended by Ord. 226, 6/12/1985)

## **§16-102. Hours of Operation.**

### **1. Parks and Recreation Areas.**

A. Except for unusual and unforeseen emergencies, parks or recreational areas shall be open to the public every day of the year during the designated hours of the park or recreational area, and the opening and closing hours of each individual park or recreational area shall be posted therein for public information

and shall be determined from time to time by the Park and Recreation Board.

B. Any section or part of any park may be declared closed to the public by the Park and Recreation Director or by the Park and Recreation Board at any time and for any interval of time in order to convenience repairs or restoration of the area in question or to conduct Recreation Department activities or for public health or safety reasons.

2. *Public Buildings.*

A. *Police Building.* The Police Building shall be open to the public 24 hours a day, 7 days a week.

B. *All Other Public Buildings.* With the exception of public holidays as declared by the Board of Supervisors at their organizational meeting and unusual and unforeseen occasions, at which time notice shall be posted at the entrance of each building, all other public buildings shall be open to the general public during the hours of 8:30 a.m. to 4:30 p.m.

(Ord. 203, 8/10/1983)

**§16-103. Use of Public Rooms and Buildings.**

Public rooms and buildings are available for use to individuals or organizations of Northampton Township for civic, cultural or educational purposes. The use of said rooms and/or buildings shall be governed by the rules and regulations for the use of public rooms and buildings as promulgated by the Board of Supervisors by resolution on April 8, 1980, and as may be amended in the future.

(Ord. 203, 8/10/1983)

**§16-104. Soliciting Prohibited.**

1. There shall be no soliciting of any kind, including the sale or vending of food, on parklands or at Township recreational programs except by permit issued by the Township.

2. Use of any park facility or section of a park facility for commercial or profit making activities without a special permit issued by the Township is prohibited.

(Ord. 203, 8/10/1983; as added by Ord. 561, 4/25/2012)

**§16-105. Enforcement.**

The provisions of this Part shall be enforced by the Northampton Township Police Department.

(Ord. 203, 8/10/1983)

**§16-106. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this

Part which shall be found to have been violated shall constitute a separate offense.  
(*Ord. 203*, 8/10/1983, as amended by *Ord. 285*, 2/2/1989; and by *Ord. 561*, 4/25/2012)

## **Chapter 17**

**[Reserved]**



## **Chapter 18**

### **Sewers and Sewage Disposal**

#### **Part 1**

#### **Sewer Connections and Use**

##### **A. Purpose and Definitions**

- §18-101. Declaration of Purpose
- §18-102. Definitions

##### **B. Use of Public Sewers Required**

- §18-111. Connection to Public Sewer Required
- §18-112. Content of Discharge into Sewer
- §18-113. Unlawful Deposits and Discharges
- §18-114. Private Disposal Facilities Prohibited
- §18-115. Protection of Sewer Facilities; Unlawful Connections
- §18-116. Notice to Make Connection
- §18-117. Conformance with Regulations Required; Dumping of Private Collections Prohibited
- §18-118. Permit Required to Tap or Connect; Connection of Storm Sewer System

##### **C. Building Sewers and Connections**

- §18-121. Separate Connection for Each Property; Exception
- §18-122. Costs and Expenses
- §18-123. Connection of Building Sewer to Sewer
- §18-124. Failure to Make Connections; Enforcement

##### **D. Connection Rules and Regulations**

- §18-131. Use of Existing House Sewer Line as Building Sewer
- §18-132. Inspection and Approval of Building Sewer
- §18-133. Maintenance of Building Sewer
- §18-134. Guarding of Excavations; Restoration of Disturbed Property
- §18-135. Failure or Refusal to Remedy Conditions
- §18-136. Right of Township to Adopt Additional Regulations
- §18-137. Compliance with Plumbing Regulations

##### **E. Enforcement**

- §18-141. Violations, Notifications and Penalties
- §18-142. Fines and Costs; Method of Recovery
- §18-143. Right of Entry and Enforcement Authority; Powers

## **Part 2**

### **Holding Tanks**

#### **A. Use and Maintenance**

- §18-201. Purpose
- §18-202. Definitions
- §18-203. Rights and Privileges Granted
- §18-204. Rules and Regulations
- §18-205. Rates and Charges
- §18-206. Exclusiveness of Rights and Privileges
- §18-207. Duties of Owners of Improved Properties
- §18-208. Areas in Which Holding Tanks Permitted
- §18-209. Design of Holding Tanks
- §18-210. Abatement of Nuisances
- §18-211. Violations and Penalties

## **Part 3**

### **Sewage Management Program**

- §18-301. Short Title; Introduction; Purpose
- §18-302. Definitions
- §18-303. Applicability
- §18-304. Permit Requirements
- §18-305. Inspections
- §18-306. Operation
- §18-307. Maintenance
- §18-308. System Rehabilitation
- §18-309. Liens
- §18-310. Disposal of Septage
- §18-311. Administration
- §18-312. Appeals
- §18-313. Violations and Penalties



**Part 1****Sewer Connections and Use****A. Purpose and Definitions****§18-101. Declaration of Purpose.**

It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

(Ord. 72, 3/11/1963)

**§18-102. Definitions.**

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

*Building sewer*—the extension from the sewage drainage system of any structure to the lateral of a sewer.

*Improved property*—any property within this 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 and/or industrial wastes shall be or may be discharged.

*Industrial wastes*—any solid, liquid or gaseous substance or form of energy rejected or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from sewage, including such groundwater, surface water or stormwater as may be present.

*Lateral*—that part of the sewer system extending from a sewer to the curblineline, or, if there shall be no curblineline, to the edge of pavement or to the edge of cartway, if not paved, or, if no such lateral shall be provided, then “lateral” shall mean that portion of or place in a sewer which is provided for connection of any building sewer.

*Owner*—any person vested with ownership, legal or equitable, sole or partial, of any property located in this Township.

*Person*—any individual, partnership, company, association, society, corporation or other group or entity.

*Sewage*—normal water-carried household and toilet wastes from any improved property, including such groundwater, surface or water stormwater as may be present.

*Sewer*—any pipe or conduit constituting a part of the sewer system, used or usable for sewage collection purposes.

*Sewer system*—all facilities as of any particular time for collecting, pumping, treating and disposing of sewage and industrial wastes, situate in or adjacent to this Township and owned, maintained and/or operated by the Township Authority. [Ord. 136]

*Township*—the Township of Northampton, Bucks County, Pennsylvania, a

political subdivision, acting by and through its Board of Supervisors or, in appropriate cases, by and through its authorized representatives.

*Township Authority*—the Northampton, Bucks County, Municipal Authority, a municipality authority created by the Board of Supervisors of the Township and existing under the Pennsylvania Municipality Authorities Act of May 2, 1945, P.L. 382, as amended, 53 P.S. §301 *et seq.*, acting by and through its Board or, in appropriate cases, by and through its officers and authorized representatives. [*Ord. 136*]

(*Ord. 72*, 3/11/1963; as amended by *Ord. 136*, 3/27/1974)

**B. Use of Public Sewers Required****§18-111. Connection to Public Sewer Required.**

The owner of any improved property located in the Township and accessible to and whose principal building is within 150 feet of the sewer system shall make connection therewith, in such manner as this Township may require, within 60 days after notice to such owner from this Township to make such connection, for the purpose of discharge of all sewage and acceptable industrial wastes from such improved property, subject to such limitations and restrictions as shall be established herein or otherwise shall be established by this Township from time to time. Notwithstanding any provision herein to the contrary, no such owner of a residential-use-only property shall be compelled to make such connection if the owner's on-lot sanitary sewer system on such residential property is in full compliance with all laws and regulations then in effect by the Department of Health of the County of Bucks and the ordinances of this Township; except, further, that any sale of such residential property shall cause the new owner to connect consistent with the terms of this Section within 60 days after notice to such owner.

(*Ord. 72, 3/11/1963; as amended by Ord. 521, 11/28/2007; and by Ord. 530, 3/12/2008*)

**§18-112. Content of Discharge into Sewer.**

1. All sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be required under §18-111, shall be conducted into a sewer, subject to such limitations and restrictions as shall be established by this Township from time to time.

2. No person shall discharge or cause to be discharged any flows to any sewer other than sewage.

(*Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004*)

**§18-113. Unlawful Deposits and Discharges.**

1. No person shall place or deposit or permit to be placed or deposited upon public or private property within this Township any sewage or industrial wastes in violation of §18-111.

2. No person shall discharge or permit to be discharged to any natural outlet within this Township any sewage or industrial wastes in violation of §18-111, except where suitable treatment has been provided which is satisfactory to this Township.

(*Ord. 72, 3/11/1963*)

**§18-114. Private Disposal Facilities Prohibited.**

1. No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any improved property which has been connected to a sewer or which shall be required under §18-111 to be connected to a sewer.

2. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence shall be abandoned and, at the discretion of this Township, shall be cleansed and filled under the direction and supervision of this Township; and any such privy

vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and, if required by this Township, cleansed and filled, shall constitute a nuisance and such nuisance may be abated as provided by law, at the expense of the owner of such improved property.

(Ord. 72, 3/11/1963)

**§18-115. Protection of Sewer Facilities; Unlawful Connections.**

1. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the public sewer system/facilities.

2. No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a sewer.

3. Flows other than sewage shall not be discharged through direct or indirect connection of a sump pump, cellar drain, roof drain and/or downspout or any other means of conveyance into the sewer system.

(Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004)

**§18-116. Notice to Make Connection.**

The notice by this Township to make a connection to a sewer, referred to in §18-111, shall consist of a copy of this Part, including any amendments at the time in effect, and a written or printed document requiring the connection, and may be given at any time after a sewer is in place which can receive and convey sewage and industrial wastes for treatment and disposal from the particular improved property. Such notice shall be served upon the owner either by personal service or by registered or certified mail, as provided by law.

(Ord. 72, 3/11/1963)

**§18-117. Conformance with Regulations Required; Dumping of Private Collections Prohibited.**

It shall be unlawful for any person to discharge any sewage, any waste materials whatsoever or any substances or fluids into the Township or municipal sewer system except in accordance with this Part and in accordance with permits which have been issued by the Township or may hereinafter be issued by the Township in accordance with this Part or in accordance with any plumbing code hereafter enacted. It shall be unlawful for any tank truck or other collector of private sewage to dump such sewage into the Township or municipal sewer system.

(Ord. 72, 3/11/1963)

**§18-118. Permit Required to Tap or Connect; Connection of Storm Sewer System.**

It shall be unlawful for any person to make any taps or connections into the Township or municipal sewer system except in accordance with a permit issued by the Township under the provisions of this Part or under the provisions of any plumbing code hereafter adopted by the Township. It shall be unlawful for any person to connect any storm sewer system including, but not limited to, roof drains, cellar drains or

---

surface water drains, into such Township or municipal sewer system without having a permit therefor under the provisions of this Part or under the provisions of any plumbing code hereafter adopted.

*(Ord. 72, 3/11/1963)*



**C. Building Sewers and Connections****§18-121. Separate Connection for Each Property; Exception.**

Except as otherwise provided in this Part 1C, each improved property shall be connected separately and independently with a sewer through a building sewer. Grouping of more than one improved property on one building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown, but then only after special permission of the Township, in writing, shall have been secured.

(*Ord. 72, 3/11/1963*)

**§18-122. Costs and Expenses.**

All costs and expenses of construction of a building sewer and all costs and expenses of connection of a building sewer to a lateral or sewer shall be borne by the owner of the improved property to be connected; and, such owner shall indemnify and save harmless this Township and the Township Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building sewer or of connection of a building sewer to a lateral or sewer.

(*Ord. 72, 3/11/1963; as amended by Ord. 136, 3/27/1974*)

**§18-123. Connection of Building Sewer to Sewer.**

1. A building sewer shall be connected to a sewer at the place designated by the Township or where the lateral is provided.

2. The invert of a building sewer at the point of connection shall be at the same elevation as or a higher elevation than the invert of the lateral or sewer. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight.

(*Ord. 72, 3/11/1963*)

**§18-124. Failure to Make Connections; Enforcement.**

If the owner of any improved property located in the Township and accessible to and whose principal building is within 150 feet of the sewer system, after 60 days notice from the Township, in accordance with §18-111, shall fail to connect such improved property as required, this Township may make such connection and may collect from such owner the costs and expenses thereof. In such case, the Township shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the owner of the improved property to which connection has been so made, which bill shall be payable forthwith. In case of neglect or refusal by the owner of such improved property to pay said bill, the Township shall file municipal liens for said construction within 6 months of the date of the completion of the construction of said connection, the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens.

(*Ord. 72, 3/11/1963*)





**D. Connection Rules and Regulations****§18-131. Use of Existing House Sewer Line as Building Sewer.**

Where an improved property, at the time connection to a sewer is required, shall be served by its own sewage disposal system or device, the existing house sewer line shall be broken on the structure side of such sewage disposal system or device and attachment shall be made, with proper fittings, to continue such house sewer line as a building sewer.

(Ord. 72, 3/11/1963)

**§18-132. Inspection and Approval of Building Sewer.**

No building sewer shall be covered until it has been inspected and approved by this Township. If any part of a building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a sewer.

(Ord. 72, 3/11/1963)

**§18-133. Maintenance of Building Sewer.**

Every building sewer of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

(Ord. 72, 3/11/1963)

**§18-134. Guarding of Excavations; Restoration of Disturbed Property.**

Every excavation for a building sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Streets, sidewalks and other public property disturbed in the course of installation of a building sewer shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to this Township.

(Ord. 72, 3/11/1963)

**§18-135. Failure or Refusal to Remedy Conditions.**

If any person shall fail or refuse, upon receipt of a notice from this Township, in writing, to remedy any unsatisfactory condition with respect to a building sewer within 60 days of receipt of such notice, this Township may refuse to permit such person to discharge sewage and industrial wastes into the sewer system until such unsatisfactory condition shall have been remedied to the satisfaction of this Township.

(Ord. 72, 3/11/1963)

**§18-136. Right of Township to Adopt Additional Regulations.**

This Township reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a sewer and the sewer system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

(Ord. 72, 3/11/1963)

**§18-137. Compliance with Plumbing Regulations.**

In the event that the Township shall hereafter enact a plumbing ordinance, every connection made in pursuance of the provisions of this Part shall likewise be made in pursuance of such plumbing code as is then in effect. The owner of the improved property upon which such connection is made shall be required to secure permits as required under such plumbing code (any notice under the provisions of this Part shall not be construed to be a plumbing permit or compliance under the plumbing code with the requirements of a permit), and such work likewise shall be done in compliance with such plumbing code.

(Ord. 72, 3/11/1963)

**E. Enforcement****§18-141. Violations, Notifications and Penalties.**

1. Any person found to be in violation of any provisions of this Part shall be notified, in writing, stating the nature of the violation and providing 10 days from the date of such notification for the correction thereof.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 72, 3/11/1963; as amended by Ord. 142, 11/13/1974; by Ord. 211, 5/9/1984, §108-22; by Ord. 492, 3/10/2004; and by Ord. 561, 4/25/2012*)

**§18-142. Fines and Costs; Method of Recovery.**

1. In addition to and not in substitution for the penalties provided above, any person violating the aforementioned provisions of this shall be liable for the expense of removing any obstruction, repair of any damage and removing any illegal connections to any sanitary sewer or drain caused by such violation.

2. Fines and costs imposed under provisions of this Part shall be enforceable and recoverable in the manner and at the time provided by applicable law.

(*Ord. 72, 3/11/1963; as amended by Ord. 492, 3/10/2004*)

**§18-143. Right of Entry and Enforcement Authority; Powers.**

1. The Township hereby authorizes and empowers the Executive Director of the Northampton, Bucks County, Municipal Authority or other authorized employees of the Authority, bearing proper credentials and identification to be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the sewer system.

2. The Northampton, Bucks County, Municipal Authority is hereby designated and delegated the authority and responsibility to enforce any and all of the provisions of this Part, including the issuance of connection notices under §18-111 of this Part. Said Authority may institute summary proceedings against any persons who shall violate any provisions of this Part, including, but not limited to, the discharge of waste not permitted under the provisions of this Part or the failure to make a connection to the building sewer or public sewers as required by the provisions of this Part. Such authority may be exercised independent of any action of the Township; provided, however, that the Township reserves the right to exercise any authority under this Part.

(*Ord. 72, 3/11/1963; as amended by Ord. 142, 11/13/1974; and by Ord. 492, 3/10/2004*)



**Part 2****Holding Tanks****A. Use and Maintenance****§18-201. Purpose.**

The purpose of this Part is to establish procedures for the use and maintenance of holding tanks designed to receive and retain sewage whether from residential or commercial uses, and it is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

(Ord. 141, 10/9/1974)

**§18-202. Definitions.**

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

*Holding tank*—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:

*Chemical toilet* (often referred to as a “portable john”)—a toilet using chemicals that discharge to a holding tank.

*Retention tank*—a holding tank where sewage is conveyed to it by a water-carrying system.

*Vault pit privy*—a holding tank designed to receive sewage where water under pressure is not available.

*Improved property*—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.

*Owner*—any individual, group of individuals, partnership, company, association, corporation or any other group or entity vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

*Sewage*—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.

*Township*—Northampton Township, Bucks County, Pennsylvania.

(Ord. 141, 10/9/1974)

**§18-203. Rights and Privileges Granted.**

The Board of Supervisors of the Township is hereby authorized and empowered to undertake within the Township the control and methods of holding tank sewage

disposal and the collection and transportation thereof.

(*Ord. 141, 10/9/1974*)

**§18-204. Rules and Regulations.**

The Board of Supervisors of the Township is hereby authorized and empowered to adopt by ordinance or resolution such rules and regulations as it may deem necessary from time to time to effect the purposes herein. All such rules and regulations adopted by the Board of Supervisors of the Township 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, including the Bucks County Board of Health.

(*Ord. 141, 10/9/1974*)

**§18-205. Rates and Charges.**

The Board of Supervisors of the Township shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable law.

(*Ord. 141, 10/9/1974*)

**§18-206. Exclusiveness of Rights and Privileges.**

1. 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 Northampton, Bucks County, Municipal Authority, and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania. [*Ord. 561*]

2. No person, persons, company or other entity shall have the right to collect, transport and/or dispose of any sewage from any property utilizing a holding tank in Northampton Township unless done in accordance with this Part.

(*Ord. 141, 10/9/1974; as amended by Ord. 561, 4/25/2012*)

**§18-207. Duties of Owners of Improved Properties.**

The owner of an improved property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this Part and any other applicable ordinance of this Township, the provisions of any applicable law and the rules and regulations of the Township and any administrative agency of the Commonwealth of Pennsylvania, including the Bucks County Board of Health.

B. Permit only such person, persons, company or other entity licensed by the Bucks County Board of Health to collect, transport and/or dispose of the contents therein.

(*Ord. 141, 10/9/1974*)

**§18-208. Areas in Which Holding Tanks Permitted.**

The purpose of this Part is to permit limited use of holding tanks, chemical toilets, retention tanks and vault pit privies in accordance with the provisions of this Section:

A. Chemical toilets, also known as “portable johns,” are to be used to provide temporary sewage facilities where a building is under construction or at a site where large numbers of persons gather to witness an event or affair on a single occasion or for a short time, i.e., at a sporting event, parade or other similar affair. Chemical toilets and portable johns are not designed for permanent use where the structure upon the premises has been completed; in such situations the property shall either be connected into the public sanitary sewers or be connected to a cesspool or septic tank system approved by the Bucks County Board of Health.

B. Holding tanks, retention tanks and vault pit privies are to be permitted only in those locations where a sanitary sewer system is in the process of construction and such tank or privy is designed as a temporary disposal system until the public sewers being constructed in that area are completed and operable. Such tanks or privies may also be permitted by the Board of Supervisors in a development where flowing sewers are constructed but not connected to the public sewer system. The purpose of such tanks or privies would be to serve the improved properties in such development until such time as the connection to the public system can be completed.

C. It is understood that the prior approval of such tanks or systems must be granted by the Township of Northampton and the Bucks County Board of Health and that the owner desiring approval of such system must also present to the Township and the Bucks County Board of Health satisfactory evidence that such tanks or privies will be systematically mapped and the effluent therefrom discharged into a public system. The owner shall further produce satisfactory proof that the Municipal Authority or proper public body owning the public sewerage system into which such effluent is to be discharged has contracted with the owner to accept such discharge.

D. Permanent on-lot holding tanks are permitted to serve institutions or commercial establishments with a sewage flow of less than 800 gallons per day. In the event that public sewer is ever available, the property must connect and meet all applicable requirements of the Northampton Bucks County Municipal Authority. [Ord. 545]

(Ord. 141, 10/9/1974; as amended by Ord. 545, 12/23/2009, §I)

#### **§18-209. Design of Holding Tanks.**

The following regulations shall apply in the design of any holding tanks or privy vaults:

A. Such tanks or vaults shall be designed by a registered professional engineer whose seal shall appear on the plan.

B. The tank shall be provided with both visual and audible capacity warning devices. The visual warning device shall be installed outside the building serviced by such tank or vault and located in such a location as to be visible to the traveling public from the public highway. The audible device shall be located inside the building in such a location as to be readily audible to occupants of said building.

C. The tank, if it is a steel, aluminum or other metal-type tank, shall be firmly anchored in the ground by metal straps to concrete foundations for the purpose of not permitting said tank to float upward or to float above the founda-

tions.

(*Ord. 141*, 10/9/1974)

**§18-210. Abatement of Nuisances.**

In addition to any other remedies provided in this Part, any violation of §§18-206 18-207 above shall constitute a nuisance and may be abated by the Township seeking either appropriate equitable or legal relief from a court of competent jurisdiction.

(*Ord. 141*, 10/9/1974)

**§18-211. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 141*, 10/9/1974; as amended by *Ord. 211*, 5/9/1984, §108-35; by *Ord. 285*, 2/22/1989; and by *Ord. 561*, 4/25/2012)



**Part 3****Sewage Management Program****§18-301. Short Title; Introduction; Purpose.**

1. This Part shall be known and may be cited as “An Ordinance Providing for a Sewage Management Program for Northampton Township.”

2. In accordance with municipal codes, the Clean Streams Law, Act of June 22, 1937, P.L. 1987, No. 394, as amended, 35 P.S. §691.1 *et seq.*, and the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. §750.1 *et seq.* (known as “Act 537”), it is the power and the duty of Northampton Township to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The Official Sewage Facilities Plan for Northampton Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.

3. The purpose of this Part is to provide for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; to further permit intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program.

(Ord. 427, 9/10/1997)

**§18-302. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated:

*Authorized agent*—a Sewage Enforcement Officer of the Bucks County Department of Health, employee of the Township, professional engineer, plumbing inspector or any other qualified or licensed person who is authorized by the township to function within specified limits as an agent of Northampton Township to administer or enforce the provisions of this Part.

*Board*—the Board of Supervisors, Northampton Township, Bucks County, Pennsylvania.

*Community sewage system*—a system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots and for the treatment or disposal of the sewage or industrial waste on one or more of the lots or at any other site.

*Department*—the Department of Environmental Protection of the Commonwealth of Pennsylvania (PADEP).

*Health Department*—the Bucks County Department of Health.

*Individual sewage system*—a system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth.

*Malfunction*—a condition which occurs when an on-lot sewage disposal system

discharges sewage onto the surface of the ground, into groundwaters of this Commonwealth, into surface waters of this Commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of groundwater or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

*Official Sewage Facilities Plan*—a comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection, pursuant to the Pennsylvania Sewage Facilities Act, 53 P.S. §750.1 *et seq.*

*On-lot sewage disposal system*—any system for disposal of domestic sewage involving pretreatment and subsequent disposal of the clarified sewage into a subsurface soil absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems.

*Person*—any individual, association, public or private corporation for profit or not-for-profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term “person” shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

*Rehabilitation*—work done to modify, alter, repair, enlarge or replace an existing on-lot sewage disposal system.

*Sewage*—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 substances 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 or which constitutes pollution under the Act of June 22, 1937, P.L. 1987, No. 394, known as the “Clean Streams Act,” as amended, 35 P.S. §691.1 *et seq.*

*Sewage Enforcement Officer (SEO)*—a person certified by PADEP who is employed by the Bucks County Department of Health. Such person is authorized to conduct investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, the rules and regulations promulgated thereunder and this or any other ordinance adopted by the Township.

*Sewage management area*—any area or areas of the Township designated in the Official Sewage Facilities Plan adopted by the Board as an area for which a sewage management program is to be implemented.

*Sewage management program*—a comprehensive set of legal and administrative requirements encompassing the requirements of this Part, the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, the Clean Streams Law, 35 P.S. §691.1 *et seq.*, the regulations promulgated thereunder and such other requirements adopted by the Board to effectively enforce and administer this Part.

*Subdivision*—the division or redivision of a lot, tract or other parcel of land into

two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

*Township*—the Township of Northampton, Bucks County, Pennsylvania.

2. For the purposes of this Part, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and the regulations promulgated pursuant thereto.

(Ord. 427, 9/10/1997)

### **§18-303. Applicability.**

From the effective date of this Part, its provisions shall apply in any portion of the Township identified in the Official Sewage Facilities Plan as a sewage management area. Within such an area or areas, the provisions of this Part shall apply to all persons owning any property serviced by an on-lot sewage disposal system and to all persons installing or rehabilitating on-lot sewage disposal systems.

(Ord. 427, 9/10/1997)

### **§18-304. Permit Requirements.**

1. No person shall install, construct or request bid proposals for construction or alter an individual sewage system or community sewage system or construct or request bid proposals for construction or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the Bucks County Department of Health, which permit shall indicate that the site and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law, 35 P.S. §691.1 *et seq.*, and the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and the regulations adopted pursuant to those Acts.

2. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by the Bucks County Department of Health. If 72 hours have elapsed, excepting Sundays and holidays, since the Health Department received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the Health Department.

3. Applicants for sewage permits shall be required to notify the Health Department of the schedule for construction of the permitted on-lot sewage disposal system so that inspection(s), in addition to the final inspection required by the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, may be scheduled and performed by the Health Department.

4. No building or occupancy permit will be issued for a new building proposing the use of an on-lot sewage disposal system until a valid sewage permit has been obtained from the Health Department.

5. No building or occupancy permit shall be issued, and no work shall begin on any alteration or conversion of any existing structure if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure until either the structure's owner receives a permit for alteration or replacement of the

existing sewage disposal system or until the structure's owner and the appropriate officials of the township receive written notification from the Health Department that such a permit will not be required. The Health Department shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.

6. Sewage permits may be issued only by the Bucks County Department of Health.

(Ord. 427, 9/10/1997)

#### **§18-305. Inspections.**

1. Any on-lot sewage disposal system may be inspected by an authorized agent at any reasonable time as of the effective date of this Part.

2. Such inspection may include a physical tour of the property, the taking of samples from surface water, wells, other groundwater sources, the sampling of the contents of the sewage disposal system itself and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure.

3. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this Section.

4. A schedule of routine inspections may be established to assure the proper functioning of the sewage systems in the sewage management area.

5. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of PADEP including, but not limited to, those outlined in 25 Pa.Code, Chapter 73, or is not technically or financially feasible in the opinion of the authorized agent and a representative of PADEP, then action by the property owner to mitigate the malfunction shall be required.

6. There may arise geographic areas where numerous on-lot sewage disposal systems are malfunctioning. A resolution of these area-wide problems may necessitate detailed planning and a revision to the portion of the Sewage Facilities Plan pertaining to areas affected by such malfunctions. When a PADEP authorized Official Sewage Facilities Plan revision has been undertaken, mandatory repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action may be compelled whenever a malfunction, as determined by township officials and/or the Department, represents a serious public health or environmental threat.

(Ord. 427, 9/10/1997)

#### **§18-306. Operation.**

Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system:

A. Industrial waste.

B. Automobile oil and other nondomestic oil.

C. Toxic or hazardous substances or chemicals, including, but not limited to, pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.

D. Clean surface water or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.

(Ord. 427, 9/10/1997)

**§18-307. Maintenance.**

1. Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have their septic tank pumped by a qualified pumper/hauler at least once every 3 years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of one-third of the liquid depth of the tank. Receipts from the pumper/hauler shall be kept by the owner and furnished to the Township upon their request.

2. The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown.

3. Any person owning a property served by a septic tank shall have, with each required pumping, an inspection by the pumper/hauler, or any other qualified individual acceptable to the Township, of the baffles in the septic tank. Inspection records shall be kept by the owner and furnished to the Township upon their request. Any person whose septic tank baffles are determined to require repair or replacement shall first contact the Health Department for approval of the necessary repair.

4. Any person owning a building served by an on-lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be kept by the owner and furnished to the township upon their request. Service receipts shall also be kept by the owner and furnished to the township upon their request. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.

5. Any person owning a building served by a cesspool or dry well in an area of numerous malfunctions, or in an area where a repair is not technically feasible, shall have that system pumped according to the schedule prescribed for septic tanks to eliminate potential pollution. As an alternative to this scheduled pumping of the cesspool or dry well, and pending any scheduled replacement of the substandard system as identified in the Official Sewage Facilities Plan, the owner may apply for a sewage permit from the Health Department for a septic tank to be installed preceding the cesspool or dry well. For this interim repair system consisting of a cesspool or dry well preceded by an approved septic tank, only the septic tank must be pumped at the prescribed interval.

6. Additional maintenance activity may be required as needed including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of

obstructing roots or trees, the diversion of surface water away from the disposal area, etc.

(Ord. 427, 9/10/1997)

**§18-308. System Rehabilitation.**

1. No person shall operate or maintain an on-lot sewage disposal system in such a manner that it malfunctions. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the waters of the commonwealth unless a permit for such discharge has been obtained from PADEP.

2. A written notice of violation shall be issued to any person who is the owner of any property which is found to be served by a malfunctioning on-lot sewage disposal system or which is discharging sewage without a permit.

3. Within 7 days of notification by the Township that a malfunction has been identified, the property owner shall make application to the Health Department for a permit to repair or replace the malfunctioning system. Within 30 days of initial notification by the Township, construction of the permitted repair or replacement shall commence. Within 60 days of the original notification by the Township, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case the Township shall set an extended completion date.

4. The Bucks County Department of Health shall have the authority to require the repair of any malfunction by the following methods: cleaning, repair or replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal area, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank or any other alternative appropriate for the specific site.

5. In lieu of, or in combination with, the remedies described in subsection .4 above, the Health Department may require the installation of water conservation equipment and the institution of water conservation practices in structures served. Water using devices and appliances in the structure may be required to be retrofitted with water saving appurtenances or they may be required to be replaced by water conserving devices.

6. In the event that the rehabilitation measures in subsections .1 through .5 are not feasible or effective, the owner may be required to apply to PADEP for a permit to install an individual spray irrigation treatment system or a single residence treatment and discharge system. Upon receipt of said permit, the owner shall complete construction of the system within 30 days.

7. Should none of the remedies described in this Section be totally effective in eliminating the malfunction of an existing on-lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary.

(Ord. 427, 9/10/1997)

**§18-309. Liens.**

The Township, upon written notice from the Health Department that an imminent health hazard exists due to failure of a property owner to maintain, repair or replace an on-lot sewage disposal system as provided under the terms of this Part, shall have the authority to perform, or contract to have performed, the work required by the Health Department. The owner shall be charged for the work performed and, if necessary, a lien shall be entered therefore in accordance with law.

(Ord. 427, 9/10/1997)

**§18-310. Disposal of Septage.**

1. All septage originating within the sewage management area shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980), 35 P.S. §6018.101 *et seq.*, and all other applicable laws and at sites or facilities approved by PADEP. Approved sites or facilities shall include the following: septage treatment facilities, wastewater treatment plants, composting sites and approved farmlands.

2. Pumper/haulers of septage operating within the sewage management district shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980), 35 P.S. §6018.101 *et seq.*, and all other applicable laws.

(Ord. 427, 9/10/1997)

**§18-311. Administration.**

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.

2. The Township shall employ qualified individuals to carry out the provisions of this Part. Those employees may include an administrator and such other persons as may be necessary. The Township may also contract with private qualified persons or firms, as necessary, to carry out the provisions of this Part.

3. All permits, records, reports, files and other written material relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management area shall become the property of, and be maintained by the Township. Existing and future records shall be available for public inspection during regular business hours at the official office of the Township. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the sewage management program shall be made available, upon request, for inspection by representatives of the Pennsylvania Department of Environmental Protection.

4. The Township shall establish all administrative procedures necessary to properly carry out the provisions of this Part.

5. The Township may establish a fee schedule and authorize the collection of fees to cover the cost to the Township of administering this program.

(Ord. 427, 9/10/1997)

**§18-312. Appeals.**

1. Appeals from final decisions of the Township or any of its authorized agents under this Part shall be made to the Board of Supervisors, in writing, within 30 days from the date of written notification of the decision in question.

2. The appellant shall be entitled to a hearing before the Board of Supervisors at its next regularly scheduled meeting, if a written appeal is received at least 14 days prior to that meeting. If the appeal is received within 14 days of the next regularly scheduled meeting, the appeal shall be heard at the next regularly scheduled meeting. The municipality shall thereafter affirm, modify or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal.

3. A decision shall be rendered, in writing, within 30 days of the date of the hearing.

*(Ord. 427, 9/10/1997)*

### **§18-313. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 427, 9/10/1997; as amended by Ord. 561, 4/25/2012)*



## **Chapter 19**

**[Reserved]**



## **Chapter 20**

### **Solid Waste**

#### **Part 1**

#### **Solid Waste and Recycling Collection and Transportation**

##### **A. Collection and Transportation Ordinance**

- §20-101. Short Title
- §20-102. Definitions; Word Usage
- §20-103. Property Owners to Participate in a Township Waste Collection Program
- §20-104. Prohibited Activities
- §20-105. Standards for Collection and Transportation
- §20-106. Licensing and Registration Requirements
- §20-107. Reporting Requirements
- §20-108. Violations and Penalties
- §20-109. Injunctive Powers

##### **B. Rules and Regulations**

- §20-111. Collection of Residential Solid Waste (Other than Bulky Items and Recyclable Materials)
- §20-112. Residential Collection of Bulky Items
- §20-113. Separation and Collection of Recyclable Residential Material
- §20-114. Separation and Collection of Residential Compostable Material
- §20-115. Separation and Collection of Commercial and Institutional Recyclable Materials



**Part 1****Solid Waste and Recycling Collection and Transportation****A. Solid Waste and Recycling Collection and Transportation Ordinance****§20-101. Short Title.**

This Part shall be known and referred to as the “Solid Waste and Recycling Collection and Transportation Ordinance of Northampton Township.”

(Ord. 514, 8/8/2007)

**§20-102. Definitions; Word Usage.**

1. The following words and phrases as used in this Part shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

*Act 90*—the Pennsylvania Waste Transportation Safety Act of 2002, P.L. 593, No. 90, June 29, 2002, 27 Pa.C.S.A. §6201 *et seq.*

*Act 97*—the Pennsylvania Solid Waste Management Act of 1980, P.L. 380, No. 97, July 7, 1980, 35 P.S. §6018.601 *et seq.*

*Act 101*—the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, No. 101, July 28, 1988, 53 P.S. §4000.101 *et seq.*

*Collector or waste hauler*—any person, firm, partnership, corporation or public agency that is engaged in the collection and/or transportation of municipal waste and/or source-separated recyclable materials.

*Commercial establishment*—any establishment engaged in a nonmanufacturing or nonprocessing business, including but not limited to stores, markets, offices, restaurants, shopping centers and theaters.

*County*—the County of Bucks, Pennsylvania.

*Disposal*—the deposition, injection, dumping, spilling, leaking or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air or is discharged to the waters of this Commonwealth. Disposal facilities include, but are not limited to, municipal waste landfills and construction/demolition waste landfills as defined by Act 101, Act 97, and/or PADEP rules and regulations (25 Pa.Code, Chapters 75 and 271).

*Industrial establishment*—any establishment engaged in manufacturing or production activities including, but not limited to, factories, foundries, mills, processing plants, refineries, mines, and slaughterhouses.

*Institutional establishment*—any establishment or facility engaged in services, including but not limited to hospitals, nursing homes, schools and universities.

*Leafwaste*—leaves, garden residues, shrubbery and tree trimmings and similar materials, but not including grass clippings.

*Licensed collector or licensed waste hauler*—a person who has written authorization from the PADEP under Act 90 to collect, haul, transport and dispose

of municipal waste.

*Municipality*—any of the 54 minor civil divisions in Bucks County, Pennsylvania.

*Municipal waste*—any garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities, and any sludge not meeting the definitions of “residual waste” or “hazardous waste” under Act 97 from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. The term does not include any source-separated recyclable materials.

*PADEP*—the Pennsylvania Department of Environmental Protection.

*Person*—any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal government or agency, State institution or agency, or any other legal entity recognized by law as the subject of rights and duties. In any provisions of this Part prescribing a fine, imprisonment, or penalty, or any combination of the foregoing, the term “person” shall include the officers and directors of any corporation or other legal entity having officers and directors.

*Processing*—any technology used for the purpose of reducing the volume or bulk of municipal or residual waste or any technology used to convert part or all of such materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, recycling facilities, composting facilities, and resource-recovery facilities.

*Recycling*—the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the generation of energy.

*Scavenging*—the unauthorized and uncontrolled removal of any material stored or placed at a point for subsequent collection or from a processing or disposal facility.

*Source-separated recyclable materials*—Materials, including leaf waste, that are separated from municipal waste at the point of origin or generation for the purpose of recycling.

*Transportation*—the off-site removal of any municipal waste at any time after generation.

2. For the purpose of this Part, the singular shall include the plural and the masculine shall include the feminine and neuter.

(Ord. 514, 8/8/2007)

### **§20-103. Property Owners to Participate in a Township Waste Collection Program.**

1. Northampton Township, or authorized persons under contract by the

Township, shall collect, transport, process and dispose of all municipal waste generated at residential properties within the Township. In the event that the Township, or an authorized person or persons under contract by the Township, does not collect, transport, process or dispose municipal waste, then all persons owning or occupying residential properties shall contract directly with a licensed collector or licensed waste hauler for such services.

2. All persons owning and occupying residential properties shall make municipal waste available for collection at such times and dates as may be established by regulation.

3. All commercial, industrial, and institutional establishments located in the Township shall contract with a licensed collector or licensed waste hauler to have all municipal waste generated at the premises occupied by such person, entity, or occupants of said premises removed and deposited in a permitted landfill at a minimum of once per week.

(*Ord. 514, 8/8/2007; as added by Ord. 539, 2/25/2009, §1*)

#### **§20-104. Prohibited Activities.**

1. It shall be unlawful for any person to collect and/or transport municipal waste from any residential, public, commercial, industrial or institutional establishment within Northampton Township without first securing written authorization from the PADEP in accordance with the provisions of Act 90.

2. It shall be unlawful for any person to store, collect and/or transport municipal waste or source-separated recyclable materials from any sources within Northampton Township in a manner not in accordance with the provisions of this Part, any applicable municipal ordinance, the revised county plan, Act 90, Act 101, the minimum standards and requirements established in Chapter 285 of the PADEP Municipal Waste Management Regulations, any applicable Bucks County Department of Health regulations, and/or any other Federal, State, or local regulations.

3. It shall be unlawful for any person to scavenge any material from any municipal waste or source-separated recyclable materials that are stored or placed for subsequent collection within Northampton Township without prior approval from the municipality.

(*Ord. 514, 8/8/2007*)

#### **§20-105. Standards for Collection and Transportation.**

1. All collectors or waste haulers operating within Northampton Township must comply with the following minimum standards and regulations:

A. All trucks or other vehicles used for collection and transportation of municipal waste and/or source-separated recyclable materials must comply with the applicable requirements of Act 90, Act 97, Act 101, and PADEP regulations adopted pursuant to Act 97 and Act 101, including the 25 Pa.Code, Chapter 285, Subchapter B, regulations for the collection and transportation of municipal waste.

B. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall be operated and maintained in a manner that will prevent creation of a nuisance or a hazard to public health, safety and welfare.

C. All collection vehicles conveying putrescible municipal waste shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors and the creation of odors and other nuisances.

D. All collection vehicles conveying nonputrescible municipal waste and/or source-separated recyclable materials shall be capable of being enclosed or covered to prevent litter and other nuisances.

E. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall bear signs identifying the name and business address of the person or municipality which owns the vehicle and the specific type of material transported by the vehicle. All signs shall have lettering which is at least 6 inches in height, as required by Act 101.

F. All collection vehicles and equipment used by collectors or waste haulers shall be subject to inspection by Northampton Township or its authorized agents at any reasonable hour without prior notification.

(Ord. 514, 8/8/2007)

**§20-106. Licensing and Registration Requirements.**

1. No person shall collect or remove any municipal waste from within Northampton Township without first obtaining written authorization from PADEP in accordance with the provisions of Act 90 and providing a copy of such written authorization to Northampton Township. This Section shall not apply to private individuals (e.g., homeowners) who wish to transport their own household waste to PADEP-approved facilities or recyclables to appropriate recycling centers, nor to farmers, landscapers or nurserymen who collect, remove, haul or otherwise transport agricultural or other organic waste associated with their respective business activities.

2. For a collector or waste hauler to collect and transport municipal waste within Northampton Township, a collector or waste hauler shall submit a registration form to Northampton Township, which shall include a copy of his or her State-issued written authorization and a copy of his or her municipal and residual waste transporter authorization application (DEP Form 2500-PM-BWM0015), along with any of the following information that may be deemed appropriate by the municipality:

A. A list of collection vehicles covered under the written authorization including, as a minimum, the following information for each vehicle: identification information for each vehicle (such as license number, vehicle registration number, or company identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.

B. The type of municipal waste to be collected and transported.

C. Certificates of insurance evidencing that the waste hauler or collector has valid liability, automobile and workmen's compensation insurance in the minimum amounts established and required by separate resolution of the governing body of the municipality.

D. If he or she is hauling or collecting source-separated recyclable materials in the municipality, identify the materials being hauled or collected and provide the following information for each vehicle: identification information for each vehicle (such as vehicle license number, vehicle registration number, or company



identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.

3. Any person who fails to satisfy the minimum standards and requirements of this Part or is in violation of the provisions of this Part may not lawfully collect municipal waste or source-separated material in Northampton Township.

4. All licensed collectors and licensed waste haulers shall meet the requirements of Act 90, Act 97, Act 101, the Bucks County Municipal Waste Management Plan, and all PADEP rules and regulations (25 Pa.Code, Chapter 285).

(Ord. 514, 8/8/2007)

#### **§20-107. Reporting Requirements.**

1. All licensed collectors and licensed waste haulers and collectors and haulers of source-separated recyclable materials operating within Northampton Township shall participate in the Bucks County Municipal Recycling Documentation Program. The program will provide a system for documenting the origin of municipal waste and source-separated recyclable material by municipality and the ultimate disposal point of said waste and recyclables. Each licensed collector and licensed waste hauler and collectors and haulers of source-separated recyclable materials operating in Northampton Township shall prepare and submit an annual report to the municipality on the official collectors and haulers recyclables documentation reporting form. The report shall be submitted by the PADEP-licensed collector or licensed waste hauler and collectors and haulers of source-separated recyclable materials to Northampton Township by January 31 of each year and include all of the required information pertaining to the preceding calendar year.

2. All annual reports submitted to the municipality from licensed collectors and licensed waste haulers and collectors and haulers of source-separated recyclable materials shall be combined into a single report and submitted by the municipality on the official municipal recyclables documentation reporting form to the county by February 28 of the year following the reporting period.

(Ord. 514, 8/8/2007)

#### **§20-108. Violations and Penalties.**

Any person who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. For purposes of this Section, the doing of any act or thing prohibited by any provision of this Part, or the failure to do any act or thing as to which any provision of this Part created an affirmative duty, shall constitute a violation of this Part, punishable as herein stated. Licensed collectors and licensed waste haulers who shall violate any provision of this Part may be reported to the PADEP by the Northampton Township and may be subject to the revocation of the State authorization to transport municipal waste, as described in Act 90.

(Ord. 514, 8/8/2007)

**§20-109. Injunctive Powers.**

The Northampton Township may petition the Bucks County Court of Common Pleas for an injunction, either mandatory or prohibitive, in order to enforce any of the provisions of this Part.

*(Ord. 514, 8/8/2007)*

## **B. Rules and Regulations**

### **§20-111. Collection of Residential Solid Waste (Other than Bulky Items and Recyclable Materials).**

1. *Collection Schedule.* All solid waste other than bulky items, recyclable materials and compostable materials shall be collected in accordance with a twice-weekly schedule. Each household will have collection dates either on Monday and Thursday, Tuesday and Friday, Wednesday and Saturday in accordance with the attached map.<sup>1</sup> Every householder shall be notified by the contractor at least once per month in advance of any change to the above-referenced collection schedule.

2. *Holidays.*

A. There shall be no collection provided on the following holidays:

- (1) January 1, known as "New Year's Day."
- (2) The third Monday in February, known as "Presidents Day."
- (3) The fourth Monday of May, known as "Memorial Day."
- (4) July 4, known as "Independence Day."
- (5) The first Monday of September, known as "Labor Day."
- (6) Thanksgiving Day.
- (7) Christmas Day.

B. Households whose collection day falls on these holidays shall be skipped until the next regularly scheduled collection day.

3. *Hours and Days of Collection.* Collection may commence at 6 a.m. prevailing time and continue to completion, but shall end no later than 6 p.m. except in cases of weather emergencies. No collections shall be made on Sundays.

4. *Preparation of Collection.* Garbage shall be thoroughly drained of all water, wrapped securely in paper and/or plastic and placed in a proper receptacle. Ashes, trash and rubbish shall be placed in a receptacle used to contain the wrapped garbage. Where any such rubbish is too bulky to be placed in a proper receptacle, it may be disassembled, broken or cut up as much as practicable and placed on the curb on the prescribed collection day. All such rubbish shall be securely tied, where applicable, and shall be of such size that the longest dimension thereof shall not exceed 3 feet and the total weight thereof shall not exceed 50 pounds. Paper shall be secured or properly tied into bundles and other packages in a manner designed to prevent any scattering while the same is being handled by the collectors. Packages shall be of a size and construction so as to permit ease of handling by one man and shall in no event exceed 50 pounds in weight.

5. *Receptacles.* The receptacles for refuse collection shall be waterproof and shall not exceed 30 gallons in capacity. Residents are encouraged to use metal and/or durable plastic receptacles.

6. *Collection Location.* All household solid waste containers and/or dumpsters shall be placed at the curb or within 5 feet of the roadway by 6 a.m., but no earlier than

---

<sup>1</sup>Editor's Note: The map is on file in the Township officers.

6 p.m. the previous day. [Ord. 561]

7. *Quantity.* Each residential unit or household shall be entitled to set out for collection on each collection day an amount of household solid waste not to exceed six containers, receptacles, bundles, bags or combination thereof. From December 16 to March 31 each residential unit shall be entitled to set out for solid waste collection bundles, receptacles, containers or combination thereof consisting of yard waste. A maximum of five containers of yard waste is permitted. Tree limbs and brush shall be prepared in accordance with compostable material regulations (Article IV).

8. *Ashes.* Ashes placed in refuse containers at the curbside for collection must be cold and at least 24 hours old.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

#### **§20-112. Residential Collection of Bulky Items.**

1. *Definition.* “Bulky item(s) or waste” shall mean any large item(s) of refuse, including, but not limited to, appliances, large auto parts, furniture, and large trees and branches which require collection in other than conventional compactor refuse collection vehicles.

2. *Collection Schedule.* Bulky item collection shall be scheduled regularly at least once per week. The bulky waste collection day shall be on the second collection day of the week.

3. *Quantity and Collection Location.* Each household may place one item of bulky waste at the curb or at the regular collection location by 6 a.m., but no earlier than 6 p.m. the previous day. [Ord. 561]

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

#### **§20-113. Separation and Collection of Recyclable Residential Material.**

All persons within Northampton Township are required to participate in the separation and recycling of materials to be placed at the curb and separated from normal household solid waste for collection as follows:

A. *Definition.* “Recyclable materials” shall mean:

(1) Newspapers.

(2) Commingled materials, i.e., colored and clear glass bottles, steel/bimetal cans, aluminum cans, plastic containers (HDPE or PET).

B. *Preparation for Collection.*

(1) *Newspapers.* Newspapers will be bundled and tied securely with string or placed in paper bags prior to collection and removal. Newspaper shall be bundled separately, and may include magazines and telephone books. The total weight of such bundles or bags shall not exceed 50 pounds per collection.

(2) *Commingled materials,* i.e., brown/amber/green/clear glass food or beverage containers, steel, bimetal and aluminum food or beverage containers, HDPE and PET plastic food or beverage containers. Commingled materials shall be clean and all contents shall be removed therefrom. Materials shall be placed in a special container designated for the aforementioned provided by the Township and not mixed with other forms of solid waste for collection, removal

or disposal.

(3) *Recyclables/Containers*. It shall be unlawful to place any recyclables for the recycling collection service in unauthorized or defective disposal containers, plastic bags or bundles not securely tied.

C. *Collection Location*. Recyclable materials shall be placed for collection at ground level on the property, within 5 feet of the roadway, by 6 a.m., but no earlier than 6 p.m. the previous day in a location at least 10 feet separate from which the household refuse collection is made. [Ord. 561]

D. *Collection Schedule*. Recyclable materials shall be collected on a weekly basis according to the following schedule: For scheduling of recyclable material pickup, the Township of Northampton shall be divided into four districts. The boundary lines shall be in accordance with the street map of Northampton Township attached to these regulations (Attachment A).<sup>2</sup>

E. *Unlawful Activities*.

(1) It shall be unlawful for a person to collect, remove or dispose of solid waste which consists of designated recyclables (clear glass bottles, aluminum cans, commingled materials) combined with other forms of solid waste.

(2) It shall be unlawful for any person to scavenge any materials delivered and deposited for disposal or collection except as otherwise provided by these regulations.

F. *Alternative Collection*. Any person may donate or sell recyclable materials to individuals or organizations authorized by the municipality. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by said individual or organization on days indicated as recyclable material collection days by the Township. Said individuals or organizations may not collect recyclable materials on or immediately preceding (within 24 hours) a regularly scheduled curbside collection day. Nothing herein shall prohibit a private resident from recycling his/her own recyclable materials by delivering the same to a recycling facility.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

#### **§20-114. Separation and Collection of Residential Compostable Material.**

All persons within Northampton Township are required to participate in the separation of compostable materials to be placed at the curb and separated from normal household solid waste for collection from April 1 to December 15 as follows:

A. *Definition*. "Compostable materials" shall mean organic waste which is capable of undergoing composting, i.e., yard waste, leaves, grass clippings, etc.

B. *Preparation for Collection*.

(1) Compostable materials shall be placed either loose in approved hard plastic or metal containers, or in biodegradable paper bags, not to exceed 50 pounds in weight and set out at curbside in similar fashion as normal household solid waste.

---

<sup>2</sup>Editor's Note: Attachment A is on file in the Township offices.

(2) Trees and brush must be tied in bundles not to exceed 36 inches in length or 18 inches in diameter. Each bundle shall not exceed 50 pounds in total weight.

(3) When putting yard waste in cans for collection, tree and brush branches may not extend out of and/or above the top of the trash can. [Ord. 561]

C. *Collection Location.* Compostable materials shall be placed for collection at ground level on the property, within 5 feet of the roadway, prior to the time of collection on the appropriate collection day but no earlier than 6 p.m. the previous day in the same location from which the household refuse collection is made. [Ord. 561]

D. *Quantity.* Each residential unit or household shall be entitled to set out for collection on each collection day an unlimited amount of yard waste, unlimited containers, receptacles, bundles, bags or combination thereof consisting of compostable materials.

E. *Trees and Brush.* Trees and brush must be tied in bundles not to exceed 36 inches in length or 18 inches in diameter. Each bundle shall not exceed 50 pounds in total weight.

F. *Collection Schedule.* Compostable materials shall be collected between the hours of 6 a.m. and 6 p.m. on a weekly basis on the day following the residential unit's designated recycling collection day. (See Article III, Subsection D.)

G. *Residential Composting.* Any resident may engage in composting his/her yard waste within the confines of his/her property. Nothing herein shall prohibit a private resident from composting his/her yard waste on his/her property.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

### **§20-115. Separation and Collection of Commercial and Institutional Recyclable Materials.**

All commercial and institutional establishments as defined in §20-105 of Part 1 are required to participate in the program involving the separation and collection of recyclable materials to be placed at their designated indoor or outdoor refuse collection station and separated from normal commercial and institutional solid waste for collection as follows:

A. *Definition.* "Recyclable materials" shall mean:

(1) Required recyclable materials:

- (a) High-grade office paper.
- (b) Aluminum.
- (c) Corrugated paper.
- (d) Leaf waste.

(2) Optional recyclable materials:

- (a) Steel and/or bimetal cans.
- (b) Plastics.
- (c) Clear and/or colored glass.

(d) Ferrous materials.

(e) Newsprint.

*B. Collection Schedule and Disposal.*

(1) Recyclable materials shall be collected on a scheduled day, at least once per month, as arranged with a private collector licensed to collect solid waste in Northampton Township.

(2) Every commercial, institutional, and property owner shall ensure that their recyclable materials are separated from solid waste and provided to a licensed or otherwise bona fide recycling facility for recycling; or if provided in mixed waste, to a private collector that agrees to separate and recycle these materials.

*C. Reporting Requirements.*

(1) Each licensed hauler shall be required to complete and submit to the Township or an agency designated by the Township on an annual basis a source separation and recycling report on the form prescribed and provided by the Township. The report shall contain the following information:

(a) Type and total amount of recyclable material collected and recycled within that calendar year (to be provided by private collector).

(b) Type and total amount of compostable material collected within the reporting period (if any).

(c) Type and total amount of all recyclable, compostable, and solid waste material that is collected within the reporting period (to be provided by private collector).

(2) Every hauler shall submit to the Township or its designated agency the source separation and recycling report on or prior to the previous calendar year.

*D. Alternative Recycling Program.* The Township Manager and/or his/her designee (hereinafter referred to as "Township Manager") is hereby authorized to exempt any and/or all commercial or institutional establishments located within Northampton Township from the requirements for separation and/or collection of recyclable materials as defined in these regulations if those establishments have otherwise provided for the recycling of those materials referenced in paragraph .A above. To be eligible for an exemption under this Section, the commercial or institutional establishment must be engaged in a program which can demonstrate through its source separation and recycling report that 25 percent of its total solid waste generated during the reporting period was recycled.

*(Res. R-02-01, 1/7/2002)*





## **Chapter 21**

### **Streets and Sidewalks**

#### **Part 1**

#### **Openings and Excavations**

- §21-101. Permit Requirement; Permitted Activities
- §21-102. Application Requirements
- §21-103. Emergencies
- §21-104. Fees; Liability Insurance
- §21-105. Expiration and Renewal of Permit; Exhibit
- §21-106. Measurements
- §21-107. Tunneling
- §21-108. Backfilling; Temporary and Permanent Paving
- §21-109. Safety Precautions
- §21-110. Responsibilities of Public Utilities and Public Service Companies
- §21-111. Sidewalks, Curbs and Gutters
- §21-112. Responsibilities of Property Owners
- §21-113. Effect of Permit Fees
- §21-114. Obstructions; Overhanging Vegetation
- §21-115. Obstruction of Gutters
- §21-116. Rubbish and Fires in Streets
- §21-117. Closing of Streets
- §21-118. Highway Improvements; Standard Specifications
- §21-119. Violations and Penalties

#### **Part 2**

#### **Snow and Ice Removal**

- §21-201. Removal Required
- §21-202. Throwing Snow onto Highway
- §21-203. Violations and Penalties

#### **Part 3**

#### **Right-of-Way Management Ordinance**

- §21-301. Short Title
- §21-302. Definitions
- §21-303. Right-of-Way Use Authorization
- §21-304. Right-of-Way Use Permit
- §21-305. Transitional Provisions
- §21-306. Cable Franchise
- §21-307. Renewal and Transfer of Right-of-Way Use Permit
- §21-308. Construction in the Rights-of-Way
- §21-309. Right-of-Way Management Fee
- §21-310. Remedies
- §21-311. Miscellaneous



**Part 1****Openings and Excavations****§21-101. Permit Requirement; Permitted Activities.**

1. It shall be unlawful for any person, firm, association, corporation or other entity to open, occupy or break the surface of the ground within the boundary of any public highway, roadway, alley, sidewalk, footpath or other public right-of-way, except for the purposes set forth in subsection .2 hereof and after first having obtained a permit to do so from the Code Enforcement Department. See also §21-114.1.

2. The Code Enforcement Department may issue a permit authorizing the opening, excavation or occupation of areas within the boundary of any public highway, roadway, alley, sidewalk, footpath or other public right-of-way only for the following purposes:

A. Laying, repairing, replacing or connecting public water or sewer pipes, drains or conduits undertaken by the Bucks County Municipal Water and Sewer Authority or by any other entity with the prior approval and under the express direction of the Township.

B. Laying, repairing, replacing or connecting pipes, drains or conduits of public utilities or other public service companies.

C. Setting, planting, replacing or removing telephone or telegraph poles, streetlights or traffic control signs.

D. Laying, constructing, installing, repairing or replacing driveways, sidewalks, curbs and gutters, except where the Code Enforcement Department shall determine that no permit is required for such activity pursuant to §21-111.

E. Constructing or installing mailboxes.

3. No permit shall be issued to perform an opening or excavation of any Township highway, roadway, alley or other public right-of-way that was constructed, reconstructed or resurfaced fewer than 3 years prior to application for a permit under this Part, unless the applicant agrees in writing to overlay or pave the surface of the public right-of-way, from curb to curb and intersection to intersection, to the satisfaction of the Township. The Township may grant an exception to this Section in the case of an emergency in which the exigencies of public health or safety require such an exception. [Ord. 566]

(Ord. 213, 5/9/1984; as amended by Ord. 313, 7/11/1990; and by Ord. 566, 2/27/2013, §III)

**§21-102. Application Requirements.**

Before such permit is issued and said work is begun, a written application on a blank form to be furnished for that purpose by the Zoning/Code Enforcement Director must be filed with the Code Enforcement Department, setting forth the purpose for which the said highway, road, street, avenue, lane, alley, sidewalk or footpath is to be opened, excavated or occupied and the location of the said proposed work, and in such application the applicant shall agree to assume all liability for all or any damages to

person or property accruing to the public or to the said Township which may or might result from the opening, excavation or occupying of said highway, road, street, avenue, lane, alley, sidewalk or footpath.

(Ord. 213, 5/9/1984)

### **§21-103. Emergencies.**

Whenever the exigencies of public health or safety require that immediate repairs be made and the procurement of a permit prior to the commencement of the work is impracticable, it shall be lawful for the work to be begun without a permit, provided that an application for said permit is filed and the proper fee paid within 48 hours from the time when the emergency arose, and, provided further, that any person(s) and/or corporation beginning said work under the provisions of this Section shall do so subject to the conditions and obligations imposed by this Part upon any person(s) and/or corporation opening or excavating public highways, etc., as though an application for a permit had been filed.

(Ord. 213, 5/9/1984)

### **§21-104. Fees; Liability Insurance.**

1. Before the issuance of a permit, the applicant shall make payment to the Township in sums set forth by resolution of the Board of Supervisors for the following:

A. For openings or excavations in any highway, road, street, avenue, alley, sidewalk or footpath.

B. For openings or breaks in improved sidewalks and for breaking the surface of any improved curb for the purpose of building any driveway across the same or for any other purpose.

C. For the erection, setting or planting of any pole in the public right-of-way.

D. For the occupancy of a highway, avenue, street or sidewalk with building or other materials.

(1) No such permit shall authorize the occupying of more than one-third of the width of the roadway between curbs, nor shall the occupied area exceed in extent the dimensions of the frontage of the premises about to be built upon or repaired, except that when no objection is made by the adjoining property owners and the space is not to be used for storage of materials other than those to be used in construction, the permittee shall be permitted to occupy an additional 30 feet on each side of the building frontage for which the permit is granted.

(2) Provision shall be made by the applicant for such a permit for maintaining at all times a clear and unobstructed passage along the sidewalk at least 6 feet in width and a free passage for water in the gutter.

(3) No building or other materials or other obstruction shall at any time be placed in the highway within 25 feet of any fire hydrant.

(4) All the materials or other obstructions occupying the highway shall be removed prior to the expiration of the time for which the permit was issued or for which it was renewed.

2. If, in the course of reviewing an application, the Zoning/Code Enforcement

Director determines that additional inspection work shall be required by either the Township Engineer or Public Works Superintendent, an inspection deposit may be required to cover any and all additional costs related to the inspection of the work covered by the permit. Any such funds remaining with the Township after the work has been certified complete by the Code Enforcement Department shall be released to the applicant.

3. No permit provided for under the provisions of this Section shall be issued until the applicant shall first file with the Code Enforcement Department a certificate showing that he carries public liability insurance in the limits of at least \$25,000 and \$50,000 and property damage insurance in the amount of at least \$5,000.

(Ord. 213, 5/9/1984)

**§21-105. Expiration and Renewal of Permit; Exhibit.**

1. Permits shall be issued by the Zoning/Code Enforcement Director and shall not be operative for more than 60 days from the date of issue. Permits may be renewed for a like period upon payment of a renewal fee as established by the Board of Supervisors by resolution.

2. The permit shall at all times be kept in the possession of a competent person actually engaged in the work and, upon demand, shall be exhibited to any police officer or properly authorized employee of the Township, County or State.

(Ord. 213, 5/9/1984)

**§21-106. Measurements.**

All measurements required to be made in applying the above fees shall be made by the Code Enforcement Department and shall include any enlargement of openings which may be required to be made as an incident of the repair of such paving or to restore the same to its former condition.

(Ord. 213, 5/9/1984)

**§21-107. Tunneling.**

No highway, road, street, avenue, lane, alley, sidewalk or footpath shall be tunneled except where special written permission therefor shall have been granted by the Township Engineer.

(Ord. 213, 5/9/1984)

**§21-108. Backfilling; Temporary and Permanent Paving.**

1. All breaks or openings shall be refilled by the applicant for the permit, to the approval of the Department of Public Works, without raising the surface of the highway, road, street, avenue, lane, alley, sidewalk or footpath, due allowance being made for the structure being placed in the trench. All refilling must be done with suitable materials thoroughly compacted by puddling or hard tamping in uniform layers not exceeding 6 inches in depth and all surplus dirt must be removed from the job.

2. Materials used in backfilling, temporary and/or permanent paving shall conform to Township specifications promulgated by the Township Engineer and Public Works Superintendent and available at the Code Enforcement Department. (See

Appendix 22-A, Chapter 22, Subdivision and Land Development).

3. Permanent paving shall be constructed, weather permitting, 60 days after the installation of the temporary paving. If, within one-year after the installation of the permanent paving, defects appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Township for the cost of all necessary repairs to the permanent paving.

4. Each person issued a permit shall submit to the Township, not later than 30 days after completion of the permitted construction (or any part thereof, if required by the Township), two paper copies and one electronic copy of as-built map or maps and engineering specifications as set forth by the Township depicting and certifying the location of the facilities constructed. Such engineering specifications and electronic and paper maps shall be submitted in a format and include the information required by the Township. If the maps are not provided electronically in the required format, then the person shall reimburse the Township for the cost of converting paper maps into electronic form or the cost of converting electronic maps in another format into the required format. [Ord. 566]

(Ord. 213, 5/9/1984; as amended by Ord. 566, 2/27/2013, §IV)

#### **§21-109. Safety Precautions.**

All materials, openings or excavations made or obstructions created under such permits must be properly marked from sunset to sunrise by red lights so placed as to indicate, from the roadway in both directions, the exact location and limits of said work or obstruction, and at all times must be properly guarded.

(Ord. 213, 5/9/1984)

#### **§21-110. Responsibilities of Public Utilities and Public Service Companies.**

The filing of an application by a public utility, public service company or the Bucks County Municipal Water and Sewer Authority and the issuance of a permit for activities permitted under this Part shall constitute an agreement on the part of said applicant that it will at any time thereafter, upon notice from the Department of Public Works, at its own expense, make such change in location or construction of the concerned facilities as may be required by the Township.

(Ord. 213, 5/9/1984; as amended by Ord. 313, 7/11/1990)

#### **§21-111. Sidewalks, Curbs and Gutters.**

1. Sidewalks, curbs and gutters shall not be placed or replaced within the boundaries of any public highway, road, street, avenue, lane or alley in the Township of Northampton by any owner, person, firm, association or corporation without first obtaining from the Code Enforcement Department a permit for such purpose, which shall be fully set forth in written application showing such purpose and assuming all liability for all and any damage which might result from the performance of such work; except where repairs to existing sidewalks, curbs or gutters involve no change in line or grade and where no new stakes for lines and grades are required to be set, there shall be no need of any permit.

2. For giving or defining grades or lines for the placing or replacing of sidewalk, curb or gutter within the boundaries of any public highway, road, street, avenue, lane

or alley, a charge, payable to the Township, will be made in accordance with standard rates adopted by resolution of the Board of Supervisors.

3. The Township Engineer, with approval of the Township Manager, is hereby empowered to give or define grades or lines for the placing or replacing of sidewalk, curb and gutter within the boundaries of any public highway, road, street, avenue, lane or alley within said Township, and no act on the part of any other official or employee shall bind the Township or make it liable therefor.

4. The Township Engineer, after making the necessary survey, shall, with the approval of the Township Manager, fix the lines and grades of sidewalk, curb and gutter proposed to be placed or replaced in conformity with the lines and grades fixed by this Board, and no sidewalk, curb and gutter shall be placed or replaced except after a permit is thus obtained and after the Township Engineer shall have given the line and grade.

5. Property owners and their contractors or agents shall protect the public by proper guards and lights against any danger or injury while the highway is open in the work of placing or replacing sidewalk, curb and gutter or any matter pertaining thereto, including the guarding against injury by materials that may be placed in the highway for that purpose.

(Ord. 213, 5/9/1984)

#### **§21-112. Responsibilities of Property Owners.**

1. The owner or owners of any lot, parcel, tract of land or premises fronting or abutting on an affected public street, road or avenue within the Township of Northampton upon which a grade has heretofore or hereafter been established shall, upon receipt of 60 days written notice from the Township, at their respective costs and expense, begin to construct, repair and maintain the curbing and/or sidewalk or footwalk in front of and along the property owned by them or on the part of said public street, road or avenue abutting their respective properties.

2. The notice shall be sent by registered mail by the Township Manager to the last known address of the individual or individuals, association or corporation in whose name the title to the lot, parcel or tract of land or premises appears on public record to be owned, and if such registered mail is returned unclaimed, then and in that event such notice shall be given by posting one copy of the same on the land or premises involved.

3. Upon failure of any owner or owners to comply with the provisions of this Part and to commence the construction of said curbing, sidewalk or footwalk or repair and maintain the same within 60 days after the mailing of said notice and to complete fully such construction, repair and maintenance within 60 days after the date of said notice, the Township of Northampton shall enter upon said premises and construct, pave, repair or maintain the curbing, sidewalk or footwalk and enter the cost thereof, together with 10 percent additional, as a lien against the said lot, parcel, tract of land or premises.

4. All curbing, sidewalk or footwalk construction or repair shall be performed in accordance with specifications referenced in §21-118 of this Part.

(Ord. 213, 5/9/1984)

**§21-113. Effect of Permit Fees.**

No permit fee paid under this Part shall be considered to be in lieu of any annual license fee now required to be paid or which may at any time be required to be paid by ordinance of the Township of Northampton.

(Ord. 213, 5/9/1984)

**§21-114. Obstructions; Overhanging Vegetation.**

1. It shall be unlawful for any person or persons to erect, set up, place or maintain any gasoline pump, oil tank or other obstructions or to plant any trees, shrubbery or similar obstruction within the boundaries of any public highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Northampton.

2. Trees and hedges overhanging the sidewalk shall be trimmed to provide clear passage of not less than 12 feet above the sidewalk or roadway.

3. Any such obstruction shall be removed promptly by the property owner whenever written notice to remove such obstruction is given by the Zoning/Code Enforcement Director. If the owner fails to comply with such notice, the Township shall remove the obstruction and charge the cost thereof to the owner.

(Ord. 213, 5/9/1984)

**§21-115. Obstruction of Gutters.**

Every lane and entrance road connecting with any public highway, street, road or avenue of the Township of Northampton shall be so constructed or altered that the water and surface drainage shall not be blocked or diverted from the course of the gutter and that the surface drainage from such lane or entrance road shall flow into the gutter of said public highway, road, street or avenue and not upon the roadbed thereof.

(Ord. 213, 5/9/1984)

**§21-116. Rubbish and Fires in Streets.**

1. No paper, trash, rubbish, ashes, junk, waste or discarded materials of any kind shall be thrown, deposited or dumped in any ravine, ditch or gutter or any highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Northampton, nor in any public place or private property, vacant or occupied, within the limits of said Township.

2. No leaves, grass, weeds, hedges or tree trimmings shall be burned within the boundaries of any public highway, nor shall any fire be made which will cause damage to the highway or street paving.

3. Nothing in this Part shall be construed to prohibit municipal dumps maintained by the Township of Northampton or a reasonable accumulation of rubbish on private property by the owner thereof; provided, however, that such rubbish shall be kept in tightly covered metal containers.

(Ord. 213, 5/9/1984)

**§21-117. Closing of Streets.**

It shall be unlawful for any person, firm, association or corporation to close any public highway, road, street, avenue, lane or alley in the Township of Northampton



unless and until a permit for this purpose has been obtained from the Township Manager.

(*Ord. 213, 5/9/1984*)

**§21-118. Highway Improvements; Standard Specifications.**

Standard specifications for highway improvements shall be designated and approved by the Township Engineer and shall be in accordance with those specifications found in the Appendix 22-A of the Subdivision and Land Development Ordinance [Chapter 22], as amended.

(*Ord. 213, 5/9/1984*)

**§21-119. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 213, 5/9/1984; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012*)



**Part 2****Snow and Ice Removal****§21-201. Removal Required.**

All owners, tenants and occupants of land on which is located a sidewalk or sidewalks adjacent to a public highway and all owners of land which is vacant but which contains a sidewalk or sidewalks adjacent to a public highway shall hereafter keep said sidewalks free and clear of snow and ice. All such persons shall clear said sidewalks of snow and ice within 24 hours after the snow has stopped falling.

(*Ord. 213, 5/9/1984*)

**§21-202. Throwing Snow onto Highway.**

It shall be unlawful to throw, shovel or plow snow into or upon any roads and streets within the Township from adjoining property with the intent of allowing such snow to remain on such roads and streets.

(*Ord. 213, 5/9/1984*)

**§21-203. Violations and Penalties.**

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 561*]

2. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 55 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$15 to the Township. In the event such person fails to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

(*Ord. 213, 5/9/1984; as amended by Ord. 561, 4/25/2012*)



**Part 3****Right-of-Way Management Ordinance****§21-301. Short Title.**

This Part shall be known as the “Northampton Township Right-of-Way Management Ordinance.”

(*Ord. 566, 2/27/2013, §I*)

**§21-302. Definitions.**

Terms used in this Part shall have the following meanings, whether or not the terms are capitalized. Unless otherwise expressly stated, terms not defined in this Part shall be construed consistent with Title 47 of the United States Code, and, if not defined therein, with their common and ordinary meaning.

*Aerial facilities*—poles, wires, cables, equipment, and other facilities located above the surface of the ground, including their underground supports and foundations. Such term does not include private driveways, newspaper vending machines, street banners, canopies or other minor obstructions located in the rights-of-way.

*Affiliate*—a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with another person.

*Cable Act*—the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, and as hereafter amended (47 U.S.C. §521 *et seq.*, as hereafter amended).

*Cable franchise or franchise*—right-of-way use authorization pursuant to this Part authorizing a person to own, construct, operate and maintain a cable system to provide cable service within the Township.

*Cable franchise agreement*—right-of-way use authorization required pursuant to the Cable Act and the Township Code for any cable franchise issued by the Township.

*Cable operator*—a person providing or offering to provide cable service over a cable system within the Township as that term is defined in the Cable Act.

*Cable service*—the one-way transmission to subscribers of video programming or other programming service and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

*Cable system*—facilities consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within the Township; but such term does not include (1) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (2) a facility that serves subscribers without using any right-of-way; (3) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Communications Act of 1934, as amended,

except that such facility shall be considered a cable system (other than for purposes of 47 U.S.C. §541(c)) to the extent such facility is used in the transmission of video programming directly to subscribers, unless the extent of such use is solely to provide interactive on-demand services; (4) an open video system that complies with 47 U.S.C. §573; or, (5) any facilities of any electric utility used solely for operating its electric utility system. A reference to a cable system refers to any part thereof. This definition of “cable system” shall in no way be deemed to circumscribe or limit the valid authority of the Township to regulate or authorize the facilities and/or services of any other telecommunications provider or other person that owns, constructs, operates, or maintains facilities in the right-of-way.

*Communications Act*—the Communications Act of 1934, 47 U.S.C. §151 *et seq.*, as amended and as hereafter amended.

*Emergency*—a condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

*Facility(ies)*—conduit, pipes, cables, wires, lines, towers, optic fiber, poles, associated equipment and appurtenances, and any other facilities located in the right-of-way and designed, constructed, and/or used, by telecommunications providers, public utilities, or other persons for transmitting, transporting, or distributing communications, telecommunications, electricity, natural gas or manufactured gas, oil, gasoline, steam, or any other form of energy, signal or substance. The term “facility” or “facilities” does not include “wireless telecommunications facilities” as defined below.

*Franchise*—a right-of-way use authorization pursuant to this Part that authorizes a person to own, construct, operate and maintain a cable system to provide cable service within the Township.

*Franchisee*—a person that is issued a franchise by the Township.

*Franchise agreement*—a cable franchise agreement.

*Information service*—the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications (whether over a cable system, telecommunications system, open video system, or any other type of facilities), and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

*Non-tower wireless communications facility (non-tower WCF)*—all non-tower wireless communications facilities including, but not limited to, antennae and related equipment non-tower WCF shall not include support structures for antennae and related equipment.

*Permittee*—the recipient of a right-of-way use permit, cable franchise or other right-of-way use authorization that is issued by the Township pursuant to this Part, and persons holding existing franchises, special ordinances, or other authorizations that are subject to the transitional provisions set forth in §21-305.

*Person*—corporations, companies, associations, joint stock companies, firms,

partnerships, limited liability companies, and other entities; municipal, industrial development, housing, redevelopment, and other authorities and corporations established pursuant to statutes of the Commonwealth of Pennsylvania; and individuals; provided, that person does not include or apply to the Township or to any department or agency of the Township.

*Policies and procedures*—the written regulations, standards, operations and/or courses of action established by the Township to implement the provisions of this Part.

*Public Utilities Commission or PUC*—the State administrative agency, or lawful successor thereto, authorized to regulate and oversee public utilities and telecommunications providers and telecommunications services in the commonwealth of Pennsylvania, to the extent provided by law.

*Public utility or utility*—shall be defined as that term is defined in the Pennsylvania Code as of the effective date of this Part, and as hereafter amended.

*Right-of-way, rights-of-way or ROW*—the surface of and space above and below any real property in the Township in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited, to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes but excluding lands other than streets that are owned by the Township. The phrase “in the right(s)-of-way” and means “in, on, over, along, above and/or under the right(s)-of-way.”

*Right-of-way use authorization or ROW use authorization*—a right-of-way use permit or cable franchise issued pursuant to this Part.

*Right-of-way use permit or ROW use permit*—a right-of-way use permit issued pursuant to this Part.

*Service(s)*—any telecommunications service, cable service, video programming service, information service, utility service (including, but not limited to, electric, gas, water, or steam service), or other form of service provided by means of facilities located in the right-of-way.

*Street*—a strip of land or part thereof within the right-of-way, whether dedicated or not, that is intended or used for vehicular and pedestrian traffic. The phrase “in the (a) street(s)” means “in, on, over, along, above and/or under the (a) street(s).”

*Street opening permit*—a permit for excavation of a street for the construction or installation of facilities in any right-of-way in the Township including, but not limited to, installation of underground conduit, ducts, manholes, handholes, and/or appurtenances thereto, or any other type of underground facilities; for construction or erection of poles; for installing fiber optic or other cable(s) in already installed conduit or ducts; for maintenance activities that involve such construction, installation, or erection; or otherwise for the installation or construction of facilities in any right-of-way.

*System*—any cable system, telecommunications system, or integral part thereof.

*Telecommunications*—the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

*Telecommunications facilities*—the plant, equipment and property within the Township used to transmit, receive, distribute, provide or offer telecommunications service.

*Telecommunications provider*—a person who provides telecommunications service over telecommunications facilities.

*Telecommunications service*—the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

*Telecommunications system*—a system that offers telecommunications service.

*Tower-based wireless communications facility (tower-based WCF)*—any structure that is used for the purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles and light poles and hub facilities for distributed antenna systems.

*Township Code*—the Code of the Township of Northampton, Bucks County, Pennsylvania.

*Township Engineer*—the person engaged by the Township to perform engineering services on behalf of the Township.

*Township property*—all real property now or hereafter owned by the Township whether in fee ownership or other interest.

*Township work*—all construction work performed by the Township or any of its Departments, either with its own personnel or under contract, including repair, alteration, replacement, or maintenance of facilities owned, operated, maintained, or controlled by the Township or for which the Township is responsible.

*Transfer of interest*—as applied to a right-of-way use permit and/or the facilities authorized thereby: the assignment, transfer, or other disposition, directly or indirectly, by sale, lease, merger, consolidation, or other act, by operation of law or otherwise, of any interest, in whole or in part, in the ROW use authorization, including, but not limited to, actual control over the ROW use authorization. Any transaction (whether between affiliated entities or unaffiliated entities) which results in any change, in any manner, of the ownership or control (including, but not limited to financial control and actual control) of the permittee, the facilities authorized thereby, or the capacity, transmission capacity, or bandwidth of the facilities or system, or such ownership or control of any affiliated entities having ownership or control of the permittee, where such ownership or control is 25 percent or more of the total ownership or control interest, shall be considered a transfer of interest.

*Underground facilities*—utility and telecommunications facilities located under the surface of the ground, excluding the underground foundations or supports for aerial facilities.

*Wireless telecommunications facility(ies)*—the antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for



the purpose of transmitting, receiving, distributing, providing, or accommodating wireless telecommunications services.

(Ord. 566, 2/27/2013, §II)

**§21-303. Right-of-Way Use Authorization.**

Except as otherwise provided in this Part, no person shall own, construct, operate and/or maintain facilities in any right-of-way of the Township to provide or to enable others to provide services to persons or areas in the Township or outside the Township without a right-of-way use authorization. The types of right-of-way use authorization are a right-of-way use permit and a cable franchise.

(Ord. 566, 2/27/2013, §II)

**§21-304. Right-of-Way Use Permit.**

1. *Permit Required; Term and Scope of Permit.*

A. No person, other than a franchisee, may own, construct, operate and/or maintain facilities that occupy the right-of-way without first obtaining a ROW use permit. Any ROW use permit shall be subject to such conditions as the Township may from time to time establish and shall otherwise conform to the requirements of this Part and applicable law. A ROW use permit shall be for a term of 1 year. A ROW use permit and the rights, benefits and permissions conferred thereby shall apply to the entire geographic area of the Township.

B. Any person wishing to construct, operate and/or maintain wireless telecommunications facilities, such as tower-based WCFs or non-tower WCFs, that occupy the rights-of-way is not required to obtain a ROW use permit pursuant to this Part, but is required to comply with all of the applicable terms and conditions of the Township's Wireless Telecommunications Facilities Ordinance, codified at Chapter 27 of the Northampton Township Code.

2. *Approval by Township.* A ROW use permit shall be authorized only by the Township and shall not become effective unless or until so authorized. In addition to the other requirements contained herein, the applicant shall demonstrate:

A. It has a history of compliance with applicable law and regulation relating to the management, construction and maintenance of facilities in streets and rights-of-way, wherever located.

B. It possesses all licenses, permits, authorizations, and other permissions required by the Federal Communications Commission, the PUC, the Commonwealth of Pennsylvania and the Township as a condition of its using the right-of-way and furnishing the services and operating the facilities proposed by the applicant.

3. *Security.* Each permittee shall furnish to the Township, at the permittee's expense, a bond or other form of financial security, in such form as required by the Township in consultation with the Township Solicitor. Such bond shall be executed by a reputable surety company licensed to do business in the Commonwealth of Pennsylvania. The letter of credit or other form of financial security shall be in the amount of \$100,000. The security shall be a continuing obligation during the entire term of the right-of-way use permit.

4. *Insurance.* Each permittee shall, at all times during the entire term of the right-of-way use permit, maintain and require its contractors and subcontractors to maintain insurance, with a reputable insurance company authorized to do business in the Commonwealth of Pennsylvania and which has an A.M. Best rating (or equivalent) no less than “A” indemnifying the Township from and against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, installation, operation, maintenance or removal of permittee’s system or facilities in the rights-of-way. The amounts of such coverage shall be as determined by the Township by regulation. The Township shall be designated as an additional insured under each of the insurance policies required by this Section. Permittee shall not cancel any required insurance policy without obtaining alternative insurance in conformance with this Section. Permittee shall provide the Township with at least 30 days advance written notice of any material changes or cancellation of any required insurance policy.

5. *Indemnification.* Each permittee shall, at its sole cost and expense, indemnify, defend and hold harmless the Township, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the permittee, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of permittee’s system or facilities in the rights-of-way. Each permittee shall defend any actions or proceedings against the Township in which it is claimed that personal injury, including death, or property damage was caused by the permit holder’s construction, installation, operation, maintenance or removal of permittee’s system or facilities in the rights-of-way. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys’ fees, reasonable expert fees, court costs and all other costs of indemnification.

6. *Application for Right-of-Way Use Permit.* Application for a ROW use permit shall be in such form and shall include such information as the Township determines by regulation. Within a reasonable period of time not to exceed 60 days after receiving a complete application hereunder, the Township shall make a determination approving or denying the application. Determinations to grant or deny an application shall be made on a non-discriminatory and competitively neutral basis. If the application is denied, the determination shall include the reasons for denial. The application fee, which shall be paid at the time of the filing of the application, shall be in the amount determined by the Township and authorized by resolution of the Township Board. The application fee shall be sufficient to reimburse the Township for the actual costs of Township staff time and other resources that are required and may be adjusted by resolution of Township Board.

7. *As-Built Maps.* Each person applying for a ROW use permit shall submit to the Department two paper copies and one electronic copy of as-built map or maps and engineering specifications as set forth in the policies and procedures depicting and certifying the location of all its existing facilities within the right-of-way. Such electronic and paper maps and engineering specifications shall be submitted with the application. If the maps are not provided electronically in the required format, then the person shall reimburse the Township for the cost of converting paper maps into electronic form or the cost of converting electronic maps in another format into the

required format.

8. *Right to Inspect.* The Township shall have the right to inspect all of the facilities of the permittee, including aerial facilities and underground facilities, to ensure health and safety with respect to such facilities, other facilities, the rights-of-way and any other public or private property, and to determine compliance with the terms of this Part and other applicable laws and regulations. Permittees are required to cooperate with all such inspections and to provide information requested by the Township as part of the inspection.

9. *Use Authorized.* No ROW use permit shall confer any exclusive right or privilege to occupy or use the right-of-way for any purpose; or explicitly or impliedly preclude or affect the Township's right to authorize use of the right-of-way by other persons to own, construct, operate, maintain, and/or provide the same or different facilities or services, or for any other purposes as the Township determines appropriate; or affect the Township's right to construct, operate or maintain any type of facilities itself or offer any type of services in the right-of-way; or authorize, or excuse any person from securing such further easements, leases, permits or other approvals as may be required by applicable law or regulation to occupy and use the right-of-way; or convey any right, title or interest in any right-of-way greater or other than an agreement only to use and occupy the right-of-way for the limited purposes and terms provided in the ROW use permit; or be construed as any warranty of title.

10. *Owner's Consent.* No ROW use permit expressly or impliedly authorizes a permittee to provide any services to, or install any facilities on, any private property without the owner's consent, or to use publicly or privately owned poles, ducts or conduits without a separate agreement with the owners thereof for such use. It is an affirmative violation of this Part to post bills, signs and other advertisements upon utility poles or private property without the owner's consent.

11. *Substantially Similar Terms.* ROW use permits and renewals entered into after the effective date of this Part shall contain substantially similar terms which, taken as a whole upon consideration of all of its material terms and upon consideration of the nature of the services to be authorized and other relevant characteristics of applicants, do not provide substantially more or less favorable terms and conditions than those required of other permittees.

(Ord. 566, 2/27/2013, §II)

#### **§21-305. Transitional Provisions.**

1. *Persons Already Authorized to Use the Right-of-Way.* Any person holding a permit or other authorization from the Township to own, construct, operate, and/or maintain facilities in the right-of-way to provide services may continue to conduct those activities expressly authorized until the earlier of the following: (A) the conclusion of the present term of its existing authorization, or (B) 120 days after the effective date of this Part; provided, that in the case of a cable franchise, such authorization shall continue until the expiration of the current term of the cable franchise. Notwithstanding the foregoing, such persons (with the exception of cable franchisees) shall apply for a superseding ROW use permit pursuant to this Part within 90 days after the effective date of this Part and shall be subject to the terms and conditions of this Part.

2. *Pending Applications.* Applications for an authorization to occupy or use the

right-of-way that are pending on the effective date of this Part shall be subject to this Part. A person with a pending application shall submit additional information to comply with the requirements of this Part and applicable regulations of the Township governing applications within 30 days from the effective date of this Part.

3. *Persons Operating Without Right-of-Way Use Authorization.* Any person that owns or operates of any facilities currently located in the right-of-way, the construction, operation, or maintenance of which is not currently authorized, but is required to be authorized under this Part, shall have 90 days from the effective date of this Part to file one or more applications for a ROW use authorization. Any person timely filing such an application shall not be subject to penalties for failure to hold such a ROW use authorization, provided said application remains pending. Nothing herein shall relieve any person of any liability for its failure to obtain any permit or other authorization required under other provisions of this Part, or Township ordinances or regulations, and nothing herein shall prevent the Township from requiring removal of any facilities installed in violation of this Part or Township ordinances or regulations.

(Ord. 566, 2/27/2013, §II)

**§21-306. Cable Franchise.**

1. *Franchise Required.*

A. No person may own, construct, operate or maintain a cable system within the Township or provide cable service over a cable system without a cable franchise issued by the Township.

B. To the extent permitted by law, facilities used to provide telecommunications service, information service or any form of services similar to cable service, that are also used to provide cable service shall be subject to this Part and shall also require a right-way-use permit pursuant to this Part.

2. *Effect of Authorization.*

A. A cable franchise shall not confer any authority to provide any form or type of telecommunications service or information service in addition to the cable service authorized by the franchise. To the extent permitted by law, a separate right-of-way use permit pursuant to this Part, in addition to the cable franchise, shall be required before any franchisee is permitted to use facilities in the right-of-way to furnish any form or type of telecommunications service or information service.

B. In the event of a conflict between the provisions of this Part and a cable franchise agreement in effect on the effective date of this Part, the provisions of the cable franchise agreement shall govern.

(Ord. 566, 2/27/2013, §II)

**§21-307. Renewal and Transfer of Right-of-Way Use Permit.**

1. *Renewal of Right-of-Way Use Permit.*

A. *Application.* A person desiring to renew a ROW use permit shall file an application with the Township for renewal of its authorization, which shall include all information and documents required for an initial application and any other information required by the Township by regulation.

B. *Determination.* Within a reasonable period of time not to exceed 60 days

after receiving a complete application for renewal of a ROW use permit, the Township shall make a determination accepting or denying the renewal application. If the renewal application is denied, the determination shall include the reasons for non-renewal. Determinations to grant or deny a renewal application shall be made on a non-discriminatory and competitively neutral basis.

2. *Transfer of Interest in Authorization.* No transfer of interest in any ROW use permit or the facilities authorized thereby may take place without the prior written consent of the Township. Such consent shall be granted provided that the transfer of interest is consistent with the terms and conditions of the permittee's ROW use permit and this Part, and that the proposed transferee agrees in writing to be bound by such terms and conditions. In addition:

A. The permittee and the proposed transferee of a ROW use permit or the facilities authorized thereby shall provide, in addition to all information required by applicable law and regulation, such other information as the Township may reasonably require by regulation in order to determine whether the transfer of interest satisfies the requirements of this subsection.

B. Upon receipt of all information required herein, and any other information required by regulation, the Township shall within a reasonable period of time, not to exceed 60 days, review and either approve or deny the requested transfer. If the application is denied, the determination shall include the reasons for denial. Determinations to grant or deny an application to assign or transfer shall be made on a non-discriminatory and competitively neutral basis.

3. *Renewal and Transfer Costs.* All permittees shall, within 30 days after the Township's written demand therefor, reimburse the Township for all costs and expenses incurred by the Township in connection with any renewal or transfer of a right-of-way use permit. Such costs and expenses shall include, but not be limited to, engineering review, inspections, attorneys fees, expert fees and other related expenses.

(Ord. 566, 2/27/2013, §II)

#### **§21-308. Construction in the Rights-of-Way.**

1. *Street Opening Permits.* No person shall perform any street excavation in the rights-of-way without first obtaining a street opening permit and paying a permit fee pursuant to Chapter 21, Part 1, of the Township Code, §21-101 *et seq.* No person shall perform curb and/or sidewalk construction replacement or repair without first obtaining a permit and paying a permit fee pursuant to §21-111 of the Township Code.

2. *Construction Standards.* All construction, installation, maintenance, and operation of facilities in the ROW shall conform to the requirements of the following publications, as from time to time amended, and such additional or different standards and specifications as the Township may from time to time establish by regulation: the Pennsylvania Department of Transportation Publication Form 408, National Electrical Code, and the National Electrical Safety Code and Township regulations (collectively, the "Township of Northampton ROW Construction Standards").

3. *Security.* Each person performing construction in the ROW shall obtain, at the permittee's expense, a construction bond in the amount of \$100,000 in such form as required by the Township in consultation with the Township Solicitor. Such security shall be executed by a reputable surety company licensed to do business in the

Commonwealth of Pennsylvania.

4. *Right to Inspect Facilities.* The Township may inspect the construction or installation of any facilities, including both aerial and underground facilities, and any construction or repair activity to ensure health and safety with respect to such facilities, other facilities, the rights-of-way and any other public or private property, and determine compliance with the terms of this Part and other applicable laws and regulations. Permittees are required to cooperate with all such inspections and to provide information requested by the Township as part of the inspection.

5. *Interference with the Rights-of-Way.* No permittee may locate or maintain facilities in such a manner as to interfere with the use of the right-of-way by the Township, the general public or other persons authorized to construct, install, operate or maintain facilities in the rights-of-way.

6. *Relocation or Removal of Facilities.* Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, a permittee shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any Facilities within the right-of-way whenever the Township, consistent with applicable PUC regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- A. The construction, repair, maintenance or installation of any Township or other public improvement in the right-of-way.
- B. The operations of the Township or other governmental entity in the right-of-way.
- C. Vacation of a street or the release of a utility easement.
- D. An emergency as determined by the Township.

7. *Coordination of Construction Activities.* By December 1 of each year, each right-of-way use permittee shall provide the Township with a schedule (including plans and projected start and finish dates for each project) of its planned construction activities for the following year which may affect the rights-of-way. The schedule shall depict all construction activities the permittee is committed to perform within the year. All ROW construction locations, activities and schedules of permittees shall be coordinated with each other and with the Township's planned ROW construction activities, as directed by the Township, to minimize public inconvenience and disruption and prevent damage to public and private property. A person that fails to comply with this subsection may, in the Township's reasonable discretion, be denied street opening permits until the Township determines the person is in compliance.

8. *Abandonment.* Except as otherwise provided for under this Part, a person may abandon any facilities or property in the rights-of-way only after receiving written approval of the Township, following written notice to the Township of the intent to abandon. If the Township receives notice of intent to abandon from such a person, or if the Township determines (after investigation, notice to the owner or other responsible person, and an opportunity to be heard) that facilities or property are abandoned, the Township may determine that the safety, functioning or use of the right-of-way and/or other facilities in the right-of-way will be adversely affected by the abandonment. If the Township makes this determination, the Township may require the person to remove the facilities and property by a specified date or the Township may remove the facilities

and property and charge the person for all costs and expenses associated with such removal.

9. *Damage to Facilities or Property.* A permittee, including any contractor working for permittee, shall avoid damage to any facilities and/or public or private property. If any facilities and/or public or private property are damaged by permittee, including any contractor working for permittee, permittee shall promptly repair and restore such property within 10 business days. Permittee shall utilize the Pennsylvania One Call System prior to any disturbance of the rights-of-way and dial adhere to all other requirements of the Pennsylvania Underground Utility Line Protection Act.

10. *Field Marking.* Each permittee shall field mark the locations of its underground facilities upon request by other permittees or the Township, consistent with the requirements of the Pennsylvania One Call system and at no cost to the Township.

11. *Pole Extensions.* Aerial facilities shall be installed only on existing poles in compliance with the Township's public works, zoning and planning codes and regulations. Pole extension arms may not be used unless the Township determines in writing that adequate space is not present on the poles and such extensions do not unsafely burden or present a safety hazard to the rights-of-way. Aerial facilities may not be installed or constructed by adding to the height of existing poles without the express written permission of the Township. Permittees may be required to place their facilities underground where the Township determines that adequate space is not present on existing poles.

12. *Above-Ground Appurtenances.* Persons may place appurtenances above ground in the right-of-way only if such appurtenances are approved by the Township and are so placed that they do not interfere with pedestrian and vehicular traffic and the line-of-sight for traffic in the rights-of-way.

(Ord. 566, 2/27/2013, §II)

#### **§21-309. Right-of-Way Management Fee.**

1. *Compensation for Right-of-Way Use.* Every ROW use permit is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the right-of-way. Such compensation for right-of-way use shall be directly related to the Township's actual right-of-way management costs including, but not limited to, the costs of issuing the permit and the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the Township.

2. *Annual Right-of-Way Management Fee.* Each permittee that is not a franchisee shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with reviewing, permitting, inspecting and supervising the ongoing use and occupancy of the right-of-way. The annual right-of-way management fee shall be determined by the Township and authorized by resolution of Township Board and shall be based on the Township's actual ROW management costs as applied to such permittee. This annual ROW management fee shall not be adjusted for at least 2 years from the effective date of this Part, except for purposes of inflation as determined by the National Consumer Price Index published by the United States Department of Labor. Any adjustments to the fee subsequent to 2 years from the effective date shall be authorized by resolution of Township Board, shall be based on

the Township's actual ROW management costs as applied to such permittee and shall be implemented only after providing at least 30 days prior written notice to all then-current permittees. The costs recovered under this subsection shall not include costs recovered by any other fee provided in this Part or in related Chapters.

(Ord. 566, 2/27/2013, §II)

#### **§21-310. Remedies.**

1. *Penalties.* Any person violating any provision of this Part shall be subject upon conviction thereof, to a fine not exceeding \$1,000, for each and every offense, together with attorneys fees and costs, and in default of the payment thereof, imprisonment for not more than 90 days. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Part and any other remedy at law or in equity under this Title, the Township may apply to a Court of Common Pleas for an injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Part.

2. *Determination of Violation.* In the event a determination is made that a person has violated any provision of this Part, a right-of-way use permit, such person shall be provided written notice of the determination and the reasons therefore. Except in the case of an emergency, the person shall have 30 days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the Township may, in its reasonable judgment, extend the time period to cure provided the person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the Township may take any and all actions authorized by this Part and/or Pennsylvania law and regulations.

(Ord. 566, 2/27/2013, §II)

#### **§21-311. Miscellaneous.**

1. *Proprietary Information.* If a permittee considers information it is obligated to provide to the Township under this Part to be a business or trade secret or otherwise proprietary or confidential in nature, and desires to protect the information from disclosure, then the permittee shall mark such information as proprietary and confidential. Subject to the requirements of the Right to Know Act of 2009, 65 P.S. §67.101 *et seq.*, as amended, and other applicable law, the Township shall exercise reasonable good faith efforts to protect such proprietary and confidential information that is so marked from disclosure. The Township shall provide notice to the permittee in the following circumstances: (A) if the Township receives a request for disclosure of such proprietary and confidential information and the Township Solicitor determines that the information is or may be subject to disclosure under applicable law; or (B) if the Township Solicitor determines that the information should be disclosed in relation to its enforcement of this Part or the exercise of its police or regulatory powers. In the event the permittee does not obtain a protective order barring disclosure of the information from a court of competent jurisdiction within 30 days following receipt of the Township's notice, then the Township may disclose the information without further notice to the permittee.

2. *Leased Facilities.* Subject to the provisions of this Part and with prior written



approval of the Township, a permittee shall have the right to furnish any facilities for which it has the applicable authorization in the right-of-way to another person for the latter's use in constructing or operating its own facilities in the right-of-way; provided, that:

A. The permittee furnishing its facilities to another shall first deliver to the Township written verification that there is a fully signed and executed lease, rental agreement, or other agreement with such other person pursuant to which the facilities are to be furnished.

B. The person to which the facilities are furnished shall comply with all of the requirements of this Part and other applicable laws and policies and procedures, including, but not limited to, obtaining an appropriate right-of-way use authorization from the Township prior to its construction or operation of its facilities; and, if such permittee does not comply with the foregoing requirements, the Township may determine its facilities to be unauthorized facilities.

3. *Duty to Provide Information.* Within 10 days of a written request from the Township, each permittee shall furnish the Township with information sufficient to demonstrate the following: that the permittee has complied with all requirements of this Part; that all fees and taxes due the Township in connection with the services and facilities provided by the permittee have been properly paid by the permittee; and any other information reasonably related to the permittee's obligations pursuant to this Part.

4. *Right to Inspect Records.* The Township shall have the right, upon 30 days written notice and during normal business hours, to inspect all documents, records, maps and other pertinent information maintained by the permittee with that relate directly to the terms and conditions of this Part.

5. *No Substitute for Other Required Permissions.* No ROW use authorization or ROW use permit includes, means, or is in whole or part a substitute for any other permit or authorization required by the laws and regulations of the Township for the privilege of transacting and carrying on a business within the Township; or any permit or agreement for occupying any other property of the Township.

6. *No Waiver.* The failure of the Township to insist on timely performance or compliance by any permittee holding a right-of-way use authorization shall not constitute a waiver of the Township's right to later insist on timely performance or compliance by that permittee or any other permittee holding such a right-of-way use authorization. The failure of the Township to enforce any provision of this Part on any occasion shall not operate as a waiver or estoppel of its right to enforce any provision of this Part on any other occasion, nor shall the failure to enforce any prior ordinance or Township Charter provision affecting the right-of-way, any facilities, or any user or occupant of the right-of-way act as a waiver or estoppel against enforcement of this Part or any other provision of applicable law.

7. *Policies and Procedures.* The Township is authorized to establish such written policies and procedures consistent with this Part as the Township deems necessary for the implementation of this Part.

8. *Police Powers.* The Township, by granting any permit or taking any other action pursuant to this Part, does not waive, reduce, lessen or impair the lawful police powers vested in the Township under applicable Federal, State and local laws and

regulations.

(*Ord. 566*, 2/27/2013, §II)

## **Chapter 22**

### **Subdivision and Land Development**

#### **Part 1 General Provisions**

- §22-101. Purpose
- §22-102. Objectives
- §22-103. Relationship to Comprehensive Plan
- §22-104. Compliance with Applicable Standards Required; Filing of Declaration Plan
- §22-105. Interpretations

#### **Part 2 Definitions**

- §22-201. Word Usage
- §22-202. Terms Defined

#### **Part 3 Procedures and Requirements**

- §22-301. General Requirements
- §22-302. Exemptions
- §22-303. Sketch Plans
- §22-304. Preliminary Plans
- §22-305. Final Plans
- §22-306. Record Plans
- §22-307. Minor Subdivisions
- §22-308. Minor Land Development
- §22-309. Fees
- §22-310. Grading Plan
- §22-311. As-Built Plans
- §22-312. Mobile Home Parks

#### **Part 4 Improvements; Design Standards**

- §22-401. Purpose and Applicability
- §22-402. General Design Standards
- §22-403. Design Criteria and Requirements
- §22-404. Construction Requirements for Improvements
- §22-405. Regulations for Mobile Home Parks

#### **Part 5 Administration and Enforcement Procedures**

- §22-501. Designation of Zoning Officer
- §22-502. Modifications and Waivers
- §22-503. Changes and/or Modifications to Final Plan
- §22-504. Amendments
- §22-505. Jurisdiction; Improvements Requisite to Certain Acts; Conveyance of Portions of Lots
- §22-506. Violations and Penalties

## **Part 6**

### **Engineering Design Standards**

#### **A. General Provisions**

- §22-601. Intent
- §22-602. Interpretation
- §22-603. Applicability of Reference Materials

#### **B. Standards and Specifications**

- §22-611. Curbs and Gutters
- §22-612. Driveways
- §22-613. Stormwater Management
- §22-614. Erosion and Sediment Control
- §22-615. Landscaping
- §22-616. Streets
- §22-617. Lighting
- §22-618. Tree Protection and Replacement
- §22-619. Village Overlay District Design Requirements

## **Appendix 22-A**

### **Village Overlay Design Standards**

**Part 1****General Provisions****§22-101. Purpose.**

This Chapter is adopted for the following purposes:

- A. To regulate certain subdivision and land development activities within the Township by providing for a uniform method for the submission of sketch plans, preliminary and final plans.
- B. To assure the proper layout or arrangement of land and space.
- C. To require proper design of streets to accommodate projected traffic and facilitate fire protection.
- D. To provide adequate easements or rights-of-way for drainage and utilities.
- E. To make adequate provisions for curbs, gutters, storm and sanitary drainage facilities, walkways and other required public facilities.<sup>1</sup>

(Ord. 158, 3/9/1977)

**§22-102. Objectives.**

The subdivision and land development regulations set forth in this Chapter are made in accordance with the Comprehensive Plan of Northampton Township and are intended to achieve the following goals:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.
- B. To prevent one or more of the following: overcrowding of land; blight; danger and congestion in travel and transportation; and loss of health, life or property from fire, panic or other dangers.
- C. To assist orderly, efficient and integrated development of land; to provide for the coordination of existing streets and public utilities with new facilities; to provide for efficient and orderly extension of community services and facilities at minimum cost and maximum convenience; to ensure conformance of land

---

<sup>1</sup>Editor's Note: The preamble to this ordinance, which immediately preceded this Section, read as follows: "An ordinance of the Township of Northampton, Bucks County, Pennsylvania, adopted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act. No. 247, July 31, 1968, 53 P.S. §10101 *et seq.*, as amended, to be known as the "Subdivision and Land Development Ordinance," implementing the Comprehensive Plan of Northampton Township and the community development objectives contained therein and establishing regulations for the subdivision and development of property within said Township."

utilization with the Township Comprehensive Plan; and to secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance by subdividers and the Commission.

(*Ord. 158, 3/9/1977*)

**§22-103. Relationship to Comprehensive Plan.**

This Chapter is adopted to promote an orderly plan of development in accordance with the Northampton Township Comprehensive Plan.

(*Ord. 158, 3/9/1977*)

**§22-104. Compliance with Applicable Standards Required; Filing of Declaration Plan.**

1. From and after the effective date of this Chapter, any subdivision and/or land development plan submitted to Northampton Township shall be in conformity with this Chapter and all standards and specifications adopted as a part of this Chapter and shall comply fully with the existing zoning regulations applicable to the land [Chapter 27].

2. Any development consisting of townhouse units or multi-family dwellings in which one or more of the individual dwelling units will be under separate and independent ownership including, but not limited to, condominiums and the like, existing or proposed, shall require the filing of a declaration plan and other documents in accordance with the provisions of the Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.* [*Ord. 561*]

(*Ord. 158, 3/9/1977; as amended by Ord. 561, 4/25/2012*)

**§22-105. Interpretations.**

1. The captions used in this Chapter are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Chapter.

2. Whenever a defined term is used, whether with initial capitalization or not, it shall be deemed to be used as defined in this Chapter.

3. Whenever the regulations within this Chapter are at variance with other lawfully adopted rules, regulations, ordinances, restrictions or covenants, that which imposes the most restrictive requirement shall govern. The provisions of this Chapter shall be held to be the minimum requirements to meet the goals and objectives stated herein.

(*Ord. 158, 3/9/1977*)

## Part 2

### Definitions

#### §22-201. Word Usage.

1. For the purpose of this Chapter, certain terms and words are herein defined. Words used in the present tense include the future; the singular includes the plural, and the plural, the singular; the word “person” includes an individual, corporation, partnership, incorporated association or other similar entity.

2. The following definitions are frequently cross-referenced with other words of similar meaning. The term “Supervisors” shall always mean the “Board of Township Supervisors of Northampton Township.” The term “Planning Commission” shall always mean the “Planning Commission of Northampton Township.” The term “County Planning Commission” shall always mean the “Bucks County Planning Commission.” The term “municipality” or “Township” shall always mean the “Township of Northampton, Bucks County, Pennsylvania.”

(Ord. 158, 3/9/1977)

#### §22-202. Terms Defined.

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

*Accessible parking space*—a space with a surface slope not exceeding 1 to 50 (2 percent) in all directions, not less than 8 feet wide and not less than 18½ feet long, with an adjacent access aisle not less than 5 feet wide which is part of an accessible route of travel to a building or facility entrance. [Ord. 412]

*Accessible route*—a continuous, unobstructed path connecting all exterior accessible elements and spaces of a building or facility, including parking access aisles, curb ramps, crosswalks or vehicle ways, walks, ramps and lifts. [Ord. 412]

*Applicant*—a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

*Application for development*—every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. [Ord. 294]

*Block*—an area divided into lots and bounded by three or more streets.

*Buffer area*—a strip of land, a mound or berm planted and maintained in shrubs, bushes, trees, grass or other ground cover material and within which no structure or building shall be authorized except a wall or fence which meets Township requirements as contained in the Zoning Ordinance [Chapter 27]. (See also §22-615.6.D of this Chapter.)

*Building*—any structure having enclosing walls and a roof and requiring a permanent location on the land.

*Principal building*—the main building on a lot or any building that is not an accessory building.

*Accessory building*—a subordinate building, the use of which is customarily incidental to that of the main building and which is used for an accessory use and is located on the same lot.

*Building area*—the area of a lot within the building lines, bounded by the required yards. Where there is no required yard, then “building area” shall be the area of a lot bounded by the lot lines.

*Building coverage*—the area of a lot or parcel which is covered by main and/or accessory buildings.

*Building setback line*—a line parallel to the lot line a distance measured perpendicular therefrom as prescribed in the Zoning Ordinance [Chapter 27] for a required yard. Where there is no required yard, then the lot line shall be the building line.

*Building site or lot*—a single parcel of land occupied or intended to be occupied by a building or structure. A building site shall be synonymous with lot or parcel of land.

*Cartway or pavement*—the improved portion or paved portion of a street located between the right-of-way lines and generally used for vehicles.

*Clear-sight triangle*—an area of unobstructed vision at intersections, defined by lines of sight between points at a given distance from the intersection of street center lines.

*Comprehensive Plan*—the long-range Comprehensive Plan for the Township, prepared in accordance with the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

*Cul-de-sac, place or court*—a dead-end street with a vehicular turnaround at the dead end.

*Cut*—an excavation; the difference in vertical elevation between a point on the surface of original ground and a point on the final grade; or the material removed in excavation.

*Density*—a measure of the intensity of use of a parcel of land. It shall be expressed in dwelling units per acre. The measure is arrived at by dividing the number of dwelling units by the net site area. The term “net density” shall mean the maximum number of permitted dwelling units of a single type or in combination of dwelling unit types, where permitted, for any net site area.

*Developer*—any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

*Drainage*—see “storm drainage facility,” “swale” and “watercourse.”

*Driveway*—an improved surface for vehicular access to a lot or parcel of land.

*Dwelling*—any building or portion thereof which is designed for and/or occupied as, in whole or in part, a home or residence for one or more persons. It shall not be deemed to include hotels, boarding- or rooming houses, institutional homes and residence clubs.

*One-family dwelling*—a detached building occupied by one family only.

*Two-family dwellings*—a detached building occupied by two families only,



independently of each other, including:

*Double house*—a detached building containing two dwelling units attached side to side, with separate entrances and separated by an unpierced party wall.

*Duplex*—a detached building containing two dwelling units, one above the other, each having a separate entrance.

*Multi-family dwelling*—a building containing three or more separate dwelling units and not exceeding 35 feet in height.

*Townhouse unit or structure*—a multi-family dwelling consisting of at least three and not more than 10 townhouse dwellings that are attached side by side by an unpierced party wall which shall extend through the roof of the main structure. Such dwellings shall not be constructed as back-to-back units.

*Garden apartment dwelling unit or structure*—a multi-family dwelling with separate or common outside access contained in a structure having no less than three nor more than 20 such units per separate structure, with said structure not exceeding two stories, except that where due to unusual topographic conditions and under conditions of improved design, the Board of Township Supervisors may permit the use of three floors, all above or opening to grade, with no unit being more than one floor above a common entrance.

*Multiplex dwelling unit or structure*—a multi-family dwelling designed in a manner having one or more attached walls, not exceeding six such units per structure, with each unit being located upon and having separate outside access at ground level, and with no structure exceeding two stories.

*Patio-type dwelling unit*—a single-family detached dwelling for which one side lot may be substantially reduced or in which nonhabitable portions of such dwelling (garages, storage areas, etc.) may be joined at a common lot line, provided that the adjacent owner has perpetual access rights for all portions of his dwelling.

*Easement*—a right-of-way granted for the use of private land for a public or private purpose.

*Engineer*—a registered professional engineer licensed as such by the Commonwealth of Pennsylvania.

*Feeder roots*—the smallest roots of a tree, which are responsible for most of the absorption of nutrients into the tree. Most feeder roots are located within the top 12 inches of the soil. [Ord. 329]

*Fill*—any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; or the material used to make a fill.

*Floodplain or flood hazard area (or district)*—land within Northampton

Township adjoining any stream or adjoining any pond or lake adopted and/or designated by the Northampton Township Board of Supervisors as derived from:

(1) The Flood Insurance Rate Map (FIRM), Township of Northampton, Pennsylvania, prepared by the Federal Insurance Administration of the Federal Emergency Management Agency (FEMA), effective April 2, 2002, and any subsequent revisions.

(2) Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002.

(3) The Builders' Association Floodplain Analysis as approved by FEMA.

[Ord. 501]

*Floodplain soil*—soil in a current floodplain that has a flooding occurrence greater than none. Floodplain soils shall be the following soils so classified by the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District dated September 2002:

- (1) Bowmansville-Knauers silt loam (Bo).
- (2) Delaware loam (DaA, DaB).
- (3) Fluvaquents (Fl).
- (4) Hatboro silt loam (Ha).
- (5) Holly silt loam (Ho).
- (6) Linden loam (Lt).
- (7) Nanticoke-Hatboro silt loam (Na).
- (8) Psammments (Ps).
- (9) Rowland silt loam (Ro).
- (10) Urban land, occasionally flooded (Ufw).
- (11) Urban land, Delaware complex (ULB).

[Ord. 501]

*Grade*—

*Existing*—the average grade of the ground surface prior to any disturbing of the soil.

*New or finished*—the resulting level of the ground after the final grading where there is a cut and after normal settlement where there is a fill.

*Impervious surface*—surfaces that do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this

definition will also be classified as impervious surfaces.

*Impervious surface ratio*—a measure of the intensity of use of a parcel of land. It is measured by dividing the total area of all impervious surfaces within the site by the net site area.

*Improvements*—those physical additions, installations and changes required, such as streets, curbs, sidewalks, parking areas, water mains, streetlights, sewers, drainage facilities, public utilities, recreational areas and any other physical changes deemed appropriate by the township, to render land suitable for the use proposed.

*Land development*—any of the following activities:

(1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure.

(b) The division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

[Ord. 452]

*Landowner*—the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase whether or not such option or contract is subject to any condition; a lessee if he is authorized under the lease to exercise the rights of the landowner; or other persons having a proprietary interest in land.

*Lot*—any tract or parcel of land held in single or separate ownership which is or may be occupied by a main building and its accessory uses or buildings, if any, together with the open space required by the Zoning Ordinance [Chapter 27]. No part of a lot which is also a part of a public street or alley shall be included in determining the area of the lot. A lot, for the purpose of this Chapter, may or may not coincide with a lot of record.

*Corner lot*—a lot abutting upon two or more streets at their points of intersection, or a lot with two or more connected sides which abut upon a street or streets, the interior angle being not more than 135 degrees. In all districts for all uses, including cluster-designed subdivisions, corner lots shall have full, front building setback lines from both streets and shall not be less than 120 feet along any building setback line.

*Interior lot*—a lot with side lot lines which do not abut a street.

*Through lot*—an interior lot, the front line and rear line of which abut upon streets.

*Reverse frontage lot*—any lot in which both the front lot line and rear lot line abut upon streets or state highways; a through lot. In any such case, the rear building line shall be established 75 feet from the center line of the roadway and parallel to that center line. [Ord. 209]

*Multi-road frontage lot*—for a lot which has three or more road frontages, two frontages will be considered front yards for the purposes of setback calculations, and additional frontages will be calculated as specified in the definition for “reverse frontage lot” above. [Ord. 209]

*Lot area*—the area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Chapter, excluding any area within an existing or proposed street right-of-way or any area required as open space under this Chapter, and including the area of any easements.

*Average lot area*—the average lot area for all lots within a cluster subdivision, determined by dividing the aggregate lot areas by the total number of proposed dwelling units.

*Lot area per dwelling unit*—the quotient obtained by dividing the total lot area by the total number of dwelling units to be located on such lot, calculated to the nearest whole number.

*Buildable lot area*—the portion of a lot bounded by required yards as set forth in Figure 22-2-1 of this Chapter.

*Lot depth*—the horizontal distance between the front lot line and the rear lot line, measured along the median of the side lot lines.

*Lot line*—

*Front*—the line abutting the street. In the case of lots abutting more than one street in any of the residential districts only, dwellings shall front on the minor or lesser street. Before a lot can be considered to abut a street, it must have at least 30 feet of frontage on said street as set forth in Figure 22-2-1 of this Chapter.

*Side*—any lot boundary line not a front lot line or a rear lot line.

*Rear*—a lot line which is opposite and most distant from the front lot line, or, in the case of irregular or triangular lots, a line at least 20 feet in length within the lot, parallel to and at the maximum distance from the front line.

*Lot width*—the horizontal distance between side lot lines as set forth in Figure 22-2-1 of this Chapter.

*Minor land development*—any change or improvement to a previously approved land development plan that involves an addition or increase to an existing building of more than 10 percent of the total floor area or 250 square feet of floor area, whichever is less, or involves the construction of a nonresidential accessory building with more than 145 square feet of floor area. [Ord. 452]

*Mobile home*—a transportable, single-family dwelling, intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which has been approved and certified at the factory by the building officials and code administrators, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. It does not include recreational vehicles or travel trailers. [Ord. 294]

*Mobile home lot*—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection

thereon of a single mobile home dwelling. [Ord. 294]

*Mobile home park*—a parcel or contiguous parcels of land which have been so designated and improved that they contain two or more mobile home lots for the placement thereon of mobile homes. [Ord. 294]

*Monument*—a stone or concrete marker having a flat top with a minimum diameter of 4 inches, containing a copper or brass cap or plug, steel reinforced with one No. 4 rod and having a minimum length of 24 inches. The bottom, sides or radius shall be at least 2 inches greater than the top to minimize movement caused by frost. [Ord. 404]

*Net site area*—the site area less the area of any existing streets and of any streets located in the site area which are to be dedicated to the Township and less any portion of the site area which is located in the floodplain or any portion which includes steep slopes or is unusable for any other reason.

*Open space*—land used for recreation, resources protection, amenities or buffers, which is freely accessible to all residents of a particular development or subdivision or, if dedicated and accepted by the Township, is accessible to all residents of the Township, as protected by the provisions of this Chapter and the Zoning Ordinance [Chapter 27], to ensure that it remains in such uses. Such open space may include improvements and impervious surface coverage to the extent that such is an element of the particular open space use and serves a function with regard to the particular open space, whether as parking, tennis courts or service roads. Open space does not include improvements or impervious surface coverage except where such specifically serves the open space use as noted; and further, such does not include the required yards or lots of dwelling units or roads and parking areas not associated directly with the open space use. Open space shall be left in a natural state, except in the case of specific authorized uses of open space which may require impervious surface coverage. Such impervious surfaces shall not be included in the calculation of the impervious surface ratio. Where open space is mandated by this Chapter, not more than 60 percent of such required open space shall be comprised of a floodplain or flood hazard area; detention basin area; steep slope area (not to exceed 8 percent); area with a high water table; marsh area; area with shallow bedrock. [Ord. 209]

*Open space ratio*—a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the site area.

*Plan*—

*Final*—a complete and exact map or plan of a subdivision or land development, including all required supplementary data, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

*Preliminary*—a tentative map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

*Sketch*—a very informal sketch prepared by a developer for presentation of concepts or ideas prior to initiating a preliminary plan. A sketch plan does not

constitute an official submission to the Township.

*Plan of record*—the copy of the final plan which contains the required original endorsements and which is recorded with the Bucks County Recorder of Deeds.

*Pruning*—the removal of branches from a tree using proper tools and approved cutting techniques. [Ord. 329]

*Public*—of or pertaining to any building, structure, use or activity belonging to or affecting any duly authorized governmental body.

*Right-of-way*—

*Street*—the total extent of land reserved or dedicated as a street or alley for public or private purpose.

*Utility*—the total extent of land reserved for a declared or recorded right-of-way for public or private utility purposes.

*Sanitary sewage disposal, public*—a sanitary sewage collection system, managed and operated by a public authority, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

*Shallow bedrock*—areas where existing public records or field surveys indicate bedrock at depths of 4 feet or less below natural grade.

*Site area*—all land area within the site as defined in the deed or deeds. Actual area shall be from a survey rather than from a deed description. “Site area” shall not include any previously dedicated public right-of-way.

*Site plan*—a plan meeting the requirements of this Chapter for land developments or as required by the Township Zoning Ordinance [Chapter 27].

*Slope*—the face of an embankment, fill or cut section or any ground whose surface makes an angle with the plane of the horizon. “Slope” is expressed as a percentage, based upon the vertical difference in feet per 100 feet of horizontal distance.

*Steep slopes*—areas where the average slope exceeds 15 percent and which, because of this slope, are subject to high rates of stormwater runoff and, therefore, erosion.

*Storm drainage facility*—any ditch, gutter, pipe, culvert, swale, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision, land area or contiguous land areas.

*Street*—a public or private right-of-way deeded or dedicated for public use, 50 feet or more in width, which provides a means of access for vehicles or pedestrians. The term “street” shall include “road,” “highway” and “thoroughfare.” Existing streets of less than 50 feet in width which existed prior to this Chapter shall be recognized as a legal street. (See also “right-of-way.”)

*Major*—one of two streets on which the majority of existing dwellings front, designed to carry a greater amount of vehicular traffic than the other street.

*Minor*—one of two streets on which the minority of existing dwellings front, designed to carry the lesser amount of vehicular traffic than the other street.

*Major arterial*—a street or route specifically designed to accommodate high

traffic flow and carrying generally a high percentage of through traffic.

*Major collector*—a street or route which serves as a connecting facility usually between two major arterial routes and having two or more moving lanes.

*Local minor collector*—a street which serves the function of moving locally generated traffic from the interiors of neighborhood areas to the major collector streets and arterial streets.

*Residential*—a street designed to serve individual residential parcels and not generally carrying through traffic.

*Structure*—anything built, constructed or erected which requires location on the ground or attachment to something located on the land.

*Subdivider*—any individual, copartnership or corporation (or agent authorized thereby) which undertakes the subdivision of land, as defined herein, as the owner, lessee or equitable owner (or agent authorized thereby) or the land being subdivided.

*Subdivision*—

*Major*—the division of a lot, tract or parcel of land or part thereof into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

*Minor*—the division of a single lot, tract or parcel of land or part thereof into two lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the proposed lots, tracts or parcels of land thereby created have frontage on an approved public street; and, provided further, that there is not created by the subdivision any new street or the need for the required improvements, easement of access or the need therefor.

*Cluster-designed*—a method of developing land for residential use utilizing certain performance standards including, but not limited to, provision for an open space ratio, density, impervious surface ratio and other standards, in addition to certain dimensional requirements as set forth in the Township Zoning Ordinance [Chapter 27].

[Ord. 294]

*Surveyor*—a registered surveyor licensed as such by the Commonwealth of Pennsylvania.

*Swale*—a low-lying stretch of land which gathers or carries surface water runoff.

*Township arborist*—a landscape architect, registered by the Commonwealth of Pennsylvania and designated by the Board of Supervisors to perform the duties of

arborist as herein specified. [Ord. 329]

*Tree*—any living, woody plant having a diameter of three inches or more at its thickest point, its root system and the environment within the area defined by the outermost reaches of its branches. [Ord. 329]

*Tree dripline*—a boundary line marking the outer edges of the branches of a tree. [Ord. 329]

*Tree Protection Zone (TPZ)*—an area 15 feet radially from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater, in which no construction activity shall occur. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees. [Ord. 329]

*Uniformity ratio (streetlighting)*—the term normally applied to streetlighting uniformity by the Illuminating Engineering Society. Given a ratio, e.g., of 3 to 1, it means that the point of lowest footcandle measurement cannot be less than  $\frac{1}{3}$  of the specified minimum average footcandle level established in Part 6 of this Chapter (see §22-617.3 of this Chapter).

*Watercourse*—storm sewers, lakes, dammed water, ponds, springs and all other bodies or channels of conveyance of surface and underground water.

*Water distribution system, public*—a system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

*Way or lane*—a deeded or dedicated public or private right-of-way sometimes used as a secondary vehicular access to land or lot.

*Woodlands*—any area comprising one or more acres of wooded land where largest trees measure at least six inches in diameter 4.5 feet from the ground, or a grove of trees forming one canopy where 10 or more trees measure at least 10 inches in diameter 4.5 feet from the ground. [Ord. 329]

*Yard*—an open space at grade between a yard line and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. (See Figure 22-2-1 of this Chapter.)

*Required yard*—a yard between the lot line and the building line, of the dimensions required by the Zoning Ordinance [Chapter 27].

*Required front yard*—a yard across the full width of the lot, extending from the front lot line to the front building line as prescribed in the Zoning Ordinance [Chapter 27].

*Required side yard*—a yard between the required front and rear yards, extending from the side line of the lot to the side building lines as prescribed in the Zoning Ordinance [Chapter 27].

*Required rear yard*—a yard across the full width of the lot, extending from the rear lot line to the rear building line as prescribed in the Zoning Ordinance [Chapter 27].

*Zoning Ordinance—Ord. 160* adopted by the Board of Township Supervisors on April 6, 1977, and such amendments thereto as are adopted from time to time thereafter [Chapter 27].



(*Ord. 158*, 3/9/1977; as amended by *Ord. 209*, 5/9/1984; by *Ord. 294*, 8/9/1989; by *Ord. 329*, 5/8/1991; by *Ord. 350*, 9/9/1992; by *Ord. 356*, 1/4/1993; by *Ord. 404*, 1/24/1996; by *Ord. 412*, 10/9/1996; by *Ord. 442*, 12/9/1998; by *Ord. 443*, 12/9/1998; by *Ord. 452*, 5/26/1999; by *Ord. 501*, 12/8/2004; and by *Ord. 561*, 4/25/2012)



**Part 3****Procedures and Requirements****§22-301. General Requirements.**

Northampton Township requires the submission of the following for any subdivision and for any land development plan, unless noted below:

A. *Sketch Plan.* The purpose of this optional plan is to provide an opportunity for the applicant/developer and the Township Planning Commission to review the intended subdivision or land development plan prior to preparation of extensive engineering drawings and to allow for comments and recommended modifications prior to preparation of a preliminary plan. A sketch plan is not required for any subdivision and shall not constitute an official submission to the Township.

B. *Preliminary Plan.* A preliminary map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

C. *Final Plan.* A complete and exact map or plan of a subdivision or land development, including all required supplementary data, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

D. *Plan of Record.* The copy of the final plan which contains the required original endorsements and which is recorded with the Bucks County Recorder of Deeds.

(Ord. 158, 3/9/1977)

**§22-302. Exemptions.**

1. The following land developments shall be exempted from these regulations:

A. The conversion of an existing single-family detached dwelling or two-family dwelling into not more than three residential units, unless such units are intended to be a condominium.

B. The addition of buildings accessory to a single-family detached dwelling or townhouse dwelling, or accessory farm buildings.

C. Any addition or increase to an existing building of no more than 10 percent of the total floor area or 250 square feet of floor area, either initially or cumulatively, whichever is less.

D. A nonresidential accessory building with 145 square feet or less of floor area. Such building shall not displace parking facilities required for initial land development, and only one such building shall be permitted per parcel.

2. To ensure compliance with the criteria for exemption, no owner shall effect a subdivision or land development, unless the owner receives a certification of exemption. The Zoning Officer shall review the request for exemption. If satisfied that the above criteria are met, the Zoning Officer shall issue a written certification of exemption. If the Zoning Officer finds that any of the criteria are not met, the Zoning Officer shall

notify the owner that the proposed subdivision or land development is required to comply with all of the procedures and requirements of this Chapter.

(*Ord. 158, 3/9/1977; as added by Ord. 452, 5/26/1999*)

**§22-303. Sketch Plans.**

1. As noted in §22-301.A, the sketch plan is an optional, informal document submitted for review by the Township Planning Commission. The sketch plan shall generally contain the location of property lines, existing physical features, approximate topography from United States Coast and Geodetic Survey data, all existing and proposed rights-of-way and a general outline of the intended subdivision or land development scheme.

2. The sketch plan may be submitted to the township and, after the required fees have been paid, shall be transmitted to the Planning Commission.

3. A minimum of 10 prints of the sketch plan shall be submitted to the Planning Commission for review by its members. It is not necessary to submit a copy of the sketch plan to the Bucks County Planning Commission.

(*Ord. 158, 3/9/1977*)

**§22-304. Preliminary Plans.**

1. *Procedures.*

A. The applicant/developer shall submit to the office of the Township Manager:

(1) One copy of the application for review of the preliminary subdivision plan or the preliminary land development plan.

(2) One Bucks County Planning Commission application form.

(3) Ten complete sets of the preliminary plan that note the owner and equitable owner (if applicable).

(4) Eight copies of the plan limited to proposed site, grading, drainage, and landscaping.

(5) Three site plans coupled with three utility plans.

(6) Five site plans.

(7) Five complete copies of the sewage facilities planning module, or a letter from the Pennsylvania Department of Environmental Protection (DEP) stating that it is unnecessary.

(8) One scaled-down print of the plan 8½ inches by 11 inches.

(9) Six copies of the recorded deed of the property.

(10) Five erosion control booklets (if applicable).

B. If the submission is incomplete, the Township Manager shall notify the applicant within 7 days and indicate the deficiencies. If the submission is complete in all respects, including the payment of all fees, then the Zoning Officer shall issue a dated receipt for the preliminary plan to the applicant/developer, with copies of said receipt being forwarded immediately to the Township Manager, Board of Supervisors and Planning Commission.

C. Immediately, or as soon thereafter as is possible, upon acceptance of the preliminary plan and any attachments thereto, the Zoning Officer shall make microfilm records of the preliminary plan, in accordance with township policy.

D. Upon the discretion of the office of the Township Manager, the above-listed documents may be distributed to the following:

- (1) Township Planning Commission.
- (2) Board of Supervisors.
- (3) Township Engineer.
- (4) Bucks County Planning Commission.
- (5) Township Planner.
- (6) Township Park and Recreation Board.
- (7) Municipal Authority.
- (8) Fire Marshal.
- (9) Council Rock School District.
- (10) Township Historical Commission.
- (11) Township staff.
- (12) Township Arborist, provided that there are existing trees that are proposed to be protected or saved.

[Ord. 329]

2. *Review.*

A. *Review by Township Engineer.* The Township Engineer shall review said plan, including all engineering considerations therein, and shall prepare a report addressed to the Township Planning Commission and to the Township Board of Supervisors with such findings.

B. *Review by Township Planning Consultant.* If the preliminary plan requires review by the Township Planning Consultant or Township Planner in relation to the Comprehensive Plan of the Township, the Township Manager, Zoning Officer or Chairman of the Planning Commission may direct that such a review and report be prepared and submitted to the Planning Commission.

C. *Review by Township Planning Commission.*

(1) The Township Planning Commission shall, at a regularly scheduled meeting, place the preliminary plan upon its agenda for review or for subsequent review if additional review time is necessary. In the review and analysis of the preliminary plan, the Planning Commission may, at its option, refer special technical or legal questions to the Township Solicitor, Township Engineer or Township Planning Consultant for specific advice on such technical matters. The applicant/developer is encouraged to attend any public meeting of the Planning Commission during which the preliminary plan is to be reviewed.

(2) The Township Planning Commission shall prepare and submit in writing to the Board of Township Supervisors its review and recommendations for the preliminary plan in consideration of the requirements of this Chapter and any reports, engineering data, technical or legal information received. The

review of the preliminary plan by the Bucks County Planning Commission shall be attached to the report forwarded to the Board of Supervisors.

*D. Review and Action by Township Board of Supervisors.*

(1) Upon receipt of the preliminary plan report from the Township Planning Commission, the Township Board of Supervisors shall schedule the preliminary plan on the agenda of a regular meeting. The Board of Township Supervisors shall render its decision and communicate this decision to the applicant/developer not later than that time required by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, as may be amended from time to time. [Ord. 209]

(2) The Board of Township Supervisors shall make all final decisions regarding approval, disapproval or conditional approval of any preliminary plan. In its evaluations, the Board of Supervisors shall give consideration to this Chapter, the Township Planning Commission report, the Bucks County Planning Commission report, the Township Engineer's report and any other pertinent data related thereto. The decision of the Board of Supervisors shall be in writing and shall be delivered to the applicant/developer personally or by registered mail within 15 days of such decision, or within such time limits as may be required by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* Any conditions imposed in the grant of approval shall be accepted or rejected by the applicant/developer, in writing, to be filed with the Township within 10 calendar days of receipt of the Board's written decision. Should the applicant fail to accept or reject such conditions within such time period, approval of the preliminary plan shall be automatically rescinded. [Ord. 351]

(3) If the preliminary plan is not approved, the denial shall set forth the specific reasons for disapproval and the manner in which the application can be corrected or modified to obtain the required approval. If the preliminary plan is approved or approved with conditions, the written approval shall notify the applicant/developer of any conditions of approval and that he may submit a final subdivision plan or final land development plan. Said final plan may be submitted in its entirety or in sections, provided that approved preliminary plans for which a final plan has not been received shall become null and void 5 years after the date of preliminary plan approval. [Ord. 372]

3. *Public Hearing.* The Board of Township Supervisors may, at its discretion, schedule, advertise and hold a public hearing for any preliminary subdivision plan submitted under this Chapter.

4. *Time Extensions.*

A. In many complex major subdivisions and land development plans, there is frequently a need to extend the 90-day period prescribed by law for rendering a decision, particularly when a public hearing is deemed desirable and when technical changes to the plan are required. Such an extension may be agreed upon by the Township and the applicant/developer, provided that such agreement is in writing and is approved by all parties.

[Ord. 328]

B. When an applicant voluntarily submits a substantially revised plan

because of deficiencies in the original plan or otherwise, the Township shall have an additional 90-day period from the date of the filing of the revised plan to render a decision. Any revised plan submission shall be accompanied by a Township application form to be filled out and executed by the applicant. [Ord. 372]

5. *Submission Requirements for Major Subdivision and Land Development Plans.* Each preliminary plan shall show the following or be accompanied by such supplementary information:

A. The name and address of the applicant/developer and the name and address of the legal owner; the proposed legal name of the major subdivision as it is to be recorded or the proposed name of the land development; and the name and address of the registered professional engineer, land surveyor or registered architect responsible for preparation of the plan.

B. A location map or key map showing the location of the site or portion of the site to be subdivided or developed; all property lines, streets, roads and other subdivisions or land development within 2,000 feet of all boundaries of the site; zoning within such areas; and tax map parcel numbers.

C. A full data column which shall include the following: acreage of the site; acreage of the site by zoning district; front yard, side yard, rear yard, lot width and minimum lot area requirements and standards proposed; dwelling units by type permitted under zoning and proposed dwelling units by type; permitted density and proposed density by type of dwelling unit; combined overall dwelling unit density for the site; area for easements, streets and open space by type, i.e., public or private; proposed square footage or area of nonresidential uses; and required and proposed off-street parking and loading spaces for intended uses.

D. The proposed method of providing public or private water supply and sanitary sewage disposal methods, and written certification from the Municipal Authority showing satisfactory provision of the above at the time of submission of the final plan.

E. Existing physical or other features including, but not limited to, the following:

(1) A physical survey of the parcel to be subdivided or developed, showing all courses in degrees, minutes and seconds; distances to hundredths of a foot; physical area; monuments; existing easements and rights-of-way.

(2) Contours of the entire tract at not less than 2-foot intervals based on United States Coast and Geodetic Survey datum.

(3) The location of, names and widths of, streets, curbs and pavement, public or private; all property lines; and names of owners of tracts or parcels located within 200 feet of the site.

(4) All storm drainage, sanitary sewer and public water supply lines or facilities within 400 feet of the site, and ownership or maintenance responsibilities for the same.

(5) All existing buildings or outbuildings to remain or to be removed; tree stands, ponds or water bodies; and the location of the 100-year flood line as determined under the provisions of the Zoning Ordinance [Chapter 27].

F. The preliminary plan sheets shall be drawn to an appropriate engineering

scale so that the maximum sheet size should not exceed 40 inches by 54 inches. All sheets submitted shall be consecutively numbered and shall be of the same size, where possible. Appropriate sheets shall contain required signature blocks. All sheets shall show the scale, date prepared, North point, appropriate legends by symbols or words, any notes explaining features of the sheet or plan and appropriate blocks for revisions to each such sheet.

G. The proposed layout of the major subdivision or land development area, including, where appropriate for either, the following:

(1) The layout of streets, including width of the streets, alleys and crosswalks, and soils data.

(2) The layout and proposed dimensions of lots.

(3) The arrangement of buildings, fire zones and parking/loading areas in commercial and multi-family developments, with all necessary dimensions.

(4) A BMP operations and maintenance plan in accordance with the requirements of the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23]. [Ord. 501]

(5) Tentative typical cross sections and center-line profiles for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.

(6) Lots for which other than a residential use is intended.

(7) A landscaping plan, on a separate sheet, showing:

(a) Existing and proposed grades for the entire site.

(b) Existing vegetation, including;

1) Trunk locations.

2) Tree calipers.

3) Existing vegetation to be preserved, including:

a) *Trunk Locations*. When groups of trees are to be preserved, only the locations of those trees on the perimeter shall be required.

b) *Dripline Locations*. When groups of trees are to be preserved, only the locations of those trees on the perimeter shall be required.

c) Tree protection zones.

d) Locations and construction details of proposed retaining walls.

e) Any special soil and fill mediums, if applicable.

4) A proposed planting schedule indicating the locations, species and sizes of plantings as required by §22-615.6.

[Ord. 329]

(8) For subdivisions, the total area, number of lots, lot area for each lot and length of proposed streets shall be noted on the plan, and each residential and nonresidential lot shall be numbered.



(9) Building setback lines, established by zoning [Chapter 27] or other ordinances.

(10) Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, access or other reasons.

(11) Where the preliminary plan covers only a part of the applicant's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.

(12) Details of proposed ingress and egress at points of intersection with existing Township or State roads, including a notation on the plan showing the horizontal sight distance available at each such intersection for vehicles leaving the site.

(13) Proposed and existing lighting fixtures at identified external intersections and lighting fixtures for internal parking areas and other public and quasi-public areas including, but not limited to:

(a) A detailed 10-foot by 10-foot grid showing the horizontal maintained footcandle levels at grade, to the boundary of the site or past the boundary until the illumination values reach 0.0 footcandles.

(b) The minimum, average and maximum maintained illumination levels for the areas being illuminated, e.g., a parking lot, or for a statistical area that is typical of the total area. These values are to demonstrate compliance with the intensity and uniformity requirements of this ordinance.

(c) Description of existing and proposed equipment, including:

1) The mounted height from the lowest point of the fixture to the finished grade.

2) Details of how the fixtures are to be mounted.

3) Details of how lighting will be shielded and the angle of the shielding, when required.

4) Details of any building or canopy mounted lighting showing how the technical requirements of §27-1111 of the Zoning Ordinance [Chapter 27] have been met.

[Ord. 464]

(14) The open space requirements for all subdivisions and land developments are contained in the Northampton Township Zoning Ordinance [Chapter 27], as amended, and such requirements shall be reflected on any preliminary plan submitted to the Township.

H. Additional information required for cluster-designed subdivisions, as permitted under Part 9 of the Northampton Township Zoning Ordinance [Chapter 27], shall be as follows:

(1) A clear designation of the amount and type of open space, public or private, proposed shall be shown, including the open space ratio in the data column. Ownership, administration and maintenance of such open space shall be clearly shown on the preliminary plan or supporting documents.

(2) All impervious surface areas shall be calculated and/or shown on the

preliminary plan, including the impervious surface ratio.

(3) Steep slope areas shall be clearly shown, and the percentage of slope shall be noted on the plan.

(4) Lots having physical areas less than the minimum average lot shall be noted by symbol or in tabular form on the plan.

I. *Traffic Impact Study.*

(1) For any major subdivision involving more than 50 dwelling units or any land development plan involving commercial or industrial uses exceeding 25,000 square feet of gross leasable floor area, a traffic impact study shall be prepared and submitted simultaneously with the preliminary plan. As a minimum, this study shall include the following:

(a) A calculation of one-way vehicle trips to be generated by each use (single-family units, townhouses, commercial uses, industrial uses, etc.) and a combination of all such trips generated within the limits of the property, expressed in terms of average daily traffic (ADT) and daily peak hour flow.

(b) A reasonable assignment of such combined daily and peak hour trips generated to each point of ingress and egress proposed, including the directional split of such trips.

(c) A measured or calculated flow of present traffic on existing Township or State roads at the point of proposed intersection with new streets or drives outlined in the preliminary plan. This flow shall be expressed in terms of average daily traffic (ADT) and peak hour traffic.

(d) A statement, drawing or exhibit superimposing traffic to be generated at the time of full development by the uses shown on the preliminary plan upon present traffic projected to the date of plan completion, as expressed in terms of ADT and peak hour flow.

(e) Conclusions as to the impact of the proposed major subdivision or land development plan on existing and future traffic, with specific notation as to the level of service on existing township or state roads after full development. (Refer to 1965 Highway Capacity Manual, Highway Research Board, Report No. 87, for level of service.)

(2) The traffic impact conclusions and intersection analyses shall be based on maximum peak hour impact at all intersections which would be substantially affected by the addition of newly generated traffic. The report shall outline any required street, road or highway improvements required to sustain a Level of Service C on streets affected by the preliminary plan development.

J. A written request for modification of any provision of this Chapter because of peculiar conditions pertaining to the land, stating in full the grounds and facts of unreasonableness or undue hardship on which the request is based or when an alternative standard can be demonstrated to provide equal or better results. [Ord. 294]

(Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; by Ord. 294, 8/9/1989; by Ord. 328, 4/11/1991; by Ord. 329, 5/8/1991; by Ord. 351, 10/14/1992; by Ord. 372, 10/13/1993; by Ord. 464, 10/11/2000; and by Ord. 501, 12/8/2004)

**§22-305. Final Plans.**

1. *Procedures.* The review of final plans shall be identical to the procedures outlined in §22-304.1 and .2 for preliminary plan review, except as follows:

A. Any changes, conditions or modifications noted at the time of approval of the preliminary plan shall be incorporated on the final plan.

B. After review of the final plan and upon certification by the Township Engineer that all changes required as a condition of the final plan approval have been made, the applicant/developer shall submit record plans as specified in §22-306 of this Chapter. [Ord. 209]

C. In accordance with the provisions of §509 of the Municipalities Planning Code, 53 P.S. §10509, a final plan shall not be signed or recorded by the Board of Township Supervisors until the Township has received a corporate bond, performance bond or other security acceptable to the Township in an amount equal to that as outlined by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* The Township Solicitor shall review and advise the Board as to the acceptability of such security. The Township Engineer shall be responsible for preparing cost estimates for all improvements required in the final plan or portion thereof being approved based upon the quantities and items of construction supplied by the applicant's engineer. [Ord. 209]

2. Submission requirements for major subdivision and land development plans. The final plan submission requirements shall be identical to the preliminary plan submission requirements outlined in §22-304.5, except that all data shall be in final form and the following additional information shall be required:

A. Construction and improvement drawings in final detail for drainage; street construction; grading; landscaping; lighting, where required; cable television lines; erosion controls; water supply and fire hydrants; sanitary sewers; and appurtenances. Plans, profiles and cross-sections shall be included. [Ord. 388]

B. Evidence of approval of the BMP operations and maintenance plan and the required permits, as received from the Pennsylvania Department of Environmental Protection, shall be submitted to the Township. In the event that there is any required change by the Department of Environmental Protection of said plans, the Township Engineer shall be so notified, in writing, and a complete resubmission of the final plan shall be required. [Ord. 501]

C. Open space maintenance agreements and agreements related to any nonprofit association shall be submitted to and approved by the Township Solicitor as a condition of final plan approval.

D. Forms for petition or dedication, if any, may be obtained from the Township Manager's office.

E. For subdivisions and land developments provided by means other than private wells owned and maintained by individual lot owners, evidence that water will be supplied by a certified public utility, by a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility shall be provided. A copy of a certificate of public convenience from the Pennsylvania Public Utilities Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question shall be acceptable

evidence. [Ord. 294]

(Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; by Ord. 294, 8/9/1989; by Ord. 388, 10/12/1994; and by Ord. 501, 12/8/2004)

#### **§22-306. Record Plans.**

1. The record plan shall be a clear and legible black-line print or original on white linen. Three such linens and one paper print, being an exact duplicate of the approved final plan, shall be submitted. The record plan shall show the following:

- A. The seals and signature of the professional who prepared and approved the plan.
- B. Corporate seals, where required.
- C. Notarized statement of the owner's intent.
- D. The Northampton Township Seal.
- E. Certification of ownership and desire to record the plan.
- F. The required signatures of township and Township Planning Commission officials, including the Township Engineer.
- G. Additional certifications as may be required for offers of dedication, guaranties and warranties.

[Ord. 209]

- H. Certification by the surveyor or engineer as to the accuracy of the plan. [Ord. 294]

I. Certification by the Bucks County Planning Commission of its review of the plan. Said certification must include the signature of the Executive Director of the Bucks County Planning Commission or his designate, indicating that the subdivision or land development was reviewed by the Bucks County Planning Commission. [Ord. 294]

2. The record plan shall be filed in the office of the Recorder of Deeds, Bucks County, Pennsylvania, within 90 days of final plan approval.

(Ord. 158, 3/9/1977; as amended by Ord. 209, 5/9/1984; and by Ord. 294, 8/9/1989)

#### **§22-307. Minor Subdivisions.**

A minor subdivision is defined in §22-202 of this Chapter. Minor subdivisions require a simplified procedure and modified submission requirements. After the effective date of this Chapter, only one minor subdivision will be permitted over any period of time for any parcel within the Township. If, under prior ordinances or regulations, three minor subdivisions have been approved by the Township for an original tract of land up to the effective date of this Chapter, no additional minor subdivisions will be accepted or approved by the Township.

##### **A. Procedure.**

(1) No sketch plan submission is suggested for a minor subdivision. A final plan is the record plan for a minor subdivision. The preliminary minor subdivision plan is submitted, processed, reviewed and acted upon in the identical manner as a preliminary major subdivision plan, as outlined in §22-

304.1 and .2 this Chapter.

(2) Approval, conditional approval or denial of approval by the Board of Township Supervisors for any minor subdivision plan shall be identical to procedures outlined in §22-304.2 for major subdivisions.

(3) The final, and record, plan shall contain all changes, modifications, notations and agreements required by the Board of Township Supervisors at the time of preliminary plan approval. In addition, the certifications and signatures required for recording shall be shown on the final plan. The final plan shall be processed in an identical manner as required in §§22-305.1 and 22-306.1 for final and record plans.

B. *Submission Requirements.* Each minor subdivision plan, preliminary and final, shall contain the following:

(1) The name and address of the owner and the registered professional engineer or surveyor responsible for the plan; a key map showing location and existing zoning.

(2) A physical survey of the portion of the tract being subdivided, with courses in degrees, minutes and seconds and distances to hundredths of a foot and showing any easements, curblines or rights-of-way and the abutting street or road; two-foot contour intervals; and north point.

(3) Existing buildings to remain or to be removed; tree stands, ponds, water bodies and, if applicable, the floodplain or flood hazard line; and soils data for the parcel.

(4) The proposed division of land; building setback lines; acreage of the lot(s) and proposed easements for access, drainage or other purposes.

(5) Proposed driveway locations, if any, and proposed new curblines.

(6) Prior lots approved under minor subdivision procedures from 1962 to the present date.

(Ord. 158, 3/9/1977)

#### **§22-308. Minor Land Development.**

1. A minor land development is defined in §22-202 of this Chapter.

2. *Procedure.* Minor land developments require a simplified review procedure and modified submission requirements.

A. The as-built plans for the original land development plan, as recorded or as approved in the field by the Township Engineer, shall be presented with the inclusion of additional information on proposed changes and/or modifications. These changes and/or modifications shall include, but not be limited to, the relocation or addition of parking facilities, additions of accessory buildings and additions or alterations to the primary building or structure.

B. Prior to minor land development plan approval, the owner/applicant will file with the Township Manager's office at least 14 print copies of the plan, prepared by a registered professional engineer or surveyor, showing all changes as required in paragraph .A hereof; and one scaled-down print, 8½ inches by 11 inches, of the aforesaid plan. [Ord. 404]

C. The plan shall be reviewed by the Township Engineer, Zoning Officer and then the Board of Supervisors. [Ord. 443]

D. Upon approval by the Board of Supervisors, a linen plan shall be recorded. (Ord. 158, 3/9/1977; as added by Ord. 350, 9/9/1992; and amended by Ord. 404, 1/24/1996; and by Ord. 443, 12/9/1998)

#### **§22-309. Fees.**

A fee shall be required for processing and reviewing any sketch plan, preliminary or final subdivision plan, including a minor subdivision plan. Fees are also required for processing and reviewing both preliminary and final land development plans. The fees shall be paid by the applicant/developer at the time of filing each such plan. The fee schedule for all plans submitted under this Chapter shall be adopted by resolution of the Board of Township Supervisors and may be amended from time to time.

(Ord. 158, 3/9/1977)

#### **§22-310. Grading Plan.**

Prior to the issuance of building permits within any subdivision or land development, an individual lot or parcel grading plan meeting the requirements of the Uniform Construction Code, as amended [Chapter 5, Part 1], shall be required.

(Ord. 158, 3/9/1977; as amended by Ord. 211, 5/9/1984, §118-15)

#### **§22-311. As-Built Plans.**

Prior to the final release of any guaranty required by §22-404.4, the owner shall furnish to the Township complete as-built drawings of all improvements constructed within any subdivision or land development, showing the precise locations and details of all such improvements required by this Chapter or as required by the Board of Supervisors at the time of final plan approval. The Township Engineer shall approve such as-built plans prior to acceptance by the Township.

(Ord. 158, 3/9/1977)

#### **§22-312. Mobile Home Parks.**

A mobile home park, as defined in the Zoning Ordinance [Chapter 27], shall in all cases be submitted to the Township as a land development plan in accordance with the following:

A. *Land Development Plan Required.* For any proposed mobile home park located within an R-5 Mobile Home Park District, a preliminary, final and record land development plan meeting all requirements of §§22-304, 22-305, 22-306, 22-308, and 22-310 and all requirements of Parts 4 and 6 of this Chapter shall be required. In addition, all requirements of the Township Zoning Ordinance [Chapter 27] shall be met in the preparation and submission of a land development plan for a mobile home park.

B. *Additional Design Requirements.* In addition to the requirements noted in paragraph .A above, each proposed mobile home park shall also be in compliance with the requirements of §22-405 and all other Sections of this Chapter noted within §22-405.

(*Ord. 158, 3/9/1977*)





**Part 4****Improvements; Design Standards****§22-401. Purpose and Applicability.**

1. The purpose of this Part is to establish and define the public improvements and design standards which will be required by the Township in the review, approval and construction of any subdivision or land development.

2. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.

3. Whenever Township or other applicable regulations impose more restrictive standards and requirements than those outlined herein, such other regulations shall control.

4. Where literal compliance with the standards and requirements specified herein is clearly impractical, the Board of Supervisors may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

(*Ord. 158, 3/9/1977*)

**§22-402. General Design Standards.**

1. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created. In general, lot lines shall follow municipal or Township boundary lines rather than cross them. Wherever possible, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.

2. Land subject to flooding or other hazards to life, health or property and land deemed to be topographically unsuitable shall not be designed for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate existing erosion or flood hazards. Such land within the subdivision or land development shall be set aside on the plan for uses not endangered by periodic or occasional inundation and shall not produce unsatisfactory living or occupancy conditions. Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding," and no building or streets shall be permitted in this area. Floodplains are subject to the provisions of Part 7 of the Northampton Township Zoning Ordinance [Chapter 27].

3. Land designated as open space in a previously approved subdivision or land development plan shall not be designated for residential occupancy or for any other use which is inconsistent with its use as open space. [*Ord. 381*]

(*Ord. 158, 3/9/1977; as amended by Ord. 381, 5/11/1994*)

**§22-403. Design Criteria and Requirements.**

1. *Streets.*

A. Streets proposed in any major subdivision or land development shall be in accordance with the Comprehensive Plan and the Official Map of Northampton Township.

B. Streets shall be carefully related to topography so as to produce reasonable and minimum grades, satisfactory drainage and suitable building sites.

C. Residential streets shall be so laid out as to discourage through traffic. However, the design of streets shall provide for continuation of existing or recorded streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.

D. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as culs-de-sac. Stub streets shall be designed with a temporary turnaround built to the standard required for culs-de-sac. [Ord. 209]

E. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Township. The applicant/developer shall obtain, in writing, a statement from the postmaster of the nearest postal service area and a statement from an official of the nearest fire company that proposed street names do not conflict with existing street names.

F. Private streets may be approved only if they are designed to meet Township street standards for right-of-way, paving width, drainage, curbs and gutters.

G. When street lines are deflected in excess of 3 degrees, connection shall be made by horizontal curves. A long-radius curve shall be preferred in all cases to a series of curves and tangents.

H. The approaches to any intersection shall follow a straight course for at least 50 feet, as measured away from the intersecting lines of rights-of-way.

I. Except on residential and local minor collector streets, a minimum tangent of 100 feet shall be required between curves.

J. To ensure adequate vehicular sight distance, minimum center-line radius/radii for horizontal curves shall be as follows:

- (1) Residential and local minor collector—150 feet.
- (2) Major collector streets—300 feet.
- (3) Major arterial streets—500 feet.

K. *Street Right-of-Way and Pavement Standards.* The following design and construction requirements are subject to periodic review and approval by the Board of Township Supervisors or modification by the Pennsylvania Department of Transportation (PennDot) in the case of a State-maintained road (see PennDot Form 408):

Type of Street	Minimum Right-of-Way Required (feet)	Minimum Cartway or Paving Width (feet)
Residential	50	31

Type of Street	Minimum Right-of-Way Required (feet)	Minimum Cartway or Paving Width (feet)
Minor collector (primary)	60	36
Major collector	80	36 to 48
Major arterial	100 to 120	PennDot standard
Industrial [Ord. 209]	50	31

L. Additional rights-of-way and cartway widths may be required by the Township Board of Supervisors in order to lessen traffic congestion; to secure safety from fire, panic and other dangers; to facilitate the adequate provision for transportation and other public requirements; and to promote the general welfare. Short extensions of existing streets with lesser rights-of-way and/or cartway widths than as prescribed above may be permitted, provided that no section of new right-of-way shall be less than 50 feet in width.

M. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width shall be dedicated or held for future dedication to conform to the standards set by the Township.

N. New half or partial streets are not permitted, except where satisfactory assurance for dedication of the remaining part of the street can be secured. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

O. Any applicant/developer who encroaches within the legal right-of-way of a State highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation, Permit Office, Doylestown, Pennsylvania.

P. Center-line street grades shall not be less than 1 percent. The maximum street grades shall be as follows:

- (1) Residential and minor collector streets—8 percent.
- (2) Major collector and major arterial streets—6 percent.

Q. Where the grade of any street at the approach to an intersection exceeds 6 percent, a leveling area of at least 75 feet, measured from the street line, shall be provided, having a grade of not greater than 2 percent. Vertical curves shall be used at changes of grade exceeding 1 percent and shall be designed to provide the following minimum sight distances:

- (1) Residential and minor collector streets—125 feet.
- (2) Major collector and major arterial streets—150 feet or as per PennDOT specifications, whichever is greater.

R. For cul-de-sac streets, the following design shall be required:

- (1) A permanent or temporary cul-de-sac exceeding 600 feet in length may be approved by the Board of Supervisors only if conditions of the tract warrant a cul-de-sac of greater length.
- (2) Culs-de-sac shall have, at the closed end, a turnaround which is paved

to an outside radius of not less than 40 feet, and which has a right-of-way, concentric with the paved area, with an outside radius of not less than 50 feet, except for culs-de-sac in industrial zones, which shall have a paved outside radius of not less than 48 feet and a right-of-way, concentric with the paved area, with an outside radius of not less than 60 feet. [Ord. 209]

S. Street intersections shall be designed to intersect at right angles. New street intersections involving more than two streets shall be prohibited. The minimum center-line offset between streets intersecting another street is 150 feet. The minimum curb radii at street intersections shall be 25 feet and 15 feet at the property line. [Ord. 209]

T. A minimum clear-sight triangle of 75 feet as measured from the center-line intersections of two streets shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of 2 feet in such triangle. Each leg of each triangle shall be increased by 1 foot for each foot of right-of-way greater than 50 feet for either intersecting street.

U. Residential driveways shall be located not less than 50 feet from the intersection of corner lots and shall, where appropriate, connect to the street of lowest potential traffic if located on a corner lot.

V. Access to individual commercial and industrial parking areas and sites shall be controlled and shall be so located as to provide a minimum of 150 feet between points of access.

W. Bridges and culverts shall be designed to meet current Township specifications. They shall be constructed to the full width of the right-of-way or to an adequate dimension to accommodate special grade conditions. Approval of the Pennsylvania Department of Environmental Protection, Division of Dams and Encroachments, is required when the area drained upstream of the point under consideration exceeds an area of ½ square mile.

## 2. *Curbs, Sidewalks, Driveway Aprons, Street Signs and Streetlighting.*

### A. *Curbs.*

(1) Curbs shall be provided for all:

(a) Existing and proposed streets.

(b) Access roads, drives and parking areas for commercial and industrial sites.

(2) Curbs shall be constructed along any existing street on which a subdivision or land development abuts, and the existing paved cartway shall be widened to the curb.

(3) All curbs shall be constructed in accordance with the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990.

(4) The location of curbing along such existing street shall be determined by the width of the required cartway of the road as established by this Chapter or by PennDOT standards in the case of a State-maintained road.

(5) The specific type and design of a curb shall be in accordance with the

design standards as established by the Township Engineer and Public Works Department. [Ord. 447]

B. *Sidewalk and Pedestrian Paths.* Sidewalks shall be required on both sides of all existing and proposed streets. [Ord. 419]

(1) All sidewalks shall be constructed in accordance with the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990.

(2) Sidewalks, pedestrian paths and accessible routes shall be of a hard surface composition and shall be constructed according to Township specifications. An occasionally used footpath may use gravel, pine bark, chips or other material approved by the Board of Supervisors.

(3) Sidewalks or other pedestrian paths shall not exceed a grade of 7 percent. Except for accessible routes, where the maximum rise for any run shall be 30 inches with a level landing of at least 60 inches at the bottom and top of each run, steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Where sidewalk or pedestrian path grades exceed 5 percent, a nonslip surface texture shall be used.

(4) Sidewalks shall be laterally pitched at a slope of not less than  $\frac{1}{4}$  inch per foot to provide for adequate surface drainage.

(5) The grades and paving of sidewalks shall be continuous across driveways, except in certain nonresidential and high-density residential developments and in certain other cases where heavy traffic volume dictates special treatment.

(6) The minimum width of all sidewalks shall be 4 feet.

(7) The specific type and design of sidewalk shall be in accordance with the design standards as established by the Township Engineer and Public Works Department. [Ord. 447]

(8) A minimum 4-foot wide grass plot shall be provided between the sidewalk and the back of the curb. Such grass plot may be modified or eliminated for certain commercial area sidewalks at the sole discretion of the Board of Supervisors. [Ord. 447]

(9) If the provision of sidewalks requires the destruction or removal of valuable trees, consideration shall be given to the retention of such valuable trees.

(10) The Board of Supervisors may waive the installation of sidewalks and impose a fee in lieu thereof when requested by the landowner and when it is deemed impractical or unnecessary for the aforesaid sidewalk to be installed at the time of construction. The fee shall be established by the Board of Supervisors by resolution from time to time. [Ord. 419]

C. *Corners and Street Crossings.* At corners or other pedestrian street-crossing points, sidewalks shall be provided pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans

with Disabilities Act of 1990.

D. *Driveway Aprons.* Where driveways cross sidewalks, a concrete apron shall be provided from the sidewalk to the back of the curb.

E. Street signs, as approved by Northampton Township, shall be required for all subdivisions and land developments having existing or proposed streets. The developer shall erect, on metal poles, at every street intersection, a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two such street signs, and at intersections where one street ends or joins with another street, there shall be at least one such street sign.

F. *Lighting Requirements.*

(1) Streetlighting shall be required for all commercial and industrial land developments, for all multi-family residential areas and, at the discretion of the Board of Supervisors, for all or portions of single-family residential developments.

(2) In single-family residential subdivisions, appropriate conduit and wiring shall be installed underground even though standards and lighting fixtures may not be required or constructed immediately. In lieu of conduit and wiring, a fee may be imposed by the Board of Supervisors, at its sole discretion, when it is deemed impractical or unnecessary for such conduit and wiring to be installed at the time of the construction of the residential subdivision. Such a fee shall be initially established by the Board of Supervisors by resolution. Such fee provisions may be changed from time to time by the Board of Supervisors.

(3) Proposed intersections with any major collector or major arterial street shall have streetlights.

(4) In commercial, office, institutional and industrial land developments, lighting shall be provided in accordance with the technical details in §27-1111 of the Zoning Ordinance [Chapter 27]. [Ord. 464]

G. Where required above, the owner shall install or cause to be installed, at the owner's expense, metal pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the Township Engineer and Board of Supervisors. The equipment of metal poles may be waived in such instances as approved by the Board due to the existence of wooden poles already in place. The owner shall be responsible for all costs involved in lighting the streets from the date of first dwelling unit occupancy until such time as the streets are accepted by the Township. In certain commercial, office, institutional or other high-density areas of the Township, the Board of Supervisors may require the use of replica gas lights in accordance with the design standards as established by the Township Engineer and the Public Works Department. [Ord. 464]

[Ord. 412]

3. *Grading, Drainage and Erosion and Sediment Control.*

A. Grading activities and sedimentation and erosion control facilities shall be designed, installed and undertaken in accordance with the Northampton Township

Stormwater Management and Grading Ordinance [Chapter 23].

B. Any area of the Township proposed for development shall be designed to meet the following maximum disturbed vegetative ground cover requirements:

Range (percent)	Maximum Percent Permitted Disturbance
8 to 15 percent	40 percent
15 to 25 percent	30 percent
25 percent or more	15 percent

[Ord. 501]

4. *Easements.*

A. Easements with a minimum width of 20 feet shall be provided, as necessary, for all utilities, including storm drainage facilities, access to sedimentation devices, sanitary sewers and appurtenances, water supply lines, underground telephone lines, cable television lines, electrical lines or conduits, and for access to open space areas and to floodplain areas in certain circumstances. Easements required for public water and sanitary sewer facilities shall be 30 feet or as required by the Northampton, Bucks County, Municipal Authority. [Ord. 388]

B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines. Nothing shall be permitted to be placed, planted, set or put within the area of an easement. The area shall be kept as lawn or as minor paving in the case of driveways or sidewalks.

C. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage but not less than 100 feet or as determined by the Township Engineer or as may be required or directed by the Pennsylvania Department of Environmental Protection. The owner shall properly grade and seed slopes and fence any open ditches when it is deemed necessary by the Township.

D. No right-of-way or easement for any purpose whatsoever shall be recited or described in any deed unless shown on the approved final plan. [Ord. 501]

5. *Public and Private Water Supply.*

A. The developer shall provide and construct water mains in such a manner as to make adequate water service available to each lot or dwelling unit within the subdivision or for each use in the land development. A minimum pressure as required by the Northampton Municipal Authority shall be provided at each dwelling or other building to be connected to the water supply main. The water supply must comply with the regulations and the standards of the State Department of Environmental Protection of Pennsylvania and the standards of the Authority.

B. The public water system shall also be designed with adequate capacity and appropriately spaced fire hydrants for firefighting purposes. Review and approval by the Northampton, Bucks County, Municipal Authority shall be required in order to assure that adequate fire protection is provided. Written certification of that

review must be submitted by the applicant to the Township prior to approval of final plans. For final plans, the approval of the Insurance Services Office is also required for fire hydrants. [Ord. 209]

C. Where no public water is accessible or can be extended to the property, water shall be furnished by the developer or lot owner on an individual lot basis. If wells are installed on each lot and the lot also contains its own sewage disposal facilities, the well shall be of the drilled type, cased and grout-sealed into the bedrock. The well will be required to have a production of not less than 6 gallons per minute as established by bailer tests and certified by the well driller. Before being placed in consumer use, it shall be disinfected by the use of sodium hypochlorite or other acceptable solutions and a sample bacteriological examination performed by a licensed water analyst. All standards of the Bucks County Department of Health shall be followed.

6. *Public Sanitary Sewers and Private On-lot Sewage Disposal.*

A. The design, construction, operation and approval procedures for public sanitary sewers, treatment of sewage and related facilities within Northampton Township are under the legal control and jurisdiction of the Northampton Township Municipal Authority, herein called the "Authority," pursuant to the provisions of Chapter 18, "Sewers and Sewage Disposal," as amended to date. [Ord. 211]

B. Wherever practical, sanitary sewers shall be installed and connected to the Authority. Where a sanitary sewer is not yet accessible but is planned for extension to the subdivision, the subdivider shall install sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot when connection with the public sanitary sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped at the right-of-way line. The sewer installation shall include the construction within rights-of-way or easements to bring the sewer to the future connection with the Authority's sanitary sewer system.

C. When capped sewers are required and provided, on-site disposal facilities shall also be provided. A sewer shall be considered to be planned for extension to a given area any time after preliminary engineering and related studies have been completed and the construction of facilities adequate to serve the area containing the subdivision has been programmed for completion within a reasonable time. The Authority shall determine, in writing, that a proposed subdivision or land development is or is not accessible for connection to its sewerage system.

D. All public sanitary sewers shall be designed and constructed in accordance with the Sewerage Manual issued by the Pennsylvania Department of Environmental Protection. No public sanitary sewer or connection thereto shall be constructed until plans and specifications have been submitted to the Pennsylvania State Department of Environmental Protection and to the Authority and approved in accordance with existing laws.

E. If public sewer facilities are not available, the developer or owner shall provide for sewage disposal on an individual lot basis according to the rules, regulations, terms, definitions and conditions of the individual sewage disposal system application and certification procedure for Bucks County, Pennsylvania,



adopted by the Bucks County Board of Commissioners on March 24, 1971, and any amendments made thereto. When on-lot sewage disposal facilities are proposed, a satisfactory Bucks County Health Department feasibility report must be received by the Board of Supervisors before approval of the final plan. The dimensioned location(s) of the on-lot sewage system and the well, if proposed, must be shown on the plan prior to the issuance of a building permit.

7. *Electric, Telephone and Communication Facilities.*

A. All electric, telephone, cable television and communication service facilities, both main and service lines, shall be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility and other companies providing such services, except where it is demonstrated to the Board of Supervisors that the underground installation required herein is not feasible because of the physical condition of the lands involved. [Ord. 388]

B. Where practicable, all utilities shall be located within the street right-of-way; otherwise, easements or rights-of-way of sufficient width for installation and maintenance shall be provided. As-built drawings shall show locations of all such utilities.

C. Installation of cable television service lines parallel to other utilities or other means of providing such television service shall be made by the enfranchised cable operator(s) to residents in all future new residential construction. The aforementioned cable operator(s) shall be given reasonable notice of all relevant easement and service trench ground openings by the developer; further, reasonable time and opportunity to make the required installation shall be given by the developer. [Ord. 388]

8. *Off-Street Parking and Loading Facilities.*

A. *General.*

(1) The number and type of off-street parking spaces and off-street loading spaces for all types of permitted uses are specified in the Northampton Township Zoning Ordinance [Chapter 27]. The criteria contained in this subsection pertains to the general design requirements.

(2) All off-street parking spaces shall be in parking lots or courts, fully paved, with curbs, island separators, appropriate lighting, proper drainage and convenient pedestrian and vehicular access.

(3) Off-street parking spaces required for single-family dwellings shall be located in a garage, carport or driveway.

(4) All parking lots and bays shall be physically separated from the street and confined by curbing or other suitable separating device.

(5) Access and circulation for firefighting and other emergency equipment, moving vans, fuel trucks, garbage collection, deliveries and snow removal shall be planned for efficient operation and convenience.

(6) No less than a 5-foot radius of curvature shall be permitted for all curblines in parking areas.

B. *Design Standards.* The design standards specified below shall be required for all off-street parking facilities with a capacity of three or more vehicles:

(1) Off-street parking areas shall be designed to:

(a) Permit safe and efficient internal circulation in accordance with accepted traffic engineering principles and standards.

(b) Permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.

(c) Have sufficient reservoir space to accommodate entering and exiting vehicles without overflowing out onto adjacent streets or service roadways.

(2) *Setbacks*. Off-street parking areas shall be located:

(a) At least 15 feet from the future right-of-way line and all property lines or as required by the Northampton Township Zoning Ordinance [Chapter 27], the greater provision to prevail. The distance between this required setback and the future cartway shall be maintained as a planting strip.

(b) At least 20 feet from any building or structure.

(3) *Parking Spaces*.

(a) All parking spaces shall be marked so as to provide for safe and orderly parking. Parking stalls shall be delineated by a double striped line, closed at the aisle end; and, parking stall widths shall be measured to the center of the double striped lines.

(b) Subject to provisions relating to parking for individuals with disabilities and parking for railroad passenger stations, the minimum dimensions of stalls and aisles shall be as follows:

Angle of Parking	Parking Stall Width (feet)	Stall Depth (feet)	Aisle One-Way (feet)	Two-Way (feet)
90°	9.5	18	*	24
60°	9.5	20.2	18	21
45°	9.5	19.6	15	18
30°	9.5	16.5	12	18
Parallel	9.5	22	12	18

\*NOTE: Not permitted.

(c) Angle or perpendicular parking shall not be permitted along public or private streets.

(d) In no case shall parking areas for three or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.

(e) All dead-end parking areas shall be designed to provide a backup area with a minimum depth of 10 feet for the end stalls of a parking area.

(4) *Accessible Parking Spaces.*

(a) Accessible parking spaces for the disabled shall be provided pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disability Act of 1990 and the Zoning Ordinance [Chapter 27].

(b) Accessible parking spaces shall be designated as reserved by a sign showing the international symbol of accessibility (PennDOT No. R7-8) and the penalties sign (PennDOT No. R7-8B) or other such signs as may be prescribed from time to time by the Pennsylvania Department of Transportation. The signs shall be located so that they cannot be obscured by a vehicle parked in the space and shall be erected and maintained in compliance with all applicable Pennsylvania Department of Transportation regulations. All signs shall be replaced by the landowner when they become missing, damaged or obsolete.

(5) *Driveways.*

(a) Entrances and exits to and from off-street parking areas shall be located so as to minimize interference with street traffic.

(b) If, in the opinion of the Supervisors, excessive traffic entering or leaving such parking areas will cause congestion due to turning movements to or from local streets, internal stacking lanes or channelization of entrances may be required.

(c) For the purpose of servicing any property under single and separate ownership, entrance and exit drives crossing the street line shall be limited to two along the frontage of any single street for each 500 feet of frontage, and their center lines shall be spaced at least 80 feet apart. On all corner properties, there shall be a minimum spacing of 60 feet, measured at the street line, between the center line of any entrance or exit drive and the street line of the street parallel to said drive.

(d) The width of entrances and exit drives shall be:

1) A minimum of 12 feet for one-way use only.

2) A minimum of 25 feet for two-way use.

3) A maximum of 35 feet at the street line and 54 feet at the curbline.

(e) A minimum center-line radius of 33 feet shall be provided for all drives.

(6) *Pedestrian Facilities.*

(a) Tire bumpers shall be installed so as to prevent vehicle overhang on any sidewalk area.

(b) Raised crosswalks and refuge islands for pedestrian traffic shall be provided at intervals not exceeding 200 feet along the length of each parking area.

(c) Pedestrian crosswalks in parking areas shall not be subject to passage or concentration of surface water.

(7) *Landscaping.* Parking areas shall be designed in accordance with the following standards in order to accommodate landscaping, as required in §22-615:

(a) No more than 20 parking spaces shall be permitted in a continuous row and no dimension of any parking area may exceed 200 feet without being interrupted by a planting strip having a width of not less than 10 feet.

(b) No more than 40 individual parking spaces may be placed together within any parking area without being provided with a planting strip having a width of not less than 10 feet.

(c) A minimum of 10 percent of any parking lot facility shall be devoted to landscaping, inclusive of required trees.

(8) *Lighting.*

(a) All common parking areas shall be adequately lighted during after-dark operating hours. All light standards shall be located on raised parking islands and not on the parking surface.

(b) All artificial lighting used to illuminate any parking space or spaces shall be designed in accordance with the standards of §27-1111.E of the Zoning Ordinance [Chapter 27].

(9) *Off-Street Loading Spaces.*

(a) Off-street loading spaces and access areas are required by the Northampton Township Zoning Ordinance [Chapter 27]. Such loading spaces shall be 12 feet by 55 feet in size, exclusive of drives and maneuvering space, and shall be located entirely on the lot being served.

(b) Off-street loading spaces shall be conveniently located for access to buildings and shall have adequate turning radii for proper ingress and egress.

(c) Such loading spaces shall be clearly marked and shall not be used for required off-street parking.

[Ord. 469]

9. *Multi-family Residential Development.*

A. The types of permitted uses, dwelling unit density, parking, lot area and building bulk requirements for permitted multi-family residential developments are contained in the Northampton Township Zoning Ordinance [Chapter 27].

B. All applicable provisions of this Chapter shall also apply to any multi-family land development, including, but not limited to, submission procedures, plan requirements, design requirements, construction requirements and bonding procedures for required improvements.

C. In addition to all other requirements contained herein, multi-family residential land development plans shall include the following:

(1) A complete landscaping plan, showing existing and proposed trees, buffers, planting areas, hedges, a plant list, ground cover for all areas not occupied by buildings or paving, ornamental fencing, if any, and a typical detail for foundation planting.

(2) Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided. Collection stations shall be located so as to be screened and separated adequately from habitable buildings to avoid being offensive, but at the same time shall be convenient for both collectors and residents.

(3) An exterior lighting plan for internal walkways and parking areas, showing locations of lighting standards, a detail of proposed fixtures and shielding methods.

10. *Nonresidential Land Development Plans.*

A. Permitted commercial, industrial, public and quasi-public uses, coverage, site area and parking requirements and building bulk controls are contained in the Northampton Township Zoning Ordinance [Chapter 27].

B. All applicable provisions of this Chapter shall also apply to any nonresidential land development, including, but not limited to, submission procedures, plan requirements, design and construction requirements and bonding procedures for required improvements.

C. In addition to all other requirements contained in this Chapter, nonresidential land development plans shall include the following:

(1) A complete landscaping plan as required in subsection .9.C(1) above.

(2) Exterior refuse collection stations as required in subsection .9.C(2) above.

(3) An exterior lighting plan for all parking areas and walks, with lighting standard locations, fixtures and shielding.

(4) An internal circulation plan, including proposed traffic control devices at points of ingress and egress.

11. *Monuments.* (See §22-202 for definition.)

A. Permanent monuments shall be placed at each change in direction of boundary: two to be placed at each street intersection and one on one side of each street at angle points and at the beginning and end of curves. Utility easements shall be monumented at their beginning, any change of direction and at their end; and areas to be conveyed for public use shall be fully monumented at all changes in direction. [Ord. 209]

B. Monuments shall be placed in the ground after final grading is completed, at a time specified by the Township Engineer.

C. All monuments shall be checked for accuracy by the Township Engineer or their accuracy certified by the owner's engineer. Accuracy of the monuments shall be within  $\frac{1}{100}$  of a foot.

12. *Community Facilities and Required Open Space.*

A. In reviewing subdivision plans and multi-family land development plans, the Township Planning Commission and Board of Supervisors will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed by the subdivision. The Board shall require the dedication or reservation of such areas or sites of an extent and location suitable to the needs created by the development for schools, parks and other public purposes. Where the

Board does not deem dedication or reservation of open space appropriate, a cash contribution will be required for possible future public open space uses and in accordance with the Township Zoning Ordinance, Part 10 [Chapter 27].

B. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Where a proposed park, playground, school or other public use shown in the Northampton Township Comprehensive Plan is located, in whole or in part, in a subdivision or land development, the Board of Supervisors may require the dedication or reservation of such area within the subdivision or land development in those cases in which the Board deems such requirements to be necessary.

C. *Standards for Community Facilities.* The following standards shall apply to the provisions of recreation space:

(1) Areas set aside for recreational purposes, such as playgrounds or playfields, shall be of adequate size and configuration to accommodate the intended use. They should be located to serve all the residents, and in large developments more than one area may be required to serve the residents in close proximity to their dwellings. Access should be provided from a public street.

(2) The Northampton Township Zoning Ordinance [Chapter 27] sets for the minimum requirements for open space considering the type of development and the zoning to which it is located. In addition to these provisions, a minimum of 0.03 acres of undeveloped land shall be dedicated and improved with park and recreation facilities for each new individual housing unit within the development. The size, type, location, ownership and maintenance of the improved park and recreation facilities shall be subject to the approval of the Board of Supervisors. Upon review of the proposal, the Board of Supervisors may require the payment of an impact fee or the fee in lieu of mandatory land dedication for parks and recreation facilities. The fees shall be utilized to implement the park, recreation and open space plans that have been adopted by Northampton Township in accordance with the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* [Ord. 554]

(3) Recreation areas shall be readily accessible to all residents of a development or, in the case of recreation areas dedicated to the Township, shall be easily and safely accessible to the general public and designed pursuant to the Accessibility Guidelines for Buildings and Facilities, United States Architectural and Transportation Barriers Compliance Board, as amended, promulgated by the Americans with Disabilities Act of 1990. At least one side of the recreation area shall abut a street for a minimum of 50 feet for the access of emergency and maintenance vehicles. [Ord. 412]

D. In reviewing subdivision plans and land development plans, the Planning Commission shall recommend denial and the Board of Supervisors shall deny approval when the subdivision plan and/or land development plan involves the subdivision or development of land previously designated as open space on subdivision and/or land development plans previously approved by the Board of Supervisors. Submission of a subdivision or land development plan showing development of land previously designated as open space on an approved

subdivision or land development plan shall be sufficient grounds for the Planning Commission to recommend denial and for the Board of Supervisors to deny approval of such subdivision or land development plan. [Ord. 381]

13. *Requirements in Flood-Prone Areas.*

A. If a subdivision proposal or other proposed new development or portion thereof is in a flood-prone area, all public utilities and facilities, such as sewer, gas, electrical and water systems, shall be located and constructed to minimize or eliminate flood damage.

B. If a subdivision proposal or other proposed new development or portion thereof is in a flood-prone area, adequate drainage shall be provided to reduce exposure to flood hazards.

C. Within flood-prone areas, any new and replacement water supply systems are required to be designed to minimize or eliminate infiltration of floodwaters into the systems.

D. Within flood-prone areas, any new and replacement sanitary sewage systems are required to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and on-site waste disposal systems are required to be located to avoid impairment to them or contamination from them during flooding.

[Ord. 180]

14. *Off-Site Stormwater Drainage Contribution.*

A. In reviewing subdivision and land development plans and considering the adequacy of existing or proposed off-site stormwater drainage systems, there shall be paid a contribution towards that portion of the cost for any off-site capital improvements and/or maintenance costs of the existing stormwater drainage systems which may be necessitated by or confer benefit upon the proposed subdivision or land development.

B. Off-site stormwater drainage contributions shall be as set forth in the Township's Fee Schedule. [Ord. 561]

C. The off-site stormwater drainage contribution shall be in addition to the obligation of the developer to construct and install at its sole expense the on-site and off-site drainage improvements required as a condition to subdivision or land development approval.

D. When, in the discretion of the Board of Supervisors, circumstances surrounding the development of a site warrant special consideration, these contributions may be reduced or waived.

[Ord. 219]

15. *Tree Protection Standards.* Any trees within a tree protection zone shall be protected in accordance with the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23]. [Ord. 501]

(Ord. 158, 3/9/1977; as amended by Ord. 180, 2/13/1980; by Ord. 209, 5/9/1984; by Ord. 211, 5/9/1984, §118-20; by Ord. 219, 11/28/1984; by Ord. 266, 2/24/1988; by Ord. 267, 3/9/1988; by Ord. 379, 3/23/1994; by Ord. 381, 5/11/1994; by Ord. 388, 10/12/1994; by Ord. 412, 10/9/1996; by Ord. 419, 6/11/1997; by Ord. 447, 3/10/1999; by Ord. 464,

10/11/2000; by *Ord. 469*, 12/13/2000; by *Ord. 501*, 12/8/2004; by *Ord. 554*, 10/27/2010, §1; and by *Ord. 561*, 4/25/2012)

**§22-404. Construction Requirements for Improvements.**

1. *Installation of Improvements or Suitable Guaranty Required.* Before approving any subdivision or land development plan for recording, the Board of Supervisors shall either require that the necessary grading, paving and other improvements, as herein specified, shall have been installed in strict accordance with the standards and specifications of the Township and that required fees shall have been received or that the Township be assured by means of a proper contract, containing, among other items, performance and maintenance guaranties that the improvements will subsequently be installed by the owner and/or applicant, hereinafter referred to as the “developer.”

2. *Contracts.* In all cases where the necessary grading, paving and other subdivision or land development improvements, including both public and private improvements, required herein shall not have been installed in strict accordance with the standards and specifications of the Township prior to the township's approving any subdivision or land development plan for recording, the developer shall enter into a written agreement with the Township in the manner and form approved by the Township Solicitor wherein the developer shall agree, to the extent applicable:

A. To construct or cause to be constructed, at the developer's own expense, all streets, roadways, cartways, driveways, monuments, street signs and street names, off-street parking/parking lots, curbs, sidewalks, parking lot and buffer plantings, lighting, fire hydrants, water mains, sanitary sewers (including capped sewers), stormwater sewers, drainage and erosion controls, improvements, including, but not limited to, stormwater detention and/or retention basins, and other related facilities, recreation facilities, open space improvements, cable television lines and other improvements shown on the plan, all in strict accordance with the standards and specifications of the Township and within the time specified in said agreement. [Ord. 388]

B. To deposit with the Township financial security in an amount sufficient to cover the cost of all subdivision improvements (including both public and private improvements). Unless otherwise permitted by the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, the financial security shall be posted contemporaneously with the execution of the agreement, in the form of either an irrevocable letter of credit with a federal or commonwealth lending institution, a corporate surety bond from a bonding company authorized to do business within the Commonwealth, a restrict escrow account in the name of the Township with a Commonwealth or Federally chartered lending institution or a restrictive or escrow account or such other type of financial security which the Board of Supervisors may approve in an amount to be approved by the Township Engineer. The bonding company may be chosen by the developer, provided that the bonding company shall stipulate that it submits to Pennsylvania jurisdiction and Bucks County venue in the event of legal action. The financial security shall provide for and secure to the public the completion of all subdivision improvements for which the security is being posted on or before the date fixed in the formal action of approval or the agreement for completion of the improvements. The amount of financial security to be posted for the completion of the required



improvements shall be equal to 110 percent of the cost of completion, estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110 percent. Any additional security shall be posted by the developer in accordance with this subsection.

(1) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by the developer and prepared by the engineer and certified by such engineer to be a fair and reasonable estimate of such cost. The Board of Supervisors, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the developer and the Board of Supervisors are unable to agree upon an estimate, then the estimate shall be recalculated and recertified pursuant to the provisions of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*

(2) If the developer requires more than 1 year from the date of the posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional 10 percent for each 1-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1-year period by using the above bidding procedure.

C. To submit final plans by sections or stages of development in the case where a development is projected over a period of years, if authorized by the Board of Supervisors. Said plans shall be subject to such requirements or guaranties as to improvements in future sections or stages of development as the Board of Supervisors finds essential for the protection of any finally approved section of the development.

D. To post financial security with a public utility or municipal authority if water mains, sanitary sewer lines or electric service, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township. Said financial security shall assure proper completion and maintenance thereof, shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

E. To make adequate provisions with the Township Engineer for the inspection of the construction of the aforesaid improvements to assure strict compliance with Township standards and specifications.

F. To pay all costs, charges or rates of the utility furnishing fire hydrant and electric service for the fire hydrants and streetlighting facilities installed by the developer until such time as the streets shown on the subdivision and/or land

development plans shall have been accepted or condemned by the Township for public use, and to indemnify and save harmless the Township from and against all suits, actions, claims and demands for electric service and fire hydrant service as aforesaid, or any part thereof, to the time that said streets shall be accepted or condemned as public streets in the manner hereinabove set forth.

G. To reimburse the Township promptly for:

(1) Reasonable attorneys' and engineers' inspection fees.

(2) Fees for other professionals employed by the Township to review, inspect or process subdivision and land development plans.

H. To dedicate said streets and/or other parcels, together with any improvements thereunder or thereupon to the Township by a deed in a form approved by the Township Solicitor, when the improvements are completed to the satisfaction of the Board of Supervisors. The deed shall include a reference to a plan of the streets and/or other parcels dedicated; title thereto shall be clear title and be such as will be insurable by a reputable title insurance company of Pennsylvania at regular rates; and all costs in connection therewith shall be borne by the developer.

I. To post financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications, as depicted on the final plan, where the Board of Supervisors accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement). The security shall be in the form as authorized in subsection .2.B above and shall be for a term of 18 months from the date of the acceptance of dedication and shall be in an amount equal to 15 percent of the actual cost of installation of the improvements so dedicated.

3. *Letter of Contingent Approval.* When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining satisfactory financial security. The record plan shall not be signed or recorded until the contract is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the contract is not executed within 90 days, unless a written extension is granted by the Board of Supervisors. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

4. As the work of installing the required improvements proceeds, the developer may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing, addressed to the Board of Supervisors. Within the time limitations established by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

A. The Board of Supervisors shall direct and request the Township Engineer to inspect said improvements.

B. The Township Engineer shall certify, in writing, whether such portion of the work upon the improvements has been completed in accordance with the approved plans and indicate approval or rejection of said improvements.

C. The Board of Supervisors, upon such certification, shall notify the developer of the action of the Board of Supervisors with relation thereto. Should the improvements be approved, the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. The Board of Supervisors may, prior to final release at the time of completion and certification by the Township Engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the developer, but shall certify to the Board of Supervisors his independent evaluation of the proper amount of partial release.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989; and by Ord. 388, 10/12/1994*)

**§22-405. Regulations for Mobile Home Parks.**

The following special regulations shall be applicable to any permitted mobile home park:

- A. Each proposed mobile home located within a mobile home park shall be:
  - (1) Connected to a public water supply and fire hydrant system as approved by the Northampton Township Municipal Authority.
  - (2) Connected to a public sewer system as approved by the Northampton Township Municipal Authority.
  - (3) Connected to all underground electrical, telephone, cable television and, where possible, gas utilities. [*Ord. 388*]
- B. Each mobile home park shall provide for complete on-site stormwater management and erosion control facilities, which shall be designed in accordance with the requirements of §22-403.3 and Part 6 of this Chapter.
- C. Each mobile home park shall provide for centrally located refuse disposal container areas designed to serve a maximum of 20 individual mobile homes each. Each such container space shall not be less than 200 square feet in area, shall be fenced or buffered by a landscape screen and shall be easily accessible (within 250 feet of the mobile homes served). Paved walkways shall be provided to the refuse container spaces. Containers shall be weatherproof, vermin-proof and accessible to a street or driveway for vehicular loading or removal.
- D. A central service building or buildings may be provided within a mobile home park, containing such accessory uses as a management office, laundry facilities, a repair and maintenance office, meeting rooms and toilets, resident mailbox facilities, indoor recreational facilities for residents only and enclosed storage closets for residents only.
- E. Each individual mobile home shall be located on a continuous concrete pad, with frost-proofed footers, which exceeds the outside dimensions of the mobile home by at least 4 inches. A minimum of six permanent eyebolt or similar tie-down anchors shall be uniformly placed within the exterior edge of the pad. Mortar-filled or reinforced concrete piers not less than 16 inches by 16 inches shall be provided between the pad and the mobile home frame. Not less than eight such piers shall be provided for each mobile home. Permanent tie-down straps (anchored) shall be

required to withstand wind forces and uplift at wind speeds of 80 miles per hour per §§424.0 and 712.0 of the 1978 BOCA Code or subsequent amendments thereto.

F. Frost-proof flexible water, sewer, electrical and telephone service connections shall be extended through each concrete pad.

G. All exterior sides of each mobile home shall be provided with a permanent skirt covering the entire space between the concrete pad and the exterior siding of the unit.

H. Appropriate lighting shall be provided for all streets, public or private, and all walkways, waiting areas and at service buildings, meeting the minimum requirements for multi-family areas as specified in §22-617 of this Chapter.

I. Individual gas or petroleum storage tanks shall meet the requirements of the Township Building Code [Chapter 5, Part 1].

J. No fences shall be permitted within a mobile home park except where required for swimming pools and recreation areas.

K. Permitted accessory buildings or accessory uses may not be located in a required front or side yard, and such buildings or uses shall comply with §27-1118 of the Zoning Ordinance, as amended [Chapter 27].

(*Ord. 158, 3/9/1977; as amended by Ord. 388, 10/12/1994*)

**Part 5****Administration and Enforcement Procedures****§22-501. Designation of Zoning Officer.**

All provisions of this Chapter shall be administered by the Board of Township Supervisors of Northampton Township or by a Township official as designated by the Board (for purposes of clarity, hereinafter called the "Zoning Officer"). All plans, applications, correspondence, complaints, requests for variances or appeals shall be delivered to the township offices and submitted through the Township Manager's office to the Zoning Officer.

(*Ord. 158, 3/9/1977*)

**§22-502. Modifications and Waivers.**

If any mandatory provisions of this Chapter are shown by the applicant/developer to be unreasonable and cause undue hardship as they apply to any proposed subdivision or land development plan because of peculiar conditions pertaining to the land in question or when an alternative standard can be demonstrated to provide equal or better results, the Board of Supervisors may modify or waive such mandatory provisions so that substantial justice may be done and the public interest secured, provided that such modification or waiver will not have the effect of nullifying the intent and purpose of this Chapter.

A. The applicant/developer shall request such modifications or waivers, in writing, and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Chapter involved and the minimum modification necessary.

B. In granting modifications and waivers, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified or waived.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989*)

**§22-503. Changes and/or Modifications to Final Plan.**

If, during the course of construction or completion of a subdivision or land development, changes, alterations or modifications of a final plan become necessary, such changes may be approved only after written acceptance by the Township Engineer and written approval of the Board of Township Supervisors. Substantial revisions to any such final plan shall cause the rerecording of the final plan after such approvals are obtained.

(*Ord. 158, 3/9/1977;*

**§22-504. Amendments.**

Any amendment to this Chapter shall be in accordance with the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.* Resolutions adopted by the Board of Township Supervisors pursuant to the terms and conditions of this Chapter regarding fees, paving and construction standards and changes in other design

criteria specifically permitted by resolution of the Board shall not be considered as an amendment to this Chapter.

A. *Authorization.* The Board of Supervisors may from time to time amend, supplement, change, modify or repeal this Chapter. When doing so, the Board shall proceed in the manner prescribed in this Part.

B. *Procedure.*

(1) *Sources of Amendment.* Proposals for amendment, supplement, change, modification or repeal may be initiated by the Board of Supervisors or its own motion or by the Planning Commission.

(a) *Proposals Originated by Board of Supervisors.* The Board shall refer every proposed amendment, supplement, change, modification or repeal originated by said Board to the Township Planning Commission and the Bucks County Planning Commission. Within 30 days of the submission of said proposal, the Township Planning Commission shall submit to the Board of Supervisors a report containing its recommendations, including any additions or modifications to the original proposal.

(b) *Proposals Originated by Planning Commission.* The Township Planning Commission may at any time transmit to the Board of Supervisors any proposal for the amendment, supplement, change, modification or repeal of this Chapter.

(2) *Hearings.* Before voting on the enactment of any amendment, the Board of Supervisors shall hold a public hearing thereon with notice as required by law. No amendment shall become effective until after such hearing, at which parties in interest and citizens shall have an opportunity to be heard. If, after any public hearing held on an amendment, the proposed amendment is revised or further revised, the Board may hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

(Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989)

#### **§22-505. Jurisdiction; Improvements Requisite to Certain Acts; Conveyance of Portions of Lots.**

1. *Subdivision and Land Development Control.* It shall be unlawful for the owner of any land in the Township or any other person, firm or corporation to subdivide any lot, tract or parcel of land or to lay out, construct, open or dedicate for public use or travel any street, sanitary sewer, storm sewer, drainage facilities or other facilities in connection therewith or for the common use of occupants of buildings within the subdivision or land development unless and until final plans of such subdivision or development shall have been prepared by a registered professional engineer or registered land surveyor, submitted to and approved in writing thereon by the Township Board of Supervisors and recorded in the Bucks County Recorder of Deeds office in Doylestown, Pennsylvania.

2. *Sale of Lots; Issuance of Building Permits; Erection of Buildings.*

A. No lot in a subdivision may be sold and no permit to erect, alter or repair any building upon land in a subdivision or land development may be issued unless

and until the municipal improvements required by the Board of Supervisors in connection therewith have either been constructed or guaranteed as hereinafter provided.

B. No building in a subdivision or land development depending for ingress and egress upon the improvement of any street or streets herein provided for shall be permitted to be occupied before improvements are fully completed from an existing paved street to and across the front of the lot on which the building is located and/or to a sufficient depth along the side of the lot to service any driveway, driveways or parking spaces.

C. No building depending upon public water and sewer facilities shall be permitted to be occupied before such facilities are fully provided and operational.

(Ord. 158, 3/9/1977)

#### **§22-506. Violations and Penalties.**

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. The authority to deny such a permit or approval shall apply to any of the following applicants:

A. The owner of record at the time of such violation.

B. The vendee or lessee of the owner of record at the time of such violation, without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

4. Magisterial district judges shall have initial jurisdiction in proceedings brought under subsection .5 below. [Ord. 561]

5. *Enforcement Remedies.*

A. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil

enforcement proceeding commenced by the Township, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge, and, thereafter, each day that a violation continues shall constitute a separate violation. [*Ord. 561*]

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

(*Ord. 158, 3/9/1977; as amended by Ord. 294, 8/9/1989; and by Ord. 561, 4/25/2012*)



**Part 6****Engineering Design Standards****A. General Provisions****§22-601. Intent.**

This Part of this Chapter is intended to specify the standards to be adhered to in the design of all subdivisions and land developments. The design standards for required as well as accessory improvements are included in this Part of this Chapter. These standards will be subject to periodic review and revision by resolution of the Board of Supervisors. The standards are to be considered as an integral part of this Chapter.

*(Ord. 158, 3/9/1977)*

**§22-602. Interpretation.**

The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.

*(Ord. 158, 3/9/1977)*

**§22-603. Applicability of Reference Materials.**

Wherever specific documents are referenced herein and said documents are hereafter updated, revised or replaced, then said updated, revised or replaced document shall be applicable.

*(Ord. 158, 3/9/1977)*



**B. Standards and Specifications****§22-611. Curbs and Gutters.**

1. *Minimum Radii.* Minimum curb radii at street intersections shall be 25 feet at street intersections and 15 feet at the property line.

2. *Depressed Curb.* Whenever curbs are to be constructed across private driveways within residential areas or driveway approaches of ingress or egress from abutting industrial or commercial properties, the curb shall be depressed to the driveway surface. The minimum longitudinal length of a depressed curb for private driveway crossings shall be 20 feet, and the maximum longitudinal length for driveway crossings in commercial or industrial areas shall be 35 feet. When required and approved by the governing authorities, separated driveway approaches may be constructed for entrance and exit to abutting properties. Such individual driveway approaches shall not exceed the maximum longitudinal length of 35 feet of depressed curb at each driveway approach and a standard curb section shall be constructed as a separating curb between the driveways. Depressed curbs shall conform to the dimensions and details of the Pennsylvania Department of Transportation Form 408, "Specifications and Roadway Construction Standards," as amended.

(Ord. 158, 3/9/1977)

**§22-612. Driveways.**

1. *Residential Driveways.*

A. *Relation to Intersections.* Residential driveways shall be located not less than 50 feet from the intersection of corner lots and shall connect to the street of lowest potential traffic if located on a corner lot.

B. *Design Specifications.* Driveways shall be so located, designed and constructed as to provide a reasonable sight distance at intersections with streets. A stopping area, measured 20 feet behind the right-of-way line, shall be provided, not to exceed a grade of 4 percent. Driveways shall not interfere or be inconsistent with the design, maintenance and drainage of, or the safe passage of traffic on, Township or State roads.

C. *Minimum Width.* The minimum driveway width for residential homes shall be 20 feet.

D. *Maximum Grade.* The maximum grade on all residential driveways shall not exceed 25 percent.

2. *Driveways for Commercial, Industrial and Multi-family Facilities.*

A. *Minimum Distance.* Access to commercial and industrial parking areas and sites shall be controlled and shall be so located as to provide a minimum of 150 feet between points of access. [Res. R-83-14]

B. *Minimum Width.* The minimum driveway width for commercial, industrial and multi-family uses shall be 25 feet for two-way traffic movement and 12 feet for one-way traffic movement. Aisles serving off-street parking spaces shall be provided with minimum widths in accordance with §22-403.8. [Ord. 469]

C. *Alignment.* Driveways shall be so located, designed and constructed as to provide a reasonable sight distance at intersections with streets. A stopping area,

measured 20 feet behind the right-of-way line, shall be provided, not to exceed a grade of 4 percent. Driveways shall not interfere or be inconsistent with the design, maintenance and drainage of, or the safe passage of traffic on, Township or State roads.

(*Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; and by Ord. 284, 12/14/1988*)

#### **§22-613. Stormwater Management.**

Stormwater management facilities shall be designed, installed and undertaken in accordance with the Northampton Township Stormwater Management and Grading Ordinance [Chapter 23].

(*Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; by Ord. 356, 10/9/1996; by Ord. 413, 7/14/1999; by Ord. 456, 12/8/2004; and by Ord. 501, 12/8/2004*)

#### **§22-614. Erosion and Sediment Control.**

All erosion and sediment control measures shall be designed as per the procedures outlined in the Bucks County Soil and Erosion Control Handbook available through the Bucks County Conservation District.

(*Ord. 158, 3/9/1977*)

#### **§22-615. Landscaping.**

1. *Grassed Areas or Grass / Ground Cover Combinations.* All such areas specified on proposed or approved plans shall be prepared, installed and maintained in accordance with the Pennsylvania Department of Transportation Form 408 Specifications, as amended.

2. *Street Trees and Plantings Within Street Rights-of-Way.*

A. *Street Tree Requirement.* Within any land development or subdivision, street trees shall be planted along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development where suitable street trees do not exist.

B. *Locations.*

(1) Street trees shall be planted outside of the street right-of-way, on lots, within two feet of the street right-of-way line.

(2) Large street trees shall be planted a minimum distance of 8 feet, and small street trees shall be planted a minimum distance of 4 feet, from any curb or sidewalk.

(3) At intersections, trees shall not be located within the clear-sight triangle.

(4) On streets with overhead utility lines, large street trees shall not be permitted. Small street trees may be permitted at least 15 feet from an overhead utility line.

C. *Spacing.*

(1) Large street trees shall be planted at intervals of not more than 60 feet and small street trees at intervals of not more than 40 feet.

(2) Street trees shall not be planted opposite each other but shall alternate.

(3) An equivalent number of street trees may be planted in an informal arrangement, subject to the approval of the Board of Supervisors.

D. *Street Trees Shall Be of Nursery Stock.* They shall be of symmetrical growth, free of insects, pests and disease, suitable for street use and in conformity with the standards of the American Association of Nurserymen.

E. *Approved Species.* In particular, approved street trees shall include the following:

(1) *Large Street Trees.*

(a) *Acer rubrum*, red maple.

(b) *Acer saccharum*, sugar maple (may only be used when not subject to salt spray).

(c) *Fraxinus Pennsylvanica* Marshall seedless, Marshall seedless green ash (Patmore, Summit, Newport, Urbanite or Cimrnaron cultivars only).

(d) *Gleditsia triacanthos inermis*, thornless honeylocust.

(e) *Phellodendron amurense*, Amur cork tree.

(f) *Quercus borealis*, northern red oak.

(g) *Quercus coccinea*, scarlet oak.

(h) *Quercus phellos*, willow oak.

(i) *Tilia cordata*, European linden.

(j) *Zelkova serrata*, Japanese zelkova.

(2) *Small Street Trees.*

(a) *Acer campsite ginnala*, Amur maple.

(b) *Acer saccharum columnare*, columnar sugar maple (may only be used when not subject to salt spray).

(c) Columnar red maple varieties.

(d) *Cornus Florida kousa*, Korean dogwood.

(e) *Crataegus viridis* Winter King, Winter King Hawthorn.

(f) *Koelreuteria paniculata*, goldenrain tree.

(3) Upon the approval of the Board of Supervisors, other suitable species may be utilized.

F. *Plantings Within Street Rights-of-Way.*

(1) Any planting or landscaping materials located within a street right-of-way shall be approved by the Board of Supervisors.

(2) Any such planting shall be appropriate to its location and function and shall be of a species suitable to tolerate the stresses associated with its particular location, including but not limited to exposure, soil compaction, drought, heat, automobile pollution and road salts.

(3) Such plantings shall not have a growth habit which would cause

interference with overhead utility lines.

(4) Such plantings shall not have root systems which would cause interference with or cause damage to underground utilities, pavement, sidewalks or curbs.

3. *Parking Area Plantings.*

A. Parking areas shall be landscaped with evergreen and deciduous trees, shrubs, ground cover and mulch as determined to be appropriate or necessary for each specific site by the Township Board of Supervisors. Hardy ground cover shall be used in place of grass wherever possible, with a mulch of a type which will aid in controlling erosion and noxious weeds and will generally preserve and enhance the quality and character of the proposed landscape planting. In all parking area planting, emphasis shall be put on simplicity of design and adequacy to meet specific aesthetic, physical and safety needs as required by the Township.

B. All parking areas shall have at least one tree of 1½ inches minimum caliper for every five parking spaces in single bays and one tree of 1½ inches caliper minimum for every 10 parking spaces in double bays.

C. Trees shall be of nursery stock. They shall be of symmetrical growth, free of insects, pests and disease, suitable for the intended use and in conformity with the standards of the American Association of Nurserymen.

D. Trees shall be planted in such a manner to afford maximum protection from the sun for parked vehicles.

E. Plantings shall be able to survive road salt, soot and gas fumes.

F. *Approved Trees.* Those tree species approved for street tree use may be used in parking areas. Trees which have low-growing branches, gum or moisture which may drop on vehicles, blossoms, thorns, seeds or pods which may clog drainage facilities shall be avoided.

G. Upon the approval of the Board of Supervisors, other suitable species may be utilized.

4. *Screening and Buffer Areas.*

A. *Buffer Requirements.* Required screening and buffer areas shall consist of at least 80 percent evergreen material and 20 percent deciduous trees and shrubs for accent and color and must, through layout and content, provide design solutions which solve all visual and noise problems from recreational, industrial, commercial or motor vehicle uses, whether on the same lot or not.

B. *Berms, Fences or Walls.* In addition to required tree and shrub buffers, earthen berms, fences or masonry walls may be acceptable or desirable when it is determined not possible to achieve desired buffering with the plant material specified above.

C. *Spacing, Density and Material.* Spacing, density and material selection shall be based on intensity or degree of the problem in the area of required screening or buffer planting.

D. *Landscape Architect.* It is recommended that a landscape architect be employed to ensure proper use and arrangements of plant material to achieve the required screening and buffer while maintaining an aesthetic appearance.

5. *Open Space.* All areas proposed for recreational use, whether active or passive, shall be planted to effectively naturalize the areas to become an integral and harmonious element in the natural landscape.

6. *Landscaping Performance Standards.*

A. *Performance Standards.* For performance standards, see the Pennsylvania Department of Transportation Form 408 Specifications, as amended.

B. *Minimum Standards.* The following are minimum sizes for plant material:

Type	Size
Street trees	2 to 2½ inches caliper at 6 inches above grade
Deciduous trees	1½ to 2 inches caliper at 6 inches above grade
Ornamental trees	6 to 8 feet in height*
Evergreen trees	5 to 6 feet in height*
Deciduous shrubs	18 to 24 inches in height*
Evergreen shrubs	18 to 24 inches in height*
Evergreen shrubs, screens and buffers	2½ to 3 feet in height*

NOTE: \*To meet standards as prescribed by the American Nursery Association.

C. *Approved Planting Plan.* All major subdivisions, multi-family, commercial and industrial developments must have a planting plan approved before construction.

D. *Multi-family, Commercial and Industrial.* All grading, seeding, mulched beds and planting in multi-family, industrial and commercial developments must be installed and maintained by the owner and/or lessee under lease agreements in accordance with approved landscape plans. Any planting that dies within 2 years of planting due to improper maintenance or damage by accident must be replaced within 1 year.

E. *Planting after Finished Grading.* Street trees and other required plant material shall not be planted until the finished grading of the subdivision or land development has been completed.

7. *Refuse Collection for Nonresidential Developments.*

A. *Outdoor Collection Stations.* Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided.

B. *Location.* Collection stations shall be located to avoid being offensive and shall be screened from view and landscaped.

(Ord. 158, 3/9/1977; as amended by Ord. 278, 9/14/1988; by Ord. 357, 1/27/1993; by Ord. 364, 7/14/1993; by Ord. 469, 12/13/2000; and by Ord. 501, 12/8/2004)

**§22-616. Streets.**

1. *Grades.*

A. *Minimum and Maximum Grades.* Center-line street grades shall not be less than 1 percent. The maximum street grades shall be as follows:

- (1) Residential and minor collector streets—8 percent.
- (2) Major collector and major arterial streets—6 percent.

B. *Cul-de-sac Grade.* Maximum grades within 100 feet of the outer perimeter of a cul-de-sac bulb shall not exceed 4 percent, measured along the center line of the street.

C. *Minimum Radius, Maximum Grade.* A combination of minimum radius horizontal curves and maximum grades will not be approved.

2. *Leveling Area.* Where the grade of any street at the approach to an intersection exceeds 6 percent, a leveling area of at least 75 feet, measured from the street line, shall be provided, having a grade not greater than 2 percent.

3. *Vertical Alignment.*

A. *Amenable to Topography.* The center-line profile of streets shall conform to the contour of the land to produce usable lots and streets consistent with reasonable grade, alignment, drainage and future municipal sanitary facilities.

B. *Vertical Curve Requirement.* A vertical curve shall be used at all changes in grade of the center-line profile exceeding 1 percent.

C. *Design Procedure.* All vertical curves shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, “Highway Design.”

4. *Horizontal Alignment.*

A. *Horizontal Curve Requirement.* When street lines are deflected in excess of 3 degrees, connection shall be made by horizontal curves. A long-radius curve shall be preferred in all cases to a series of curves and tangents.

B. *Minimum Tangent.* Except on residential and local minor collector streets, a minimum tangent of 100 feet shall be required between curves.

C. *Reverse Curves.* In no case shall two curves in reverse direction be joined together without the minimum tangent length of 100 feet provided for the above two street classifications.

D. *Design Procedure.* The horizontal alignment of all streets shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, “Highway Design.”

5. *Deceleration Lanes.* Deceleration lanes shall be a minimum of 125 feet in length. At the minimum, a taper section 25 feet in length shall extend from the edge of the curb of the through road to the full-width curb edge of the deceleration lane. The full width of a deceleration lane shall be 13 feet. A full-width section of the deceleration lane shall extend for a minimum of 100 feet.

6. *Culs-de-sac.*

A. *Temporary Turnarounds.* All temporary turnarounds shall conform to the design specifications for culs-de-sac.

B. *Minimum Radii.* Cul-de-sac shall have, at the closed end, a turnaround which is paved to an outside radius of not less than 40 feet, and which has a right-



of-way, concentric with the paved area, with an outside radius of not less than 50 feet, except for culs-de-sac in industrial zones, which shall have a paved outside radius of not less than 48 feet and a right-of-way, concentric with the paved area, with an outside radius of not less than 60 feet. [Res. R-83-14]

C. *Alleys*. Alleys are not permitted.

D. *Abutting Property Lines*. Unless future extension is clearly impractical or undesirable, the cul-de-sac right-of-way shall be placed adjacent to a property line, and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining street. At such time as the street is extended, the area created by the turnaround shall revert ownership to the property owner fronting on the cul-de-sac turnaround.

7. *Rights-of-Way*. The rights-of-way shall be graded to their full width as deemed necessary by the Board of Supervisors to provide suitable finished grades to the tolerances herein specified.

8. *Sight Distance*.

A. *Alignment*. Street intersections shall be designed to intersect at right angles. New street intersections involving more than two streets shall be prohibited. The minimum center-line offset between residential and minor collector streets intersecting another street is 150 feet. [Res. R-83-14]

B. *Minimum Spacing*. Major collector and major arterial streets shall not intersect with collector streets at intervals of less than 800 feet from the same side of the collector street.

C. *Computation of Sight Distances*. The required stopping and passing sight distances on all roads shall be computed as per the procedures outlined in a *Policy on Geometric Design of Rural Highways*, published by the American Association of State Highway Officials, 1965.

D. *Sight Triangle*. A minimum clear-sight triangle of 75 feet as measured from the center-line intersections of two streets shall be provided at all intersections. At a minimum, each triangle shall be increased by one foot for each foot of right-of-way greater than 50 feet for either intersecting street. The above-mentioned dimensions are minimum requirements. All intersections must provide, as a minimum, the required clear-sight triangle as computed by procedures outlined in a *Policy on Geometric Design of Rural Highways*, published by the American Association of State Highway Officials, 1965.

9. *Superelevation and Cross-Slope*.

A. *Crown*. A normal crown shall be provided on all streets not superelevated of  $\frac{1}{16}$  inch per foot of straight slope extending in cross section from the edge of the pavement to medial edge, whichever will apply, symmetrical to the center line.

B. *Design Procedures*. All superelevated roadway sections shall be designed in accordance with the procedures outlined in the Pennsylvania Department of Transportation, *Design Manual*, Part 2, "Highway Design."

10. *Subgrade, Subbase, Base Course and Wearing Surface Requirements*. The following are considered to be minimum street construction standards. More restrictive standards may be applied if conditions warrant. [Ord. 412]

Street	Prepared Sub-grade	Sub-base (inches)	Base Course (inches)	Wearing Surface (inches)
Arterial streets <sup>1</sup>	Yes	6	5 of bituminous concrete	3½ of bituminous surface course, ID-2A <sup>2</sup>
Collector streets <sup>1</sup>	Yes	6	5 of bituminous concrete	3½ of bituminous surface course, ID-2A <sup>2</sup>
Industrial streets <sup>1</sup>	Yes	6	5 of bituminous concrete	1½ of bituminous surface course, ID-2A <sup>2</sup>
Primary streets <sup>1</sup>	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A <sup>3</sup>
Secondary streets <sup>1</sup>	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A <sup>3</sup>
Residential streets <sup>1</sup>	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A <sup>3</sup>
Cul-de-sac streets <sup>1</sup>	Yes	6	4½ of bituminous concrete	1½ of bituminous surface course, ID-2A <sup>3</sup>
Driveways and parking areas (nonresidential)	No	3	8 of crushed aggregate	2½ of bituminous surface course, ID-2A <sup>4</sup>
Driveways and parking areas (residential)	No	No	6 of crushed aggregate	4 of bituminous material
Bituminous sidewalks	No	No	4 of stone	4 of bituminous material
Concrete sidewalks	No	No	4 of stone	4 of concrete

## NOTES:

<sup>1</sup>Pipe foundation underdrain is required. Use of the underdrain may be waived if it is determined unnecessary by the Township Engineer upon inspection of the subsurface soil conditions during roadway excavation.

<sup>2</sup>One and one-half inches of wearing course on a binder of 2 inches.

<sup>3</sup>One and one-half inches of wearing course.

<sup>4</sup>One inch of wearing course on a binder of 1½ inches.

(Ord. 158, 3/9/1977; as amended by Res. R-83-14, 11/9/1983; and by Ord. 412, 10/9/1996)

**§22-617. Lighting.**1. *Lighting Requirements.*

A. Street lighting shall be required for all commercial, institutional, recreational, municipal and industrial land developments, for all multi-family residential areas and, at the discretion of the Board of Supervisors, for all or portions of single-family residential developments.

B. In single-family residential subdivisions, appropriate conduit and wiring shall be installed underground even though standards and lighting fixtures may not be required or constructed immediately. In lieu of conduit and wiring, a fee may be imposed by the Board of Supervisors, at its sole discretion, when it is deemed impractical or unnecessary for such conduit and wiring to be installed at the time of the construction of the residential subdivision. Such a fee shall be initially established by the Board of Supervisors by resolution. Such fee provisions may be changed from time to time by the Board of Supervisors.

C. Proposed intersections with any minor local collector, major collector or major arterial street shall have streetlights.

D. In commercial and industrial land developments, lighting shall be provided in accordance with the technical details in §27-1111 of the Zoning Ordinance [Chapter 27].

2. Where required above, the owner shall install or cause to be installed, at the owner's expense, metal pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the Township Engineer and Board of Supervisors. The provision of metal poles may be waived in such instances as approved by the Board due to the existence of wooden poles already in place. The owner shall be responsible for all costs involved in lighting the streets from the date of the first dwelling unit occupancy until such time as the streets are accepted by the Township. In certain commercial, institutional or other areas of the Township, the Board of Supervisors may require the use of replica gas lights in accordance with the design standards as established by the Township Engineer and Public Works Department.

3. *Design Standards.* All exterior lighting shall be in conformance with the requirements of §27-1111 of the Zoning Ordinance [Chapter 27].

(*Ord. 158, 3/9/1977; as amended by Ord. 266, 2/24/1988; and by Ord. 464, 10/11/2000*)

#### **§22-618. Tree Protection and Replacement.**

1. A lot shall be developed in such a manner that the number of viable trees having a caliper of 6 inches or greater on the lot prior to development shall not be reduced by more than 20 percent by such development. For the purposes of this Section of the Chapter, all references to the term "caliper" shall be considered as the caliper if the tree measured at breast height or 54 inches above the ground surface.

2. Should the subdivision or land development plan require destruction of more than 20 percent of those existing viable trees having a caliper of 6 inches or greater, the developer shall replace those trees removed in excess of 20 percent with new tree plantings.

3. The developer shall submit a reforestation plan to Northampton Township illustrating the number and location of trees proposed to be removed and the number, species and location of trees to be planted. The reforestation plan shall be prepared by a registered landscape architect.

4. The reforestation plan shall comply with the following requirements:

A. The total number of caliper-inches of the trees to be removed in excess of the 20 percent permitted by right shall be determined.

B. The resulting figure in subsection .4.A above shall be multiplied by 0.80 to determine the total number of caliper-inches to be replaced on the lot.

C. The amount of caliper-inches determined in subsection .4.B above shall then be divided by three to determine the total gross number of trees to be planted on the lot for reforestation.

D. Replacement trees shall be planted on site and shall meet the following specifications:

(1) Trees shall meet the specifications of the American Association of Nurserymen and shall meet the following minimum size requirements:

(a) Deciduous trees shall be a minimum of 3 inches in caliper.

(b) Coniferous trees shall be a minimum of 8 feet in height.

(2) The types of trees utilized for reforestation shall utilize native species which shall be consistent with the tree list and guidelines that are established under this Chapter and the Zoning Ordinance [Chapter 27]. Trees that are considered invasive, noxious or destructive shall be specifically prohibited for use in reforestation.

(3) Up to 25 percent of the new trees to be planted may be of the coniferous variety.

(4) Where 25 or more trees need to be planted to meet the reforestation requirements, a minimum of three tree species shall be planted.

E. Trees required to be planted under these reforestation procedures shall be in addition to any street trees or buffer plantings that may be required.

F. Replacement trees may be dispersed throughout the proposed development only when approved by Northampton Township.

G. In instances when Northampton Township determines that the site in question cannot physically accommodate the total number of required replacement trees, some or all of the replacement trees may be planted off site at such locations deemed appropriate by Northampton Township.

H. In order to guarantee the proper installation of replacement trees, the applicant shall:

(1) Enter into a written agreement with the Township, in the manner and form approved by the Township Solicitor, wherein the applicant shall agree to install or cause to be installed at his own expense all required replacement trees in strict accordance with the approved plan and the standards and specifications of the Township and within the time specified in said agreement.

(2) Deposit with the Township financial security, as otherwise permitted by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, in an amount approved by the Township Engineer to be sufficient to cover the cost of all replacement trees. Said amount shall be equal to 110 percent of the cost of installation, estimated as of 90 days following the date of completion by the applicant.

I. The applicant may contribute a fee in lieu of the planting of on-site or off-site replacement trees when such plantings are deemed to be impractical or not required by the Township. The fee shall be established by the Board of Supervisors

by resolution from time to time.

5. The Planning Commission shall review the proposed plan and issue its recommendation to the Board of Supervisors.

6. The requirements of this Section shall not be applicable to a commercial forestry operation as described at §27-1124.C of the Zoning Ordinance [Chapter 27]. Additionally, no permit shall be required for the following activities:

A. For the removal or clearing of nursery stock in the normal operation of a nursery, where trees or shrubs are raised for sale and where such nursery is a permitted use.

B. For the removal of diseased or dead trees.

C. For the removal of trees which are in such a condition or physical position as to constitute a danger to the structures or occupants of properties, a public right-of-way, utility line, stormwater conveyance or detention structure, driveway, parking area, water system or sewage disposal system.

D. For the removal of up to five trees per acre of woodlands in any 365 consecutive day period of time, not to exceed a total of 10 trees per lot, or any combination of adjoining lots in common ownership, which are 121 inches or more in diameter, measured at breast height (dbh) and not covered by the exemptions in the foregoing two subsections.

7. In addition to the requirements specified under this Section of this Chapter, the requirements specified under §27-1120 of the Zoning Ordinance [Chapter 27] as well as the requirements specified under the Stormwater Management Ordinance [Chapter 23] shall apply.

(Ord. 158, 3/9/1977; as added by Ord. 513, 7/11/2007)

#### **§22-619. Village Overlay District Design Requirements.**

1. Development within the Village Overlay District shall be designed in accordance with the following planning, engineering and architectural considerations:

A. *Land Use and Development.*

(1) The development shall consider the goals, objectives, and policies established within the Northampton Township Comprehensive Plan and the Village Overlay Design Standards.

(2) The development shall be considered as integrated use considering the other land uses, architectural features and streetscape improvements within the Village Overlay District.

(3) The minimum lot area required for each permitted use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas exceeding 20 percent in slope.

(4) The applicant shall be responsible for designing, permitting and constructing all necessary site improvements that are required by the Northampton Township in order to accommodate the proposed use within the Village Overlay District.

B. *Architecture.*

(1) Buildings and structures shall be designed to enhance the existing architectural and streetscape characteristics in accordance with the design requirements of the Village Overlay District.

(2) All sides of a building shall be architecturally consistent with the front facade and facades visible from the street or adjacent properties shall have the same architectural features and style as the front facade. Modifications shall be made to the facade in order to accommodate the design requirements of the Village Overlay District.

(3) Buildings, structures, landscaping and streetscape improvements shall be designed in an effort to and integrate, reflect and/or enhance the visual, historic and cultural character of the Village Overlay District.

(4) Buildings, structures and site improvements shall be located in a manner to mitigate visual, noise and traffic impacts with existing residential uses that are within residential zoning districts.

(5) The shape of an opening, its proportion relative to the size of the building, how it functions, how it is divided, and the rhythm of openings within a structure must be specific to the building style and consistent with the design theme and architectural style.

(6) Architectural elements such as dormers, cupolas, chimneys, porches, decks, awnings, bays, colonnades, brackets, stoops, benches, gazebos, enclosures, garages, sheds, carports, canopies, and other such design elements shall be specific to the building style and consistent with the design theme and architectural style.

(7) The color, brightness and appearance of the exterior walls of the principal buildings and accessory structures shall be compatible with the design theme and architectural style. The selected color shall have a low reflectance level and the trim colors shall complement the color of the exterior walls.

(8) Historic elements and features of existing buildings shall be restored, preserved and maintained. New construction, additions or alterations of an existing building shall be reviewed and considered by the Northampton Township Historical Commission as part of the land development plan application.

(9) Buildings that are considered to be in deplorable, unsafe or structurally unsound condition shall not be designed and developed in accordance with the Village Overlay District. The condition of all such buildings shall be reviewed by the Northampton Township Engineer and/or Code Enforcement Officer.

*C. Site and Building Design.*

(1) The front facade of the building shall be orientated towards the street with the highest functional classification in terms of vehicular and pedestrian traffic volumes.

(2) Alternative building setback and orientation requirements may be considered, provided that the applicant can demonstrate the following: that the design of the building meets the objectives of the Village Overlay District; that

any reduction of the building setback requirements has been approved by the adjoining land owners; and that the design shall not disrupt any common facilities or utilities.

(3) When buildings are to be located on a corner of intersecting streets, the entrance of the building shall be located on the corner with an enhance element or feature, which is consistent with the design theme and architectural style.

(4) The street-side facade of buildings shall be designed with decorative windows, which is consistent with the design theme and architectural style. Promotional advertisements, signs and/or any messages contained on the windows shall be limited to an area of 10 percent of the cumulative area of the first floor windows along the street-side facade.

(5) Buildings shall include a variety of architectural design features such as recesses, openings, windows, details and/or variable materials in order to avoid creating massive or monotonous building facades.

(6) Buildings shall be designed with at least three different building aspects and architectural features, which may include: concrete or masonry plinth at the base of the walls; belt courses of different texture or color; projecting or decorative cornices; quoins; decorative tile work; trellis containing seasonal plantings; medallions; opaque or translucent glass; bay windows, artwork; vertical articulation; stylized lighting fixtures; porticos; building extensions; stonework; and/or other similar acceptable architectural elements.

(7) All exterior building facades shall utilize natural building materials such as brick, stone, wood and masonry products. The use of concrete block or poured concrete wall shall be discouraged.

(8) Rooflines shall be pitched and not appear flat when viewed from public streets or adjoining properties. All roof-mounted equipment including HVAC, electrical, venting or other mechanical equipment shall be contained or concealed as part of the architectural design.

#### *D. Pedestrian and Vehicular Circulation.*

(1) All transportation and pedestrian improvements shall be designed considering all regional transportation impact studies and/or regional streetscape improvement plans.

(2) New curb cuts shall be minimized in order to reduce traffic conflicts and vehicular congestion. Where appropriate, shared or common access drives shall be utilized to minimize curb cuts. Shared or common access drives shall be designed to have a definitive point of ingress and egress with sufficient area to accommodate the permitted turning movements.

(3) Traffic calming measures, including speed control, volume control, road alignments and traffic management techniques shall be considered as part of the land development plan application in order to improve safety, pedestrian accessibility and vehicular mobility. The traffic calming measures shall be designed in accordance with the Village Overlay Design Standards and/or the Pennsylvania Department of Transportation, *Traffic Calming Handbook*.

(4) All permitted uses shall be designed to encourage and accommodate transportation and pedestrian traffic as well as to provide for safe and convenient modes for pedestrian movements to destination points within the Village Overlay District.

(5) The location of buildings shall be appropriately orientated to encourage pedestrian access within the Village Overlay District.

(6) Commercial drive-through establishments may be permitted as a feature or accessory component to a principal use. If permitted, the commercial drive-through establishment shall be located along the rear of the building utilized for the principal use and shall not disrupt vehicular or pedestrian accessibility.

(7) Outdoor dining establishments and/or other uses designated for outdoor activities may be permitted provided that the use or activities do not interfere with vehicular or pedestrian traffic patterns.

*E. Off-Street Parking and Loading.*

(1) The total number of off-street parking and loading spaces for each use shall comply with the minimum requirements specified under the Zoning Ordinance [Chapter 27], but shall not exceed 110 percent of the minimum requirements.

(2) The areas designated for off-street parking and loading shall not be a dominant design feature of the building or streetscape. The proposed off-street parking spaces and loading spaces for all uses shall be located at least 30 feet from the street right-of-way line and along the sides or rear of the principal building. Whenever the proposed off-street parking spaces and loading spaces interfere with the location of the required sidewalk system, such off-street parking and loading spaces shall be relocated.

(3) The total number of off-street parking and loading spaces for each use may be reduced up to 30 percent of the minimum requirements specified under the Zoning Ordinance [Chapter 27], provided that the applicant demonstrates that common or shared off-street parking and loading spaces shall be capable of accommodating the peak demands for employees and patrons. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced number of off-street parking and loading spaces.

(4) The total number of off-street parking and loading spaces for each use may be reduced up to 20 percent of the minimum requirements specified under the Zoning Ordinance [Chapter 27], provided that the applicant demonstrates that the employees and/or patrons will utilize public transportation services or other modes of transportation, which are not related to the use of automobiles. In all such cases, the applicant shall provide documentation to support that the use can function with the reduced off-street parking and loading space.

(5) Off-premises parking at other facilities within 1,000 feet of the principal use may be permitted in order to satisfy the requirements for off-street parking spaces, provided that the applicant secures an agreement with the owner of the property, which will accommodate the additional demands for off-street parking. All proposed off-premises parking areas shall



consider safety, accessibility and convenience for the pedestrians traveling between the points of destination within the Village Overlay District.

(6) The provisions involving the reduction of off-street parking and loading facilities, as specified under this Section shall be considered by the Board of Supervisors as part of the land development plan application. The applicant shall demonstrate that the proposed use and site conditions shall satisfy the peak demands for the employees and patrons. The maximum reduction of off-street parking and loading spaces shall not exceed 50 percent of the requirements specified by the Zoning Ordinance [Chapter 27].

(7) Handicap or disability spaces shall be designed and constructed in accordance with all Federal, State and local codes.

(8) Porous paving shall be considered for the proposed off-street parking and loading spaces provided that: the design and paving composition complies with the provisions for stormwater management; that the soils and geological features have suitable characteristics for infiltration; that a maintenance program has been established with sufficient funds held in an escrow account; and that the structural integrity has not been compromised.

(9) The use of curbing, bollards, segmental concrete wall blocks, landscaping blocks, concrete retaining walls and other durable materials shall be considered along the perimeter of the off-street parking and loading areas to protect trees, open space, surface water or other natural areas. Protective measures and/or a defined separation barrier shall be considered for pedestrian movements along sidewalks.

(10) Bicycle racks and stands shall be located in a designated area along the sides or rear of the principal building and shall not interfere with pedestrian or vehicular movements.

*F. Curbs, Sidewalks and Crosswalks.*

(1) Curbs and sidewalks shall be designed and installed as an integrated network along public and private roads within the Village Overlay District in order to accommodate pedestrian movements.

(2) Curbs shall be placed along public and private roads within the Village Overlay District.

(3) All proposed sidewalks shall be a minimum of 5 feet in width.

(4) Decorative brick, concrete pavers or pavement treatments shall be considered as an integrated feature to the main entrance of the building, pedestrian access areas and public roads.

(5) Protective measures and/or defined separation barriers shall be considered for pedestrian movements along sidewalks.

(6) Raised crosswalks shall integrate the sidewalk system and to accommodate pedestrian movements. Crosswalks shall be at least 6 feet in width and provide for safe movements, which are controlled by traffic signal. Decorative pavement treatments shall be considered to implement the community vision of the Village Overlay District.

(7) Curbs, sidewalks, handicapped ramps and crosswalks shall be designed and constructed in accordance with the Americans with Disabilities

Act.

(8) All proposed sidewalks, curbs and crosswalks shall be designed and constructed in accordance with the provisions and specifications established by the Village Overlay Design Standards and the Northampton Township Code.

G. *Landscaping.*

(1) Street trees and other aesthetic landscaping improvements shall be incorporated into the streetscape design of the development in order to implement the requirements of the Village Overlay District.

(2) Unless otherwise directed by Northampton Township Board of Supervisors, all proposed street trees shall not be located within the legal right-of-way line or within the designated clear sight triangle involving a street intersection or access drive.

(3) All developments shall include trees, buffer yards and landscaping features that shall be integrated as part of overall site improvements in order to mitigate noise, light, odor and the visual appearance of paved surfaces. The use of existing mature trees (6 inches in caliper, as measured at breast height), beaus, segmental concrete wall blocks, landscaping blocks, retaining walls and other durable materials may be considered and utilized as part of the landscaping improvements. The design of the landscaping improvements shall be subject to the approval of the Board of Supervisors.

(4) Street trees, landscaping materials and buffer yards shall be integrated as part of the design of the buildings and site improvements, which shall be located in a manner to mitigate visual, noise and traffic impacts.

(5) The selected street trees, landscaping materials and buffer yards shall comply with the minimum requirements specified by Northampton Township. The size, type, caliper, spacing and location of the street trees shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to pay a fee-in-lieu of the specified provisions.

H. *Lighting.*

(1) Decorative streetlights shall be considered and strategically located at consistent intervals. Any existing streetlights, which interfere with the location of the required sidewalk network shall be relocated. The size, type and location of the streetlights shall comply with the Village Overlay Design Standards and other pertinent plans adopted by Northampton Township.

(2) All decorative streetlights and other sources of illumination shall be designed with a diffused light source in order to prevent glare or excess lighting produced within a visual field that is significantly greater than the light to which the human eye can readily adapt to without causing annoyance, discomfort or loss of visibility for any period of time.

(3) No bare or direct light source shall be visible beyond the lot lines. The illumination from any light source originating on the site shall not exceed 0.5 foot candles at the lot line. Overhead light pollution or spillage caused by unshielded light sources shall not be permitted.

(4) All streetlights and other sources of exterior illumination shall be designed as a full cutoff fixture, whereas, the light distribution pattern from the source results in no illumination projected at or above the horizontal plane at the bottom the light source or fixture.

(5) Exterior or interior lighting shall not be utilized as a promotional device to attract patrons or to serve as additional signage.

(6) All off-street parking and loading areas shall be adequately illuminated with a lighting system designed to compliment the architecture of the buildings and streetscape characteristics.

(7) Lighting fixtures attached to a free-standing pole or mounted to a building shall not exceed a height of 15 feet, as measured from the average ground elevation within 30 feet of the lighting fixture.

(8) The required street lights shall comply with the minimum requirements specified by Northampton Township. As part of the land development plan application, the size, type, spacing and location of the street lights shall be considered by the Board of Supervisors. Where compliance can not be achieved, or if a reduction or modification to the provisions is to be considered, the applicant shall be required to pay a fee-in-lieu of the specified provisions.

I. *Streetscape Design.*

(1) Special attention to the gateways and main entrance(s) to the Village Overlay District. The use of streetscape improvements, low-impact lighting, banners, welcome signs, water features and/or landscaping enhancements shall be provided and considered as a prominent feature for all uses and developments within the Village Overlay District.

(2) Provisions for street furniture, including public benches, tables, clocks and waste receptacles shall be considered as part of the land development plan. All such street furniture shall be privately owned and maintained. The type and location of the proposed street furniture shall be subject to the approval of the Board of Supervisors.

(3) Provisions for public transportation facilities, including bus stops, bus shelters, taxi stands, park and ride facilities, and other similar features shall be considered as part of the land development plan. The location of any proposed public transportation facilities shall be subject to the approval of the Board of Supervisors.

(4) Unless otherwise directed by the utility company providing service, all proposed utilities shall be installed underground and within a utility easement or right-of-way.

(5) Unless otherwise permitted for safety or security purposes, all proposed fencing within the front yard shall not exceed 36 inches in height. All other fencing shall comply with the requirements of the Zoning Ordinance [Chapter 27].

J. *Outdoor Storage and Refuse Disposal.*

(1) The storage and sale of all materials or merchandise shall be within the principal building of the property. Sidewalk sales shall be limited to a total of four events per calendar year, with no more than 5 days per event.

(2) All dumpsters shall be located in the rear yard of the property and shall be contained within a secured area that is compatible with the architectural style of the building. All such areas shall be screened with secured fencing and landscaping materials. All containers shall be vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste.

(3) Shopping cart corrals shall be required for commercial or retail uses, which may provide shopping carts as part of their normal operations. The proposed shopping cart corrals shall be located within the designated off-street parking area and shall be designed not to interfere with vehicular or pedestrian traffic.

(4) Vending or self-service machines shall not be located along the front facade of the building or street to which the principal building has frontage. All proposed vending or self-service machines shall be located inside the building or outside the rear of the building in close proximity to the off-street parking area.

K. *Signs.*

(1) All permitted signs shall comply with the Village Overlay Design Standards and the provisions of the Zoning Ordinance [Chapter 27]. The total number and size of all signs within the Village Overlay District shall be limited to avoid clutter and to serve the basic needs of the use.

(2) Off-site advertising signs and/or billboards shall be prohibited within the Village Overlay District.

(3) All permitted signs shall be professionally made and constructed out of durable material such as wood, metal or stone. The design, material, color, size, location and illumination of the sign shall be selected considering the architecture of the buildings and streetscape characteristics.

(4) Buildings occupying two or more uses or tenants shall utilize a single sign or compatible signs in terms of design, material, color, height, location and illumination.

L. *Optional Design and Site Development Improvements.*

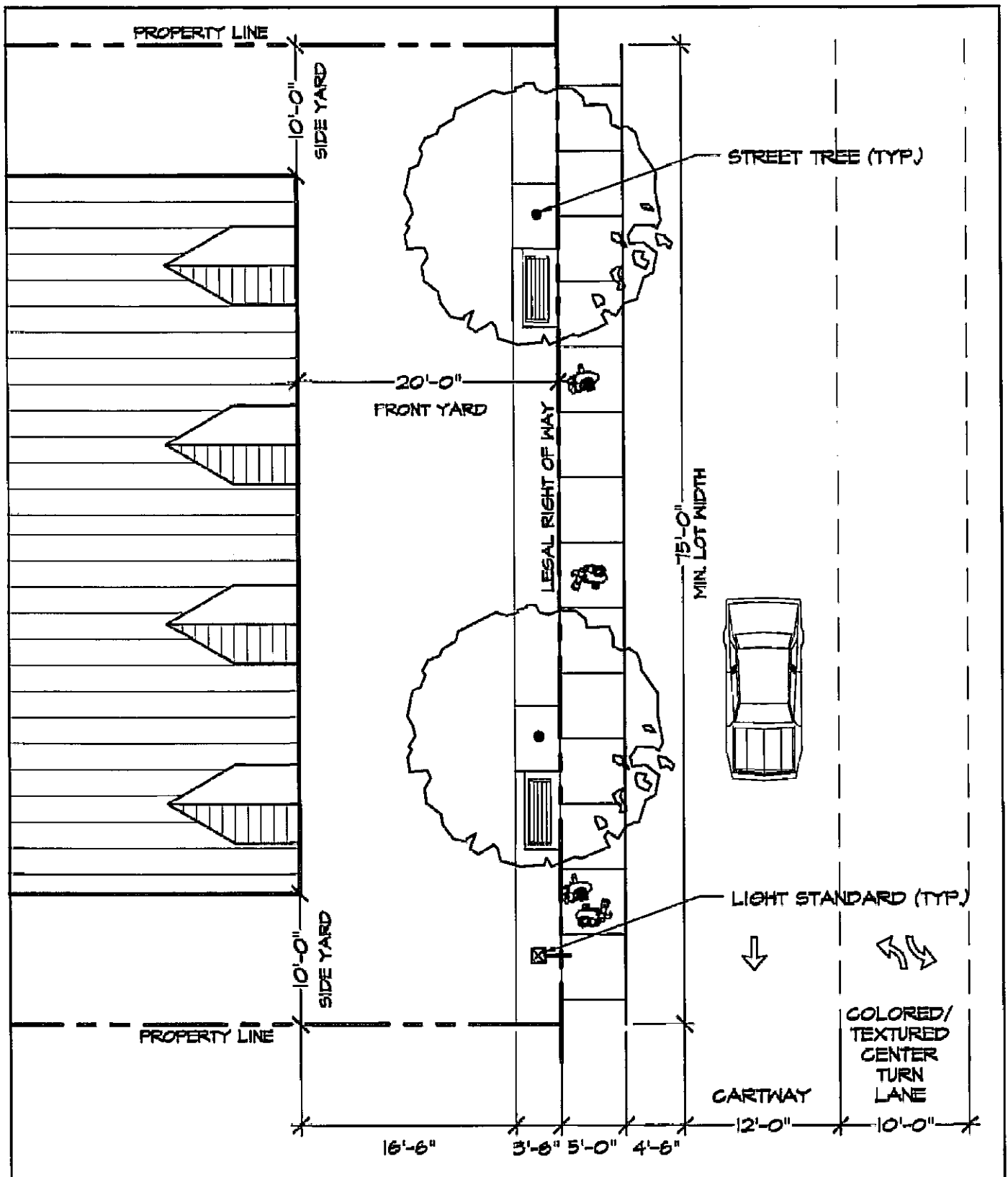
(1) The design requirements and site development improvements specified for the Village Overlay District are intended to provide general direction to all applicants seeking to subdivide, improve, develop and/or redevelop land within the Village Overlay District.

(2) The Northampton Township Board of Supervisors may consider optional design and site development alternatives if the standard requirements are determined to be unwarranted or inappropriate based upon the existing site conditions. If approved, the optional design and site requirements shall be considered as part of the subdivision and/or land development plan.

(Ord. 158, 3/9/1977; as added by Ord. 536, 12/17/2008, §1)

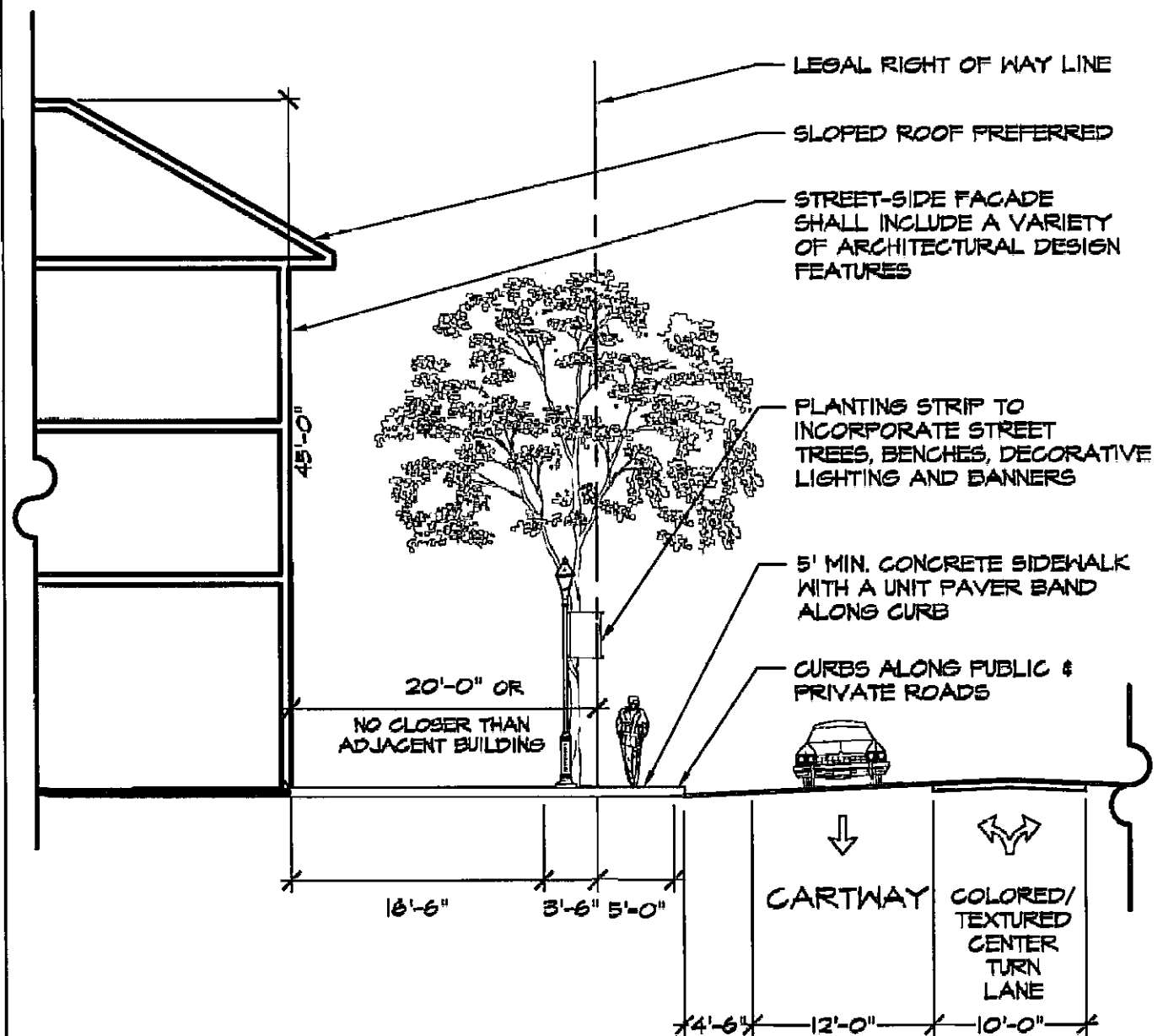
Appendix 22-A

**Village Overlay Design Standards**



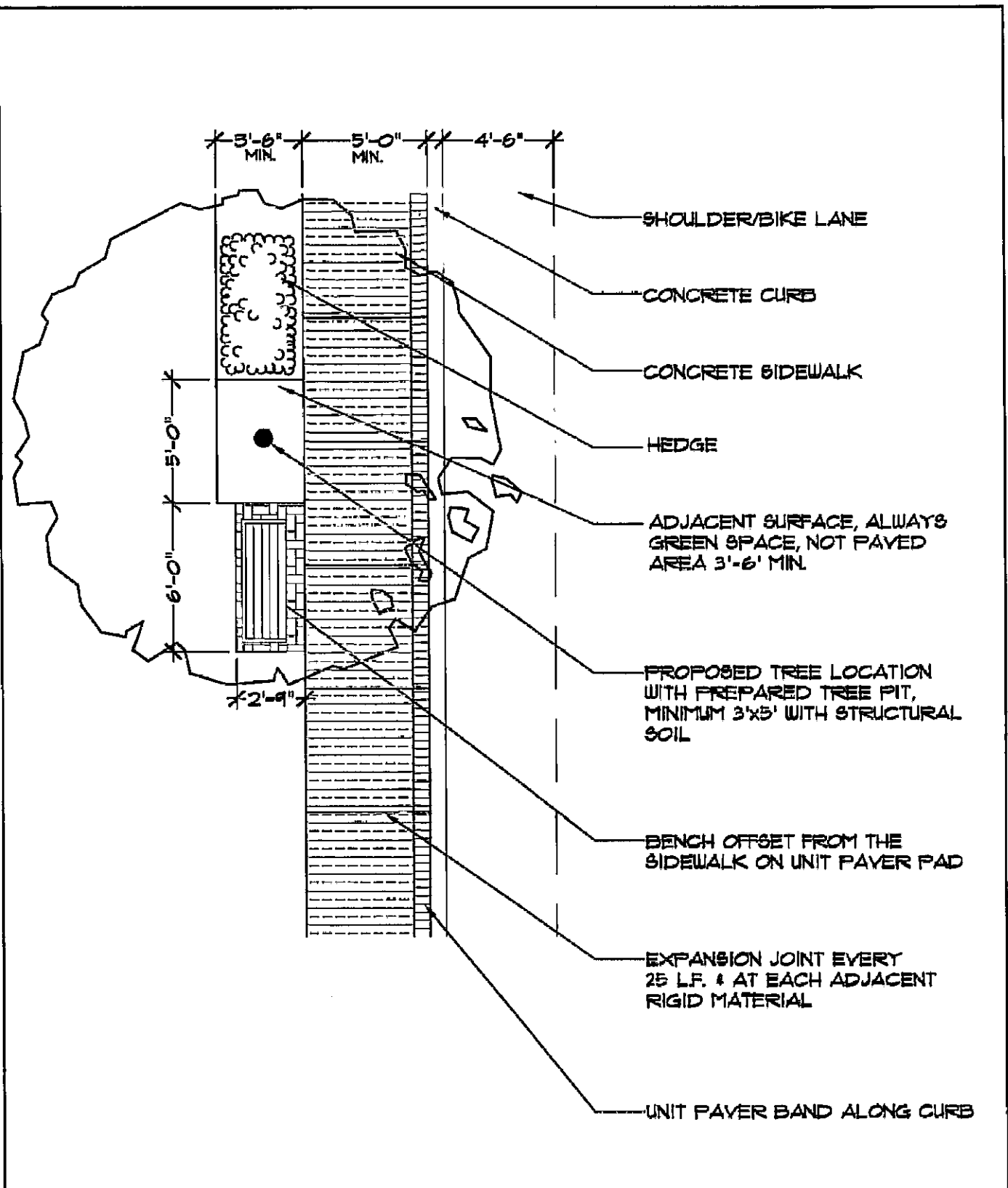
# VILLAGE OVERLAY DISTRICT TYPICAL STREETSCAPE PLAN

SCALE: 1"=10'



## VILLAGE OVERLAY DISTRICT TYPICAL STREETScape SECTION

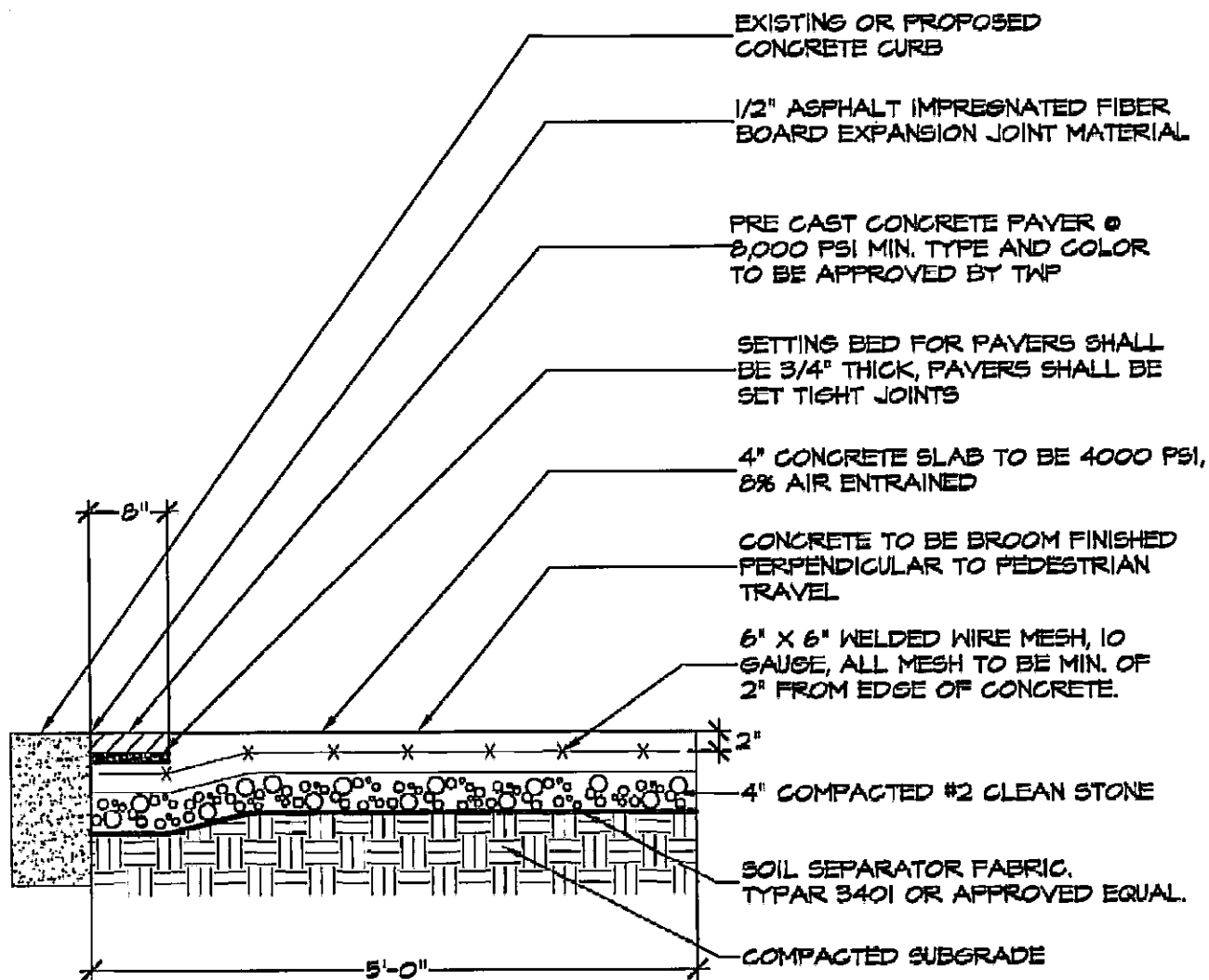
SCALE: 1"=10'



## VILLAGE OVERLAY DISTRICT TYPICAL SIDEWALK LAYOUT

SCALE: 3/16"=1'-0"





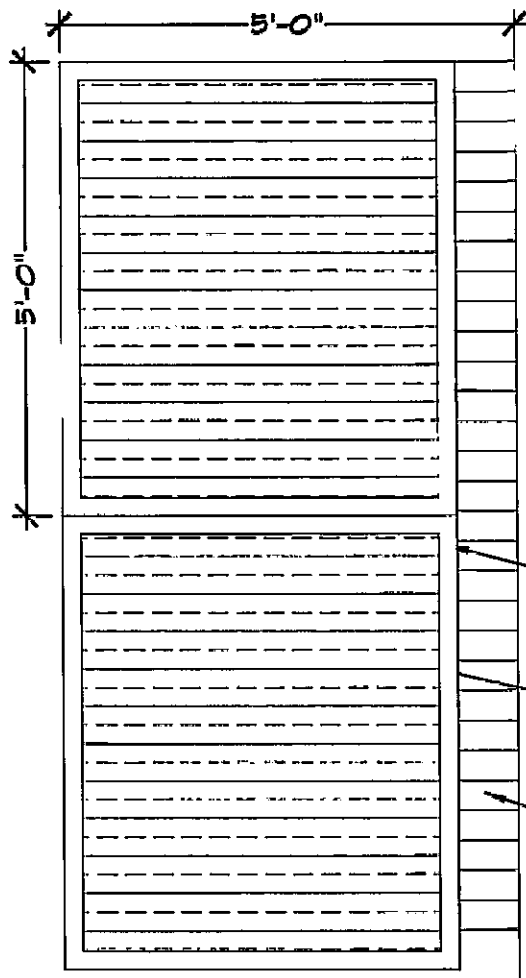
NOTE: ALL WORK TO CONFORM  
TO PADOT PUBLICATION 408

**NOTES:**

1. EXPANSION JOINTS ARE TO BE LOCATED EVERY 25' & CONTRACTION JOINTS ARE TO BE LOCATED EVERY 5'.
2. EXPANSION JOINTS: 1/2" EXPANSION JOINT, ASPHALT IMPREGNATED FIBER BOARD.
3. CONTRACTION JOINT: 1/2" X 3/4" TOOLED JOINT WITH 1/4" RADIUS TOOLED EDGE.
4. PAVERS ARE TO BE WET LAID WITH LATEX MORTAR ADDITIVE AFTER CONCRETE WALK & CURB HAVE BEEN FORMED, POURED & CURED. ALLOW FOR A 3/4" SETTING BED. PAVERS ARE TO BE LAID TIGHT JOINTS & TAMPED INTO PLACE. CLEAN SAND SHALL BE SWEEP INTO JOINTS OF PAVERS.
5. DRIVEWAY APRONS ARE TO HAVE 6" CONCRETE WITH 10 GAUGE, 6" X 6" WELDED WIRE MESH, 2" CLEAR ON ALL SIDES. 6" OF #2 CLEAN STONE COMPACTED AS REQUIRED UNDER ALL DRIVEWAY APRONS. NO PAVERS SHALL USED IN DRIVEWAY APRONS.
6. CONCRETE TO BE 4000 PSI MINIMUM, 8% AIR ENTRAINED.

## VILLAGE OVERLAY DISTRICT TYPICAL SIDEWALK CROSS SECTION

SCALE: 3/4"=1'-0"



TWICE TOOLED EDGE

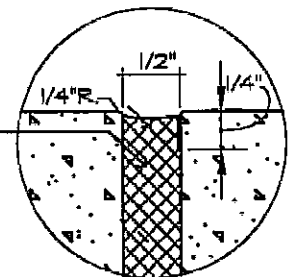
BROOM SWEPT FINISH  
PERPENDICULAR TO PEDESTRIAN  
TRAVEL

UNIT PAVEMENT BAND

EXISTING OR PROPOSED  
CONCRETE CURB

SCALE: 1/2"=1'-0"

1/2" ASPHALT IMPREGNATED FIBER  
BOARD JOINT FILLER FULL-DEPTH



SCALE: N.T.S.

## VILLAGE OVERLAY DISTRICT TYPICAL SIDEWALK DETAIL FINISHING

SCALE: AS NOTED

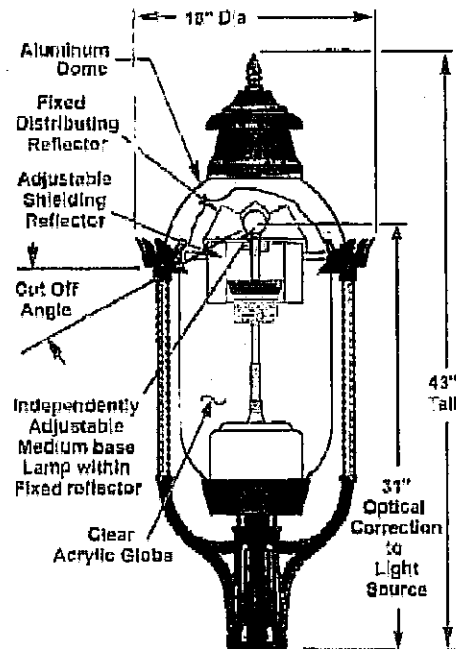
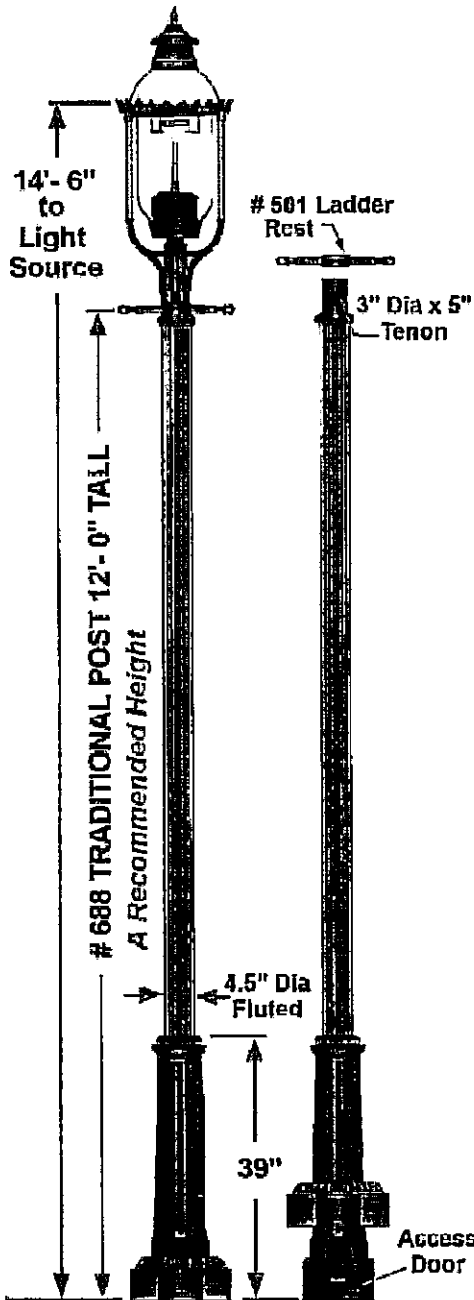
# PennTrol System Lighting Design # PT-F360-P688-1

**REPLICA GASLIGHT**  
PREVIOUS CATALOG NUMBER:  
BOULEVARD #38

## Boulevard 1000

IES  
OUT OFF

**TRADITIONAL POST**  
PREVIOUS CATALOG NUMBER:  
688 TRADITIONAL FLUTED P/N 688W1192



THE PENNSYLVANIA GLOBE GASLIGHT CO  
100 Shaw Road, North Branford, CT 06471  
TEL: 203 - 444 - 7745 FAX: 203 - 484 - 7768

### FINISH

Textured Aliphatic Urethane Enamel  
Color: Black Number: 1003T

Bracket STK # None

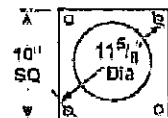
Post STK # P688-W1222-211  
688 Traditional 12'-0" Tall

Fixture STK # F360-G919-PG989  
Boulevard 1000 - F360 Model

Lamp	Base	Watts	Select Voltage
MH	Medium	175	120, 208, 240, 277

Project: Northampton, PA  
Suburban Wholesale Ltd.  
Qty: xxxx

Date: 2007



Pattern #340K5360

VILLAGE OVERLAY DISTRICT  
TYPICAL DECORATIVE LIGHT STANDARD

SCALE: AS NOTED



## **Chapter 23**

### **Stormwater Management and Grading**

#### **Part 1 General Provisions**

- §23-101. Short Title
- §23-102. Statement of Findings
- §23-103. Purpose
- §23-104. Statutory Authority
- §23-105. Applicability
- §23-106. Exemptions
- §23-107. Compatibility with Other Ordinance or Legal Requirements

#### **Part 2 Definitions**

- §23-201. Word Usage
- §23-202. Terms Defined

#### **Part 3 Stormwater Management**

- §23-301. General Requirements
- §23-302. Permit Requirements by Other Governmental Entities
- §23-303. Erosion and Sedimentation Control During Regulated Activities
- §23-304. Volume Control
- §23-305. Stormwater Peak Rate Control and Management Districts
- §23-306. Calculation Methodology

#### **Part 4 Stormwater Management (SWM) Site Plan Requirements**

- §23-401. General Requirements
- §23-402. SWM Site Plan Requirements
- §23-403. Plan Submission
- §23-404. Stormwater Management (SWM) Site Plan Review
- §23-405. Modification of Plans
- §23-406. Resubmission of Inconsistent, Non-compliant or Disapproved SWM Site Plans

#### **Part 5 Design Criteria and Requirements**

- §23-501. Design Criteria
- §23-502. Grading and Landscaping
- §23-503. Township Stormwater BMP Operation and Maintenance Fund

**Part 6**  
**Inspections and Right of Entry**

- §23-601. Inspections
- §23-602. Right of Entry

**Part 7**  
**Fees and Expenses**

- §23-701. Stormwater Management (SWM) Site Plan Review and Inspection Fee
- §23-702. Expenses Covered by Fees

**Part 8**  
**Maintenance Responsibilities**

- §23-801. Performance Guarantee and Maintenance
- §23-802. Responsibilities for Operations and Maintenance (O&M) of Stormwater Facilities and BMPs
- §23-803. As-Built Plan
- §23-804. Stormwater Management Easements

**Part 9**  
**Prohibitions**

- §23-901. Prohibited Discharges
- §23-902. Roof Drains
- §23-903. Alteration of SWM BMPs

**Part 10**  
**Enforcement and Penalties**

- §23-1001. Enforcement
- §23-1002. Suspension and Revocation of Permits and Approvals
- §23-1003. Penalties
- §23-1004. Appeals

**Appendices**

- Appendix 23-A Stormwater Controls and Best Management Practices Operations and Maintenance Agreement (Example)
- Appendix 23-B Stormwater Management Design Criteria
- Appendix 23-C SWM Site Plan Checklist
- Appendix 23-D Northampton Township Peak Rate Control Management District Map
- Appendix 23-E Low Impact Development (LID) Practices
- Appendix 23-F Disconnected Impervious Area (DIA)
- Appendix 23-G Small Project Stormwater Management (SWM) Site Plan

**Part 1****General Provisions****§23-101. Short Title.**

This Chapter shall be known and may be cited as the “Northampton Township Stormwater Management and Grading Ordinance.”

(*Ord. 559, 7/27/2011, §113-1*)

**§23-102. Statement of Findings.**

The Board of Supervisors of Northampton Township finds that:

A. Inadequate management of accelerated stormwater runoff resulting from development and redevelopment throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to convey and manage stormwater, undermines floodplain management and flood reduction efforts in upstream and downstream communities, reduces groundwater recharge, and threatens public health and safety.

B. Inadequate planning and management of stormwater runoff resulting from land development and redevelopment throughout a watershed can also harm surface water resources by changing the natural hydrologic patterns, accelerating stream flows (which increase scour and erosion of streambeds and streambanks, thereby elevating sedimentation), destroying aquatic habitat, and elevating aquatic pollutant concentrations and loadings such as sediments, nutrients, heavy metals, and pathogens.

C. A comprehensive program of stormwater management (SWM), including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, welfare, and the protection of the people of the Township and all the people of the Commonwealth, their resources, and the environment.

D. Stormwater is an important water resource by providing groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

E. Public education on the control of pollution from stormwater is an essential component in successfully addressing stormwater.

F. Federal and State regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

G. Non-stormwater discharges to the Township’s separate storm sewer system can contribute to pollution of waters of the Commonwealth by the Township.

(*Ord. 559, 7/27/2011, §113-2*)

**§23-103. Purpose.**

The purpose of this Chapter is to promote the public health, safety, and welfare within the Township and its watershed by maintaining the natural hydrologic regime and by minimizing the harms and maximizing the benefits described in §23-102 of this Chapter, through provisions designed to:

- A. Meet legal water quality requirements under State law, including regulations at 25 Pa.Code, Chapter 93, to protect, maintain, reclaim, and restore the existing and designated uses of the waters of this Commonwealth.
- B. Minimize increases in stormwater volume and control peak flows.
- C. Provide review procedures and performance standards for stormwater planning and management.
- D. Utilize and preserve the natural drainage systems as much as possible.
- E. Manage stormwater impacts close to the runoff source by regulating activities that cause the problem and by requiring a minimum of structures and relying on natural processes.
- F. Focus on infiltration of stormwater to maintain groundwater recharge, to prevent degradation of surface and groundwater quality, and to otherwise protect water resources.
- G. Preserve and restore the flood-carrying capacity of streams.
- H. Prevent scour and erosion of streambanks and stream beds.
- I. Provide standards to meet National Pollution Discharge Elimination System (NPDES) permit requirements.
- J. Address certain requirements of the Municipal Separate Stormwater Sewer System (MS4) NPDES Phase II stormwater regulations.
- K. Provide for proper operation and maintenance of all stormwater management facilities and best management practices (BMPs) that are implemented in the Township.

(Ord. 559, 7/27/2011, §113-3)

**§23-104. Statutory Authority.**

The Township is empowered to regulate land use activities that affect stormwater runoff by the authority of the Act of July 31, 1968, P.L. 805, No. 247, the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, as amended, the Act of October 4, 1978, P.L. 864, No. 167, the Stormwater Management Act, 32 P.S. §680.1 *et seq.*, and the Water Resources Act of 2002, 27 Pa.C.S.A. §3101 *et seq.*, and the Second Class Township Code, 53 P.S. §65101 *et seq.*

(Ord. 559, 7/27/2011, §113-4)

**§23-105. Applicability.**

1. All regulated activities and all activities that may affect stormwater runoff, including land development and earth disturbance activity, are subject to regulation by this Chapter.

2. Regulated activities include, but are not limited to:



- A. Land development.
- B. Subdivisions.
- C. Prohibited or polluted discharges.
- D. Alteration of the natural hydrologic regime.
- E. Construction or reconstruction of, or addition of new impervious or semi-pervious surfaces (i.e., driveways, parking lots, roads, etc.), except for reconstruction of roads where there is no increase in impervious surface.
- F. Construction of new buildings or additions to existing buildings.
- G. Redevelopment.
- H. Diversion piping or encroachments in any natural or man-made channel.
- I. Nonstructural and structural stormwater management best management practices (BMPs) or appurtenances thereto.

(Ord. 559, 7/27/2011, §113-5)

### **§23-106. Exemptions.**

1. Regulated activities that create impervious surfaces less than or equal to 1,000 square feet are exempt from the peak rate control and the SWM site plan preparation requirements of this Chapter and are not applicable to the volume requirements of this Chapter, unless the activity is found to be a contributor of pollution to the waters of the Commonwealth. [Ord. 562]

2. Regulated activities that create impervious surfaces greater than 1,000 square feet, up to and including 5,000 square feet, are exempt only from the peak rate control requirements of this Chapter unless the activity is found to be a contributor of pollution to the waters of the Commonwealth. These activities are not exempt from the SWM site plan requirements and the volume requirements of this Chapter. The non-engineered small projects site plan detailed in Appendix 23-G can be used to satisfy the SWM site plan requirements for residential activities only.

<b>Table 23-106.2</b>				
<b>Impervious Surface Exemption Threshold</b>				
<b>Chapter Part or Section</b>	<b>Type of Project</b>	<b>Proposed Impervious Surface</b>		
		<b>0–1,000 sq. ft.</b>	<b>1,001–5,000 sq. ft.</b>	<b>5,000 + sq. ft.</b>
§23-402, SWM Site Plan Requirements	All Development	Exempt	Not Exempt (except residential activity)	Not Exempt
Appendix 23-G, Non-engineered Small Project Site Plan	Only Residential Development Applicable	Exempt	Applicable	Non-applicable
§23-304, Volume Control Requirements	All Development	Non-applicable	Not Exempt	Not Exempt
§23-305, Peak Rate Control Requirements	All Development	Exempt	Exempt	Not Exempt
§23-303, Erosion and Sediment Pollution Control Requirements	Must comply with Title 25, Chapter 102, of the Pa.Code and any other applicable State, County, and Township codes. PADEP requires an engineered post-construction SWM Plan with projects proposing earth disturbance greater than 1 acre.			

[Ord. 562]

3. Earth disturbance activity of less than 10,000 square feet in area that includes no additional impervious surfaces.

4. Agricultural activity is exempt from the peak rate control requirements and SWM site plan preparation requirements of this Chapter provided the activities are performed according to the requirements of 25 Pa.Code, Chapter 102.

5. Forest management and timber operations are exempt from the peak rate control requirements and SWM site plan preparation requirements of this Chapter provided the activities are performed according to the requirements of 25 Pa.Code, Chapter 102.

6. Any aspect of BMP maintenance to an existing SWM system made in accordance with plans and specifications approved by Northampton Township is exempt.

7. The use of land for gardening for home consumption and residential landscaping that does not include any increase in impervious coverage is exempt from the requirements of this Chapter.

8. Exemptions from any provisions of this Chapter shall not relieve the applicant from the requirements in §23-301.4 through .12.

9. *Exception for Hardship.* The Township Engineer, with the concurrence of the Board of Supervisors, may waive or modify any mandatory provision of this Chapter when the literal compliance with a mandatory provision is shown to the satisfaction of the Township Engineer to be unreasonable or cause undue hardship because of peculiar conditions pertaining to the land in question, provided that a modification will not be contrary to the public interest or when an alternative standard can be demonstrated to provide equal or better results.

10. *Additional Exemption Criteria.*

A. *Exemption Responsibilities.* An exemption shall not relieve the applicant from the requirements of other Township codes and/or implementing such measures as are necessary to protect public health, safety, and property. The Township shall have the discretion to deny exemptions where other permits are required.

B. *Drainage Problems.* Where drainage problems are documented or known to exist downstream of or is expected from the proposed activity, Northampton Township may deny exemptions.

C. Exemptions are limited to specific portions of this Chapter.

D. *HQ and EV Streams.* Northampton Township may deny exemptions in high quality (HQ) or exceptional value (EV) waters and source water protection areas (SWPA).

E. The exemptions are limited to the increase in impervious coverage amounts listed in Table 23-106.2 for each property as of the adoption of this Chapter. Any increase in impervious coverage is cumulative from the date of adoption of this Chapter. All cumulative activities that increase the impervious coverage over the amounts stated in Table 23-106.2 will not be exempt from the stated requirements. [Ord. 562]

(*Ord. 559*, 7/27/2011, §113-6; as amended by *Ord. 562*, 4/25/2012, §§1–4)

**§23-107. Compatibility with Other Ordinance or Legal Requirements.**

1. Approvals issued and actions taken pursuant to this Chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. To the extent that this Chapter imposes more rigorous or stringent requirements for stormwater management, the specific requirements contained in this Chapter shall be followed.

2. Nothing in this Chapter shall be construed to affect any of the Township requirements regarding stormwater matters which do not conflict with the provisions of this Chapter. Conflicting provisions in other Township ordinances or regulations shall be construed to retain the requirements of this Chapter by addressing State water quality requirements.

(*Ord. 559*, 7/27/2011, §113-9)



## Part 2

### Definitions

#### §23-201. Word Usage.

For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.

B. The word “includes” or “including” shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.

C. The word “person” includes an individual, firm, association, organization, partnership, trust, company, corporation, unit of government, or any other similar entity.

D. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

E. The words “used” or “occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained.”

F. The following definitions are frequently cross-referenced with other words of similar meaning. The term “Supervisors” shall always mean the “Board of Township Supervisors of Northampton Township.” The term “municipality” or “Township” shall always mean the “Township of Northampton, Bucks County, Pennsylvania.”

(Ord. 559, 7/27/2011, §13-10)

#### §23-202. Terms Defined.

As used in this Chapter, the following terms shall have the meaning indicated:

*Accelerated erosion*—the removal of the surface of the land through the combined action of human activity and the natural processes of a rate greater than would occur because of the natural process alone.

*Agricultural activity*—activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

*Alteration*—as applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious as the result of changing the land cover including the water, vegetation and bare soil.

*Applicant*—a person who has filed an application for approval to engage in any

regulated activity defined in §23-105 of this Chapter at a project site in the Township.

*As-built drawings*—engineering or site drawings maintained by the contractor as he constructs the project and upon which he documents the actual locations of the building components, stormwater BMPs and changes to the original contract documents. These documents, or a copy of same, are turned over to the Township Engineer at the completion of the project.

*Bankfull*—the channel at the top-of-bank, or point from where water begins to overflow onto a floodplain.

*Base flow*—portion of stream discharge derived from groundwater; the sustained discharge that does not result from direct runoff or from water diversions, reservoir releases, piped discharges, or other human activities.

*Best management practices (BMP)*—activities, facilities, designs, measures, or procedures used to manage stormwater impacts from regulated activities, to meet State water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this Chapter. Stormwater BMPs are commonly grouped into one of two broad categories or measures: “structural” or “nonstructural.” In this Chapter, nonstructural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site.

*Bioretention*—a stormwater retention area that utilizes woody and herbaceous plants and soils to remove pollutants before infiltration occurs.

*Buffer*—the area of land immediately adjacent to any stream, measured perpendicular to and horizontally from the top-of-bank on both sides of a stream (see “top-of-bank”).

*Channel*—an open drainage feature through which stormwater flows. Channels include, but shall not be limited to, natural and man-made watercourses, swales, streams, ditches, canals, and pipes that convey continuously or periodically flowing water.

*Cistern*—an underground reservoir or tank for storing rainwater.

*Conservation District*—the Bucks County Conservation District.

*Culvert*—a structure with its appurtenant works, which carries water under or through an embankment or fill.

*Curve number*—value used in the soil cover complex method. It is a measure of the percentage of precipitation which is expected to run off from the watershed and is a function of the soil, vegetative cover, and tillage method.

*Cut*—

(1) An excavation.

(2) The difference in vertical elevation between a point on the surface of original ground and a designated point of lower elevation on the final grade.

(3) The material removed in excavation.

*Dam*—a man-made barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid. A dam may include a refuse bank, fill or structure for highway, railroad or other purposes which impounds or may impound water or another fluid or semifluid.

*Department*—the Pennsylvania Department of Environmental Protection (PADEP).

*Designee*—the agent of the Bucks County Conservation District, and/or agent of Northampton Township involved with the administration, review, or enforcement of any provisions of this Chapter by contract or memorandum of understanding.

*Design storm*—the magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24-hours), used in the design and evaluation of stormwater management systems.

*Detention basin*—an impoundment or structure designed to collect and retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely soon after a rainfall event and become dry until the next rainfall event.

*Detention volume*—the volume of runoff that is captured and released into the waters of the Commonwealth at a controlled rate.

*Developer*—a person that seeks to undertake any regulated activities at the project site in the Township.

*Development*—see “earth disturbance activity.”

*Development site*—the specific tract or parcel of land where any regulated activity set forth in §23-105 is planned, conducted or maintained.

*Diffused drainage discharge*—drainage discharge that is not confined to a single point location or channel, including sheet flow or shallow concentrated flow.

*Discharge*—(1) (verb) To release water from a project, site, aquifer, drainage basin or other point of interest; (2) (noun) The rate and volume of flow of water such as in a stream, generally expressed in cubic feet per second.

*Discharge point*—the point of discharge for a stormwater facility.

*Disconnected impervious area (DIA)*—an impervious or impermeable surface that is disconnected from any stormwater drainage or conveyance system and is redirected or directed to a pervious area, which allows for infiltration, filtration, and increased time of concentration as specified in Appendix 23-F, “Disconnected Impervious Area.”

*Disturbed areas*—unstabilized land area where an earth disturbance activity is occurring or has occurred.

*Ditch*—a man-made waterway constructed for irrigation or stormwater

conveyance purposes.

*Drainage conveyance facility*—a stormwater management facility designed to transport stormwater runoff that includes channels, streams, swales, pipes, conduits, culverts, and storm sewers, etc.

*Drainage easement*—a right granted by a landowner to a grantee, allowing the use of private land for stormwater management purposes.

*Drainage permit*—a permit issued by the Township after the SWM site plan has been approved.

*Earth disturbance activity*—a construction or other human activity that disturbs the surface of land, including, but not limited to, clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, timber harvesting activities, road maintenance activities, building construction, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials. As used in this Chapter, earth disturbance activity encompasses both new development and redevelopment.

*Emergency spillway*—a conveyance area that is used to pass the peak discharge of the maximum design storm controlled by the stormwater facility.

*Encroachment*—a structure or activity that changes, expands or diminishes the course, current or cross section of a watercourse, floodway or body of water.

*Erosion*—the process by which the surface of the land, including water/stream channels, is worn away by water, wind, or chemical action.

*Erosion and sediment control plan*—a site-specific plan identifying BMPs to minimize accelerated erosion and sedimentation. For agricultural plowing or tilling activities, the erosion and sediment control plan is that portion of a conservation plan identifying BMPs to minimize accelerated erosion and sedimentation.

*Excavation*—any act by which earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced or relocated and shall include the conditions resulting there from.

*Exceptional value waters*—surface waters of high quality which satisfy Pennsylvania Code, Title 25, Environmental Protection, Chapter 93, Water Quality Standards, §93.4b(b) (relating to antidegradation).

*Existing conditions*—the initial condition of a project site prior to the proposed alteration.

*Existing recharge area*—undisturbed surface area or depression where stormwater collects and a portion of which infiltrates and replenishes the groundwater.

*Fill*—any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting there from; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; or the material used to make a fill.

*Finished grade*—the final vertical elevation of the ground after development.

*Flood*—a temporary condition of partial or complete inundation of land areas



from the overflow of streams, rivers, and other waters of the Commonwealth.

*Floodplain or flood hazard area (or district)*—that land within Northampton Township adjoining any stream or adjoining any pond or lake adopted and/or designated by the Northampton Township Board of Supervisors as derived from:

(1) The Flood Insurance Rate Map (FIRM), Township of Northampton, Pennsylvania, prepared by the Federal Insurance Administration of the Federal Emergency management Agency (FEMA), effective April 2, 2002, and any subsequent revisions.

(2) Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service; in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002.

(3) The Builders' Association Floodplain Analysis as approved by FEMA.

*Floodplain soil*—soil in a current floodplain that has a flooding occurrence greater than none. Floodplain soils shall be the following soils so classified by the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service; in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002:

- (1) Bowmansville-Knauers silt loam (Bo).
- (2) Delaware loam (DaA, DaB).
- (3) Fluvaquents (Fl).
- (4) Hatboro Silt Loam (Ha).
- (5) Holly silt loam (Ho).
- (6) Linden loam (U).
- (7) Nanticoke-Hatboro silt loam (Na).
- (8) Psamments (Ps).
- (9) Rowland silt loam (Ro).
- (10) Urban land, Occasionally flooded (Ufw).
- (11) Urban land, Delaware complex (UIB).

*Floodway*—the designated area of a floodplain required to carry and discharge floodwaters of the 100-year storm. In areas of the Township where no detailed flood profiles or elevations have been provided by the Flood Insurance Study, the Floodplain District shall include the approximate 100-year flood boundary as shown on the Flood Insurance Rate Map for the Township and land areas which contain soil characteristics indicative of flooding conditions, herein referred to as “floodplain soils.”

*Forest management/timber operations*—planning and associated activities necessary for the management of forestland. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets,

logging road design and construction, timber harvesting, and reforestation.

*Freeboard*—a vertical distance between the elevation of the design high-water and the top of a dam, levee, tank, basin, swale, or diversion berm. The space is required as a safety margin in a pond or basin.

*Grade*—(1) (noun) A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. (2) (verb) To finish the surface of a roadbed, the top of an embankment, or the bottom of excavation.

*Ground cover*—low-growing plant materials planted and growing in such a manner so as to conceal the earth surface.

*Groundwater*—water beneath the earth's surface that supplies wells and springs, and is often between saturated soil and rock.

*Groundwater recharge*—the replenishment of existing natural underground water supplies from rain or overland flow.

*HEC-HMS*—the U.S. Army Corps of Engineers, Hydrologic Engineering Center (HEC)-Hydrologic Modeling System (HMS). This model was used to model the Neshaminy Creek watershed during the Act 167 Plan development and was the basis for the standards and criteria of this Chapter.

*High quality waters*—surface waters having quality which exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying Pennsylvania Code, Title 25, Environmental Protection, Chapter 93, Water Quality Standards, §93.4b(a).

*Hydrograph*—a graph representing the discharge of water versus time for a selected point in the drainage system.

*Hydrologic regime*—the hydrologic cycle or balance that sustains quality and quantity of stormwater, baseflow, storage, and groundwater supplies under natural conditions.

*Hydrologic soil group*—a classification of soils by the Natural Resources Conservation Service, formerly the Soil Conservation Service, into four runoff potential groups. The groups range from A soils, which are very permeable and produce little runoff, to D soils, which are not very permeable and produce much more runoff.

*Impervious surface*—a surface that prevents the infiltration of water into the ground. Impervious surfaces include, but are not limited to, streets, sidewalks, pavement roofs, parking areas, or driveway areas. Any surface areas designed to be gravel or crushed stone shall be regarded as impervious surfaces. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classified as impervious.

*Impoundment*—a retention or detention basin designed to retain stormwater runoff and release it at a controlled rate.

*Infill development*—development that occurs on smaller parcels that remain undeveloped but are within or very close proximity to urban or densely developed areas. Infill development usually relies on existing infrastructure and does not require an extension of water, sewer or other public utilities.

*Infiltration*—movement of surface water into the soil, where it is absorbed by

plant roots, evaporated into the atmosphere, or percolated downward to recharge groundwater.

*Infiltration structures*—a structure designed to direct runoff into the underground water (e.g., French drains, seepage pits, or seepage trenches).

*Initial abstraction (Ia)*—the value used to calculate the volume or peak rate of runoff in the soil cover complex method. It represents the depth of rain retained on vegetation plus the depth of rain stored on the soil surface plus the depth of rain infiltrated prior to the start of runoff.

*Inlet*—a surface connection to a closed drain, a structure at the diversion end of a conduit or the upstream end of any structure through which water may flow.

*Intermittent stream*—a stream that flows only part of the time. Flow generally occurs for several weeks or months in response to seasonal precipitation or groundwater discharge.

*Karst*—a type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

*Land development*—any of the following activities:

(1) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

(b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.

(2) A subdivision of land.

(3) Development in accordance with Article V, §503(1.1) of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, 53 P.S. §10503(1.1), as reenacted and amended.

*Lot*—a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

*Low impact development (LID) practices*—practices that will minimize proposed conditions runoff rates and volumes, which will minimize needs for artificial conveyance and storage facilities.

*Main stem (main channel)*—any stream segment or other runoff conveyance used as a reach in the Neshaminy Creek hydrologic model.

*Manning equation (Manning formula)*—a method for calculation of velocity of flow (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. “Open channels” may include closed conduits so long as the flow is not under pressure.

*Municipal engineer*—a professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Northampton Township.

*Municipality*—Northampton Township, Bucks County, Pennsylvania.

*Natural hydrologic regime*—see “hydrologic regime.”

*Nonpoint source pollution*—pollution that enters a water body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

*Nonstormwater discharges*—water flowing in stormwater collection facilities, such as pipes or swales, which is not the result of a rainfall event or snowmelt.

*Nonstructural best management practice (BMP)*—methods of controlling stormwater runoff quantity and quality, such as innovative site planning, impervious area and grading reduction, protection of natural depression area, temporary ponding onsite and other techniques.

*NPDES*—National Pollutant Discharge Elimination System, the Federal government’s system for issuance of permits under the Clean Water Act, which is delegated to PADEP in Pennsylvania.

*NRCS*—Natural Resource Conservation Service (previously Soil Conservation Service).

*Outfall*—“point source” as described in 40 CFR §122.2 at the point where the Township’s storm sewer system discharges to surface waters of the Commonwealth.

*Outlet*—points of water disposal to or from a stream, river, lake, tidewater or artificial drain.

*Parent tract*—the parcel of land from which a land development or subdivision originates, determined from the date of municipal adoption of this Chapter.

*Peak discharge*—the maximum rate of stormwater runoff from a specific storm event.

*Penn State Runoff Model (PSRM)*—the computer-based hydrologic model developed at the Pennsylvania State University.

*Perennial stream*—a stream which contains water at all times except during extreme drought.

*Pipe*—a culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

*Planning Commission*—the Planning Commission of Northampton Township, Bucks County.

*Point source*—any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, or conduit from which stormwater is or may be discharged, as defined in State regulations at 25 Pa.Code §92.1.

*Post construction*—period after construction during which disturbed areas are stabilized, stormwater controls are in place and functioning and all proposed improvements in the approved land development plan are completed.

*Predevelopment*—see “existing condition.”

*Pretreatment*—techniques employed in stormwater BMPs to provide storage or filtering to trap coarse materials and other pollutants before they enter the system, but not necessarily designed to meet the volume requirements of this Chapter.

*Pervious surface*—a surface that allows the infiltration of water into the ground.

*Project site*—the specific area of land where any regulated activities in the Township are planned, conducted or maintained.

*Qualified professional*—any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by this Chapter.

*Rational method*—a rainfall-runoff relation used to estimate peak flow.

*Recharge*—the replenishment of groundwater through the infiltration of rainfall, other surface waters, or land application of water or treated wastewater.

*Redevelopment*—any development that requires demolition or removal of existing structures or impervious surfaces at a site and replacement with new impervious surfaces. Maintenance activities such as top-layer grinding and repaving are not considered to be redevelopment. Interior remodeling projects and tenant improvements are also not considered to be redevelopment. Utility trenches in streets are not considered redevelopment.

*Regulated activities*—any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

*Regulated earth disturbance activity*—activity involving earth disturbance subject to regulation under 25 Pa.Code, Chapter 92, 25 Pa.Code, Chapter 102, or the Clean Streams Law, 35 P.S. §691.1 *et seq.*

*Release rate*—the percentage of existing conditions peak rate of runoff from a site or subarea to which the proposed conditions peak rate of runoff must be reduced to protect downstream areas.

*Retention basin*—a structure in which stormwater is stored and designed to infiltrate into the ground. Retention basins are designed for infiltration purposes. The retention basin must infiltrate stored water in 4 days or less.

*Retention volume / removed runoff*—the volume of runoff that is captured and not released directly into the surface waters of the Commonwealth during or after a storm event.

*Return period*—the probability an event will occur in any given year. Typically displayed as a whole number, e.g., 25-year event, and represents the inverse of the frequency of that event. For example, the 25-year return period rainfall gives the probability,  $1/_{25}$  or 4 percent, which that size storm will occur in any given year.

*Road maintenance*—earth disturbance activities within the existing road cross-section, such as grading and repairing existing unpaved road surfaces, cutting road banks, cleaning or clearing drainage ditches and other similar activities.

*Roof drains*—a drainage conduit or pipe that collects water runoff from a roof and leads it away from the structure.

*Runoff*—any part of precipitation that flows over the land surface.

*Runoff coefficient*—that portion of a total volume of water which can be expected to flow off a particular surface.

*SALDO*—Subdivision and Land Development Ordinance [Chapter 22].

*Sediment*—soils or other materials transported by surface water as a product of erosion.

*Sediment basin*—a barrier, dam, retention or detention basin located and

designed to retain rock, sand, gravel, silt, or other material transported by water.

*Sediment pollution*—the placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this Chapter.

*Sedimentation*—the process by which mineral or organic matter is accumulated or deposited by the movement of water or air.

*Seepage pit / seepage trench*—an area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration into the ground.

*Separate storm sewer system*—a conveyance or system of conveyances (including roads with drainage systems, Township streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) primarily used for collecting and conveying stormwater runoff.

*Shallow concentrated flow*—stormwater runoff flowing in shallow, defined ruts prior to entering a defined channel or waterway.

*Sheet flow*—runoff that flows over the land as a thin broad, shallow water movement on sloping ground surfaces that is not channelized or concentrated.

*Soil cover complex method*—a method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called curve number (CN).

*Source water protection areas (SWPA)*—the zone through which contaminants, if present, are likely to migrate and reach a drinking water well or surface water intake.

*Special protection subwatersheds*—watersheds that have been designated in Pennsylvania Code Title 25, Environmental Protection, Chapter 93, Water Quality Standards, as exceptional value (EV) or high quality (HQ) waters.

*State water quality requirements*—the regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code and the Clean Streams Law, 35 P.S. §691.1 *et seq.*

*Storm frequency*—the number of times that a given storm “event” occurs or is exceeded on the average in a stated period of years. See “return period.”

*Storm sewer*—a system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources, but exclude domestic sewage and industrial wastes.

*Stormwater*—the surface runoff generated by precipitation reaching the ground surface.

*Stormwater management best management practices*—is abbreviated as BMPs or SWM BMPs throughout this Chapter.

*Stormwater management facility*—any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff quality, rate or quantity. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

*Stormwater Management Plan*—the watershed plan, known as the “Neshaminy Creek Watershed Act 167 Stormwater Management Plan,” for managing those land use activities that will influence stormwater runoff quality and quantity and that would impact the Neshaminy Creek Watershed adopted by Bucks and Montgomery Counties as required by the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. §680.1 *et seq.*

*Stormwater management site plan (SWM site plan)*—the plan prepared by the applicant or his representative indicating how stormwater runoff will be managed at the particular site of interest according to this Chapter.

*Stream*—a flow of water in a natural channel or bed, as a brook, rivulet, or a small river.

*Stream buffer*—the land area adjacent to each side of a stream, essential to maintaining water quality. (See “buffer.”)

*Stream enclosure*—a bridge, culvert, or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of the Commonwealth.

*Streambank erosion*—the widening, deepening, or headward cutting of channels and waterways, caused by stormwater runoff or bankfull flows.

*Subarea (subwatershed)*—the smallest drainage unit of a watershed for which stormwater management criteria have been established in the Stormwater Management Plan.

*Subdivision*—the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

*Surface waters of the Commonwealth*—any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface waters, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

*Swale*—a low lying stretch of land that gathers or carries surface water runoff.

*Timber operations*—see “forest management.”

*Time-of-concentration (Tc)*—the time required for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time, concentrated flow time, and flow time in pipes or channels, if any. The time of concentration flow path must be approved by the Township Engineer.

*Top-of-bank*—highest point of elevation in a stream channel cross-section at which a rising water level just begins to flow out of the channel and over the floodplain.

*Tree drip line*—a boundary line marking the outer edges of the branches of a

tree.

*Tree protection zone*—an area 15 feet radially from the trunk of the tree to be retained, or the distance from the trunk to the tree dripline, whichever is greater, in which no construction activity shall occur. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

*Vegetated swale*—a natural or man-made waterway, usually broad and shallow, covered with erosion-resistant grasses, used to convey surface water.

*Vernal pool*—seasonal depressional wetlands that are covered by shallow water for variable periods from winter to spring, but may be completely dry for most of the summer and fall.

*Watercourse*—a channel or conveyance of surface water such as a stream or creek having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

*Waters of the Commonwealth*—any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

*Watershed*—region or area drained by a river, watercourse, or other body of water, whether natural or artificial.

*Wet basin*—pond for urban runoff management that is designed to detain urban runoff and always contains water.

*Wetland*—those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, fens, and similar areas. The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and wetland areas designated by a river basin commission.

(Ord. 559, 7/27/2011, §113-11)



**Part 3****Stormwater Management****§23-301. General Requirements.**

1. Applicants proposing regulated activities in Northampton Township that do not fall under the exemption criteria shown in §23-106 shall submit a stormwater management (SWM) site plan consistent with this Chapter to the Township for review. The SWM criteria of this Chapter shall apply to the total proposed development even if development is to take place in stages. Preparation and implementation of an approved SWM site plan is required. No regulated activities shall commence until the Township issues written approval of a SWM site plan, which demonstrates compliance with the requirements of this Chapter.

2. SWM site plans approved by the Township shall be on-site throughout the duration of the regulated activity.

3. The Township may, after consultation with the Department of Environmental Protection (PADEP), approve measures for meeting the State water quality requirements other than those in this Chapter, provided that they meet the minimum requirements of, and do not conflict with, State law including, but not limited to, the Clean Streams Law, 35 P.S. §691.1 *et seq.*

4. For all regulated earth disturbance activities, erosion and sediment (E&S) control best management practices (BMPs) shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities to meet the purposes and requirements of this Chapter and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law, 35 P.S. §691.1 *et seq.* Various BMPs and their design standards are listed in the *Erosion and Sediment Pollution Control Program Manual*, (April 15, 2000), as amended and updated.

5. For all regulated activities, implementation of the volume controls as listed in this Chapter is required.

6. *Impervious Areas.*

A. The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.

B. For development taking place in stages, the entire development plan must be used in determining conformance with this Chapter.

C. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Chapter.

7. Stormwater flows onto adjacent property shall not be altered without written notification of the adjacent property owner(s). Such stormwater flows shall be subject to the requirements of this Chapter.

8. All regulated activities shall include such measures as necessary to:

A. Protect health, safety, and property.

B. Meet the water quality goals of this Chapter by implementing measures

to:

- (1) Minimize disturbance to floodplains, wetlands, and wooded areas.
- (2) Create, maintain, repair or extend riparian buffers.
- (3) Avoid erosive flow conditions in natural flow pathways.
- (4) Minimize thermal impacts to waters of this Commonwealth.
- (5) Disconnect impervious surfaces (i.e., disconnected impervious areas, DIAs) by directing runoff to pervious areas, wherever possible. See Appendix 23-F for detail on DIAs.

C. To the maximum extent practicable, incorporate the techniques for low impact development practices (e.g., protecting existing trees, reducing area of impervious surface, cluster development, and protecting open space) described in the *Pennsylvania Stormwater Best Management Practices Manual*, Pennsylvania Department of Environmental Protection (PADEP) (2006), as updated and amended. See Appendix 23-E for a summary description.

9. Infiltration BMPs should be spread out, made as shallow as practicable, and located to maximize the use of natural on-site infiltration features while still meeting the other requirements of this Chapter.

10. The design of all facilities over karst shall include an evaluation of measures to minimize the risk of adverse effects.

11. Storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm.

12. The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the *Precipitation-Frequency Atlas of the United States*, Atlas 14, Volume 2, Version 3.0, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland.

13. Areas of existing diffused drainage discharge, whether proposed to be concentrated or maintained as diffused drainage areas, shall be subject to any applicable discharge criteria in the general direction of existing discharge, except as otherwise provided by this Chapter. If diffused drainage discharge is proposed to be concentrated and discharged onto adjacent property, the applicant must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flooding or other impacts will result from the concentrated discharge.

14. For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this Chapter and to meet all requirements under Title 25 of the Pennsylvania Code, the Clean Streams Law, 35 P.S. §691.1 *et seq.*, and the Storm Water Management Act, 32 P.S. §680.1 *et seq.*

(Ord. 559, 7/27/2011, §113-12)

### **§23-302. Permit Requirements by Other Governmental Entities.**

The following permit requirements may apply to certain regulated earth

disturbance activities, and must be met prior to commencement of regulated earth disturbance activities, as applicable:

A. All regulated earth disturbance activities subject to permit requirements by DEP under regulations at 25 Pa.Code, Chapter 102.

B. Work within natural drainage ways subject to permit by DEP under 25 Pa.Code, Chapter 105.

C. Any stormwater management facility that would be located in or adjacent to surface waters of the Commonwealth, including wetlands, subject to permit by DEP under 25 Pa.Code, Chapter 105.

D. Any stormwater management facility that would be located on a State highway right-of-way, or require access from a State highway, shall be subject to approval by the Pennsylvania Department of Transportation (PennDOT).

E. Culverts, bridges, storm sewers or any other facilities, which must pass or convey flows from the tributary area and any facility which may constitute a dam subject to permit by DEP under 25 Pa.Code, Chapter 105.

(Ord. 559, 7/27/2011, §113-13)

**§23-303. Erosion and Sedimentation Control During Regulated Activities.**

1. No regulated earth disturbance activities within Northampton Township shall commence until Northampton Township approves an erosion and sediment control plan for construction activities.

2. DEP has regulations that require an erosion and sediment control plan for any earth disturbance activity of 5,000 square feet or more, under Title 25, Pa.Code. The Bucks County Conservation District requires their approval of an erosion and sedimentation control plan for any earth disturbance activity of 1,000 square feet or more.

3. In addition, under 25 Pa.Code, Chapter 102.5, a DEP “NPDES permit for stormwater discharges associated with construction activities” permit is required for any earth disturbance activity that involves equal to or greater than 1 acre of earth disturbance prior to commencing the earth disturbance activity, this includes earth disturbance on any portion, part or during any stage of a larger common plan of development or sale.

4. Detailed construction schedules shall be included in all erosion and sedimentation plans and stormwater management plan reviews by the Bucks County Conservation District.

5. Evidence of any necessary permit(s) for regulated earth disturbance activities from the appropriate DEP regional office or the Bucks County Conservation District must be provided to Northampton Township. The issuance of an NPDES permit for stormwater discharges associated with construction activities or permit under the Statewide general permit (PAG-2) satisfies the requirements of subsection .1.

6. A copy of the erosion and sediment control plan and any required permit, as required by DEP regulations, shall be available on the project site at all times.

7. Additional erosion and sediment control design standards and criteria are recommended to be applied where infiltration BMPs are proposed. They shall include

the following:

A. Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase to maintain maximum infiltration capacity. Barriers such as construction fencing should be used to protect and keep construction traffic out of the area where infiltration BMPs are proposed. Inlet or pipes that are installed to these systems should be completely sealed or protected and monitored until the drainage areas are completely stabilized.

B. Infiltration BMPs shall not be constructed nor receive runoff until the entire contributory drainage area to the infiltration BMP has achieved final stabilization, or as approved by the engineer.

(Ord. 559, 7/27/2011, §113-14)

#### **§23-304. Volume Control.**

1. Volume controls will mitigate increased runoff impacts, protect stream channel morphology, maintain groundwater recharge, and contribute to water quality improvements. Stormwater runoff volume control methods are based on the net change in runoff volume for the 2-year storm event.

2. Volume controls shall be implemented using the design storm method in paragraph .A or the simplified method in paragraph .B below. For regulated activities equal to or less than 1 acre, this Chapter establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations of the procedures associated with each methodology, and other factors. All regulated activities greater than 1 acre must use the design storm method.

A. *Design Storm Method* (any regulated activity). This method requires detailed modeling based on site conditions. For modeling assumptions refer to §23-306.1.

(1) Post-development total runoff should not be increased from pre-development total runoff for all storms equal to or less than the 2-year 24-hour duration precipitation.

(2) The following applies in order to estimate the increased volume of runoff for the 2-year 24-hour duration precipitation event:

To calculate the runoff volume (cubic feet) for existing site conditions (pre-development) and for the proposed developed site conditions (post-development), it is recommended to use the soil cover complex method as shown on the following page. Table 23-B-3 in Appendix 23-B is available to guide a qualified professional and/or an applicant to calculate the stormwater runoff volume. The calculated volume shall be either reused, evapotranspired, or infiltrated through structural or nonstructural means.

*Soil Cover Complex Method:*

$$\text{Step 1: Runoff (in)} = Q = \frac{(P - 0.2S)^2}{(P + 0.8S)} \text{ where}$$

P = 2-year Rainfall (in)

$$S = \left( \frac{1000}{CN} \right) - 10, \text{ the potential maximum retention (including initial abstraction, } I_a \text{)}$$

Step 2: Runoff Volume (Cubic Feet) = Q x Area x 1/12

Q = Runoff (in)

Area = SWM Area (sq ft)

B. *Simplified Method* (regulated activities less than or equal to 1 acre):

(1) Stormwater facilities shall capture the runoff volume from at least the first 2 inches of runoff from all new impervious surfaces.

**Volume (cubic feet) = (2" runoff / 12 inches) \* impervious surface (sq ft)**

(2) At least the first 1 inch of runoff volume from the new impervious surfaces shall be permanently removed from the runoff flow—i.e., it shall not be released into the surface waters of the Commonwealth. The calculated volume shall be either reused, evapotranspired or infiltrated through structural or nonstructural means.

**Volume (cubic feet) = (1" runoff / 12 inches) \* impervious surface (sq ft)**

(3) Infiltration facilities should be designed to accommodate the first 0.5 inch of the permanently removed runoff.

(4) No more than 1 inch of runoff volume from impervious surfaces shall be released from the site. The release time must be over 24 to 72 hours.

C. *Stormwater Control Measures*. The applicant must demonstrate how the required volume is controlled through stormwater best management practices (BMPs) which shall provide the means necessary to capture, reuse, evaporate, transpire or infiltrate the total runoff volume.

(1) If natural resources exist on the site, the applicant is required to submit a SWM site plan shall determine the total acreage of protected area where no disturbance is proposed. The acreage of the protected area should be subtracted from the total site area and not included in the stormwater management site area acreage used in determining the volume controls.

**Stormwater Management Site Area =  
{Total Site Area (for both pre and post development conditions) - Protected Area}**

Natural resource areas should be calculated based upon the Township's own natural resource protection standards. See Table 23-B-2 in Appendix 23-B for guidance to assess the total protected area. For additional reference see Chapter 5, §5.4.1, of the PA BMP Manual.

(2) Calculate the volume controls provided through nonstructural BMPs. Table 23-B-5 in Appendix 23-B is recommended as guidance.

(3) Volume controls provided through nonstructural BMPs should be subtracted from the required volume to determine the necessary structural

BMPs.

$$\text{Required Volume Control (ft}^3\text{)} - \text{Nonstructural Volume Control (ft}^3\text{)} = \text{Structural Volume Requirement (ft}^3\text{)}$$

(4) Calculate the volume controls provided through structural BMPs. Table 23-B-6 in Appendix 23-B is recommended as guidance. See PA BMP Manual, Chapter 6, for description of the BMPs.

(5) Infiltration BMPs intended to receive runoff from developed areas shall be selected based on the suitability of soils and site conditions (see Table 23-B-6 in Appendix 23-B for a list of infiltration BMPs). Infiltration BMPs shall be constructed on soils that have the following characteristics:

(a) A minimum soil depth of 24 inches between the bottom of the infiltration BMPs and the top of bedrock or seasonally high water table.

(b) An infiltration rate sufficient to accept the additional stormwater load and dewater completely as determined by field tests. A minimum of 0.2 inches/hour (in/hr) should be utilized and for acceptable rates a safety factor of 50 percent should be applied for design purposes (e.g., for soil which measured 0.4 in/hr, the BMP design should use 0.2 in/hr to insure safe infiltration rates after construction).

(c) All open-air infiltration facilities shall be designed to completely infiltrate runoff volume within 3 days (72 hours) from the start of the design storm.

(6) *Soils.* A soils evaluation of the project site shall be required to determine the suitability of infiltration facilities. All regulated activities are required to perform a detailed soils evaluation by a qualified design professional which at minimum address soil permeability, depth to bedrock, and subgrade stability. The general process for designing the infiltration BMP shall be:

(a) Analyze hydrologic soil groups as well as natural and man-made features within the site to determine general areas of suitability for infiltration practices. In areas where development on fill material is under consideration, conduct geotechnical investigations of sub-grade stability; infiltration may not be ruled out without conducting these tests.

(b) Provide field tests such as percolation tests, double ring infiltrometer or hydraulic conductivity tests (at the level of the proposed infiltration surface) to determine the appropriate hydraulic conductivity rate.

(c) Design the infiltration structure based on field determined capacity at the level of the proposed infiltration surface and based on the safety factor of 50 percent.

(d) If on-lot infiltration structures are proposed, it must be demonstrated to the Township that the soils are conducive to infiltrate on the lots identified.

(e) An impermeable liner will be required in detention basins where the possibility of groundwater contamination exists. A detailed

hydrogeologic investigation may be required by the Township.  
(Ord. 559, 7/27/2011, §113-15)

**§23-305. Stormwater Peak Rate Control and Management Districts.**

1. Standards for managing runoff in Northampton Township for the 2-, 5-, 10-, 25-, 50-, and 100-year design storms are shown in Table 23-305.1. Northampton Township only contains Watershed District B in the Neshaminy Creek Watershed Act 167 Stormwater Management Plan. Development sites must control proposed development conditions runoff rates to existing conditions runoff rates for the design storms in accordance with Table 23-305.1.

**Table 23-305.1**  
**Peak Rate Runoff Control Standards by Stormwater Management Districts**  
**In the Neshaminy Creek Watershed**  
**(includes Little Neshaminy Creek)**

<b>District</b>	<b>Design Storm Postdevelopment (Proposed Conditions)</b>	<b>Design Storm Predevelopment (Existing Conditions)</b>
B	2-year	1-year
	5-year	2-year
	10-year	5-year
	25-year	10-year
	50-year	25-year
	100-year	50-year

2. *General.* Proposed conditions rates of runoff from any regulated activity shall not exceed the peak release rates of runoff from existing conditions for the design storms specified on the Peak Rate Control Management District Map (Appendix 23-D) and in this Section of this Chapter.

3. *District Boundaries.* The boundaries of the Stormwater Management Districts are shown on official maps and are available for inspection at the Township office and County planning offices. A copy of the map is included in Appendix 23-D. The exact location of the Stormwater Management District boundaries as they apply to a given development site shall be determined by mapping the boundaries using the 2-foot topographic contours (or most accurate data required) provided as part of the SWM site plan.

4. *Sites Located in More than One District.* For a proposed development site located within two or more stormwater management district category subareas, the peak discharge rate from any subarea shall meet the management district criteria for the district in which the discharge is located.

5. *Off-Site Areas.* When calculating the allowable peak runoff rates, developers do not have to account for runoff draining into the subject development site from an off-site area. On-site drainage facilities shall be designed to safely convey off-site flows through the development site.

6. *Site Areas.* The stormwater management site area is the only area subject to the management district criteria. Non-impacted areas or non-regulated activities bypassing the stormwater management facilities would not be subject to the

management district criteria.

7. *Alternate Criteria for Redevelopment Sites.* For redevelopment sites, one of the following minimum design parameters shall be accomplished, whichever is most appropriate for the given site conditions as determined by Northampton Township:

- A. Meet the full requirements specified by Table 23-305.1 and subsection .1 through .6; or,
- B. Reduce the total impervious surface on the site by at least 20 percent based upon a comparison of existing impervious surface to proposed impervious surface.

(Ord. 559, 7/27/2011, §113-16)

### **§23-306. Calculation Methodology.**

1. The following criteria shall be used for runoff calculations:

A. For development sites not considered redevelopment, the ground cover used to determine the existing conditions runoff volume and flow rate shall be as follows:

- (1) Wooded sites shall use a ground cover of “woods in good condition.” A site is classified as wooded if a continuous canopy of trees exists over a ¼ acre.
- (2) The undeveloped portion of the site including agriculture, bare earth, and fallow ground shall be considered as “meadow in good condition,” unless the natural ground cover generates a lower curve number (CN) or rational “c” value (i.e., woods) as listed in Tables 23-B-4 or 23-B-7 in Appendix 23-B of this Chapter.

B. For development and redevelopment sites, the ground cover used to determine the existing conditions runoff volume and flow rate for the developed portion of the site shall be based upon actual land cover conditions. If the developed site contains impervious surfaces, 20 percent of the impervious surface area shall be considered meadow in the model for existing conditions.

2. Stormwater runoff peak discharges from all development sites with a drainage area equal to or greater than 200 acres shall be calculated using a generally accepted calculation technique that is based on the NRCS soil cover complex method. Table 23-306.1 summarizes acceptable computation methods. The method selected by the design professional shall be based on the individual limitations and suitability of each method for a particular site. The Township may allow the use of the rational method ( $Q=CIA$ ) to estimate peak discharges from drainage areas that contain less than 20 acres.

$Q$  = Peak flow rate, cubic feet per second (CFS)

$C$  = Runoff coefficient, dependent on land use/cover

$I$  = Design rainfall intensity, inches per hour

$A$  = Drainage area, acres.

3. All calculations consistent with this Chapter using the soil cover complex method shall use the appropriate design rainfall depths for the various return period storms according to the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 rain data corresponding to the Doylestown rain gage, seen in Table 23-B-1 in Appendix 23-B. The SCS Type II rainfall curve from NOAA is found on Figure 23-B-1 in Appendix 23-B. If a hydrologic computer model such as PSRM or HEC-1/HEC-HMS



is used for stormwater runoff calculations, then the duration of rainfall shall be 24 hours.

4. All calculations using the rational method shall use rainfall intensities consistent with appropriate times-of-concentration for overland flow and return periods from NOAA Atlas 14, Volume 2 Version 2.1. Times-of-concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of *Urban Hydrology for Small Watersheds*, NRCS, TR-55 (as amended or replaced from time to time by NRCS). Times-of-concentration for channel and pipe flow shall be computed using Manning's equation.

5. Runoff curve numbers (CN) for both existing and proposed conditions to be used in the soil cover complex method shall be based on Table 23-B-4 in Appendix 23-B.

**Table 23-306.1**  
**Acceptable Computation Methodologies For**  
**Stormwater Management Plans**

<b>METHOD</b>	<b>METHOD DEVELOPED BY</b>	<b>APPLICABILITY</b>
TR-20 (or commercial computer package based on TR-20)	USDA NRCS	Applicable where use of full hydrology computer model is desirable or necessary.
TR-55 (or commercial computer package based on TR-55)	USDA NRCS	Applicable for land development plans within limitations described in TR-55.
HEC-1/HEC-HMS	U.S. Army Corps of Engineers	Applicable where use of full hydrologic computer model is desirable or necessary.
PSRM	Penn State University	Applicable where use of a hydrologic computer model is desirable or necessary; simpler than TR-20 or HEC-1.
Rational method (or commercial computer package based on rational method)	Emil Kuichling (1889)	For sites less than 20 acres, or as approved by the Township and/or Township Engineer.
Other methods	Varies	Other computation methodologies approved by the Township and/or Township Engineer.

6. Runoff coefficients (C) for both existing and proposed conditions for use in the rational method shall be consistent with Table 23-B-7 in Appendix 23-B.

7. Runoff from proposed sites graded to the subsoil will not have the same runoff conditions as the site under existing conditions because of soil compaction, even after top-soiling or seeding. The proposed condition "CN" or "C" shall increase by 5 percent to better reflect proposed soil conditions.

8. The Manning equation is preferred for one-dimensional, gradually-varied, open channel flow. In other cases, appropriate, applicable methods should be applied, however, early coordination with the Township is necessary.

9. Outlet structures for stormwater management facilities shall be designed to meet the performance standards of this Chapter using the generally accepted hydraulic

analysis technique or method.

10. The design of any stormwater detention facilities intended to meet the performance standards of this Chapter shall be verified by routing the design storm hydrograph through these facilities using the storage-indication method. For drainage areas greater than 200 acres in size, the design storm hydrograph shall be computed using a calculation method that produces a full hydrograph. The Township may approve the use of any generally accepted full hydrograph approximation technique that shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

*(Ord. 559, 7/27/2011, §113-17)*

**Part 4****Stormwater Management (SWM) Site Plan Requirements****§23-401. General Requirements.**

For any of the activities regulated by this Chapter, the final approval of subdivision and/or land development plans, the issuance of any building or occupancy permit, the commencement of any earth disturbance, or activity may not proceed until the property owner or applicant or his/her agent has received written approval of a SWM site plan from Northampton Township and an approval of an erosion and sediment (E&S) control plan review from Northampton Township and/or the County Conservation District. (Ord. 559, 7/27/2011, §113-18)

**§23-402. SWM Site Plan Requirements.**

The SWM site plan shall consist of a general description of the project, including calculations, maps, and plans. A note on the maps shall refer to the associated computations and E&S control plan by title and date. The cover sheet of the computations and E&S control plan shall refer to the associated maps by title and date. All SWM site plan materials shall be submitted to the Township in a format that is clear, concise, legible, neat, and well organized; otherwise, the SWM site plan shall not be accepted for review and shall be returned to the applicant.

The following items shall be included in the SWM site plan:

**A. General.**

- (1) General description of the project including plan contents.
- (2) General description of proposed SWM techniques to be used for SWM facilities.
- (3) Complete hydrologic and hydraulic computations for all SWM facilities.
- (4) All reviews and letters of adequacy from the Conservation District for the erosion and sedimentation plan as required by Township, County or State regulations.
- (5) A general description of proposed nonpoint source pollution controls.
- (6) The SWM site plan application and associated fee for all regulated activities not already paying fees under the SALDO regulations.
- (7) The SWM site plan checklist.
- (8) Appropriate sections from the Township's Subdivision and Land Development Ordinance [Chapter 22], and other applicable local ordinances, shall be followed in preparing the SWM site plan.

**B. Plans.** SWM site plan shall provide the following information:

- (1) The overall stormwater management concept for the project.
- (2) A determination of natural site conditions and stormwater management needs. This shall include, but not be limited to:

(a) *Site Features.*

1) The location of the project relative to highways, municipal boundaries or other identifiable landmarks.

2) The locations of all existing and proposed utilities, sanitary sewers, on-site septic systems, wells, stormwater BMPs and water lines on site and within 50 feet of property lines.

3) Proposed structures, roads, paved areas, and buildings and other impervious areas; and the listing of the total amount of impervious surfaces and total land disturbance.

4) The total tract boundary and size with distances marked to the nearest foot and bearings to the nearest degree.

5) Plan, profile and cross-section drawings of all SWM BMP's, including drainage structures, pipes, open channels, and swales. At a minimum this should include pre- and post-drainage area maps, including drainage areas to each inlet or structure, an overall post construction stormwater management plan, stormwater details sheets, and landscape plans (if proposing a rain garden, bio-retention facilities, low impact development, or vegetative basins) or as required in the SALDO [Chapter 22].

6) The location of all erosion and sediment control facilities.

7) Alterations to the land surface and vegetative cover.

8) Locations and details of retaining walls.

(b) *Natural Site Conditions.*

1) Natural features within the subject site and within one-hundred (100) feet of any boundary of the site including, but not limited to:

a) Steep slopes.

b) Ponds.

c) Lakes.

d) Streams.

e) Wetlands.

f) Hydric soils.

g) Hydrologic soil groups A and B.

h) Vernal pools.

i) Stream buffers.

j) Open channels.

k) Existing recharge areas.

l) Floodplains.

m) Prominent land forms, underlying geologic formations and sinkholes.

n) Woodlands and natural vegetation areas.

- 2) A detailed site evaluation for projects proposed in areas of frequent flooding, karst topography, and other environmentally sensitive areas, such as brownfield areas and source water protection areas.
  - 3) Existing and proposed contour lines (2 ft).
  - 4) The total extent of the drainage area upstream from the site and all down gradient receiving channels, swales and waters to which stormwater runoff or drainage will be discharged.
- (c) The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing stormwater conveyance system that may be affected by the project.
- (3) The format of the plan shall include the following:
- (a) The expected project time schedule.
  - (b) The name of the development, the name and address of the owner and/or equitable owner of the property, and the name of the individual or firm preparing the plan.
  - (c) The tax map parcel number and the address of the site.
  - (d) The date of submission.
  - (e) A graphic and written scale of 1 inch equals no more than 50 feet.
  - (f) A north arrow.
  - (g) The size of the plan shall be 11 inches by 17 inches only for plans that are not part of a subdivision or land development submission, 24 inches by 36 inches or 30 inches by 42 inches.
  - (h) An access easement around all stormwater management facilities is required that would provide ingress to and egress from a public right-of-way. The size of the easement shall commensurate with the maintenance and access requirements determined in the design of the BMP and approved by the Township Engineer.
  - (i) A location map showing the relation of the project site to adjoining properties, streets, Township boundaries or other identifiable landmarks.
  - (j) A key map showing all existing man-made features beyond the property boundary that would be affected by the project.
  - (k) All proposed landscape and vegetative BMP measures, including a planting, schedule indicating the locations, species and sizes of plantings and seeding as may be required, including seeding mixes and rates.
  - (l) A note on the plan indicating the location and a description of how each stormwater management facility will be operated and maintained and the identity and contact information with the persons responsible for the operation and maintenance. All facilities shall meet the performance standards and design criteria specified in this Chapter.
  - (m) The name and address of the individual or firm preparing the plan and if required, the name, address and seal of the registered,

professional engineer responsible for the preparation of the plan.

(n) The following signature block for the design engineer: “I, (Design Engineer), on this date (date of signature), hereby certify that the SWM site plan meets all design standards and criteria of the Northampton Township Stormwater Management Ordinance.”

(o) A statement, signed by the applicant or site owner, acknowledging that any revision to the approved SWM site plan must be approved by the Township and that a revised E&S plan may be required to be submitted to the Conservation District. The statement should also include a note acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed unless approved by the Township.

(p) A detailed plan of all required off-site improvements.

(4) A soil erosion and sediment control plan, where applicable, as prepared for and submitted to Northampton Township and the Bucks County Conservation District.

(5) The SWM site plan shall include an operations & maintenance (O&M) plan for all existing and proposed stormwater management facilities.

C. *Calculations.* The following information should be included in the stormwater report and calculations:

(1) A general description of the proposed development.

(2) A general description of temporary and permanent accelerated erosion control.

(3) A general description of temporary and permanent sediment control.

(4) A general description of stormwater management both during and after development.

(5) A study of the watershed including plans in which the site is located to assess the impact the proposal will have on downstream conditions.

(6) Computations of the stormwater runoff for all points of runoff concentration before and after development, including:

(a) The design computations for the stormwater drainage systems, including storm drain pipes and inlets, runoff control measures, volume control measures, BMPs and culverts and drainage channels.

(b) Computations of the stormwater runoff before, during and after construction, including all supporting material.

(c) The flood routing and/or storage requirement calculations.

(d) A stage-storage curve for the detention/retention/wet basin.

(7) The estimate development schedule for the site, including:

(a) Stripping and/or clearing.

(b) Rough grading and installation of erosion and sediment control facilities and practices.

(c) Installation of improvements, including streets, underground utilities, buildings, driveways, parking areas, stormwater BMPs and other

structures and facilities.

(d) Final grading and vegetative establishment, including program of operations for conversion of erosion and sediment controls to permanent stormwater management facilities.

(8) A statement describing temporary control measures and facilities to be used during earthmoving.

(9) A permanent stormwater management program.

(a) A statement regarding conformance with requirements of this Chapter, including BMPs.

(b) Types, locations, dimensioned details and specifications of stormwater management facilities and BMPs, including detailed plans of all required off-site improvements.

(c) Design considerations and calculations supporting the stormwater management program.

(d) Establishment of permanent vegetation or other soil stabilization measures, including:

- 1) All landscape and vegetative BMP measures.
- 2) Seeding mixes and rates.
- 3) Mowing rates, if applicable.

(e) The location and legal descriptions of rights-of-way, easements or land offered for dedication related to the management of stormwater.

(10) Maintenance procedures and ownership arrangements for temporary and permanent stormwater management facilities, including BMPs.

(11) For detention basins, the following information shall be submitted:

(a) General description of proposed facilities and the operation of the runoff control measures.

(b) A sketch of the berm embankment and outlet structure, indicating the embankment top elevation, embankment side slopes, top width of embankment, slope of basin floor, emergency spillway elevation, outlet structure dimensions and elevations, outlet pipe size and length, cut-off trench location and dimensions, dimensions and spacing of anti-seep collars and if required, temporary riser location and dimensions.

(c) Design computations of the outlet pipe and outlet structure.

(d) A plot of the stage/storage (acre/feet versus elevation) and all supporting computations.

(e) Flood routing computations and hydrographs for all required storms.

(f) Time of concentration and curve number computations.

(g) A detailed plan of the trash rack and anti-vortex device, if required.

(Ord. 559, 7/27/2011, §113-19)

**§23-403. Plan Submission.**

The Township requires submission of a complete SWM site plan, as specified in this Chapter.

A. Proof of application or documentation of required permit(s) or approvals for the programs listed below shall be part of the plan:

- (1) NPDES permit for stormwater discharges from construction activities.
- (2) DEP joint permit application.
- (3) PennDOT highway occupancy permit.
- (4) Chapter 105 (Dam Safety and Waterway Management).
- (5) Chapter 106 (Floodplain Management).
- (6) Any other permit under applicable State or Federal regulations.

B. The plan shall be coordinated with the State and Federal permit process and the Northampton Township SALDO review process. For regulated activities requiring permits from Pennsylvania DEP or the U.S. Army Corps of Engineers, the applicant shall make all submittals directly to the agency with all required submittal documents and fees. Proof of application or documentation of required permit(s) and approvals must be submitted as part of the plan.

C. For regulated activities the stormwater management site plan shall be submitted by the developer to the Zoning/Code Enforcement Officer either as part of the preliminary plan submission for the subdivision or land development or as a SWM site plan application for any other regulated activity.

D. Five copies of the stormwater management site plan shall be submitted. Distribution of the stormwater management site plan shall be made by the Zoning/Code Enforcement Officer, as follows:

- (1) Four copies to the Township Engineer.
- (2) One copy to the Zoning/Code Enforcement Officer accompanied by the requisite Township review fee and escrow specified in this Chapter.

E. Additional copies shall be submitted as requested by the Township, County or DEP. All stormwater management site plans submitted as part of a subdivision or land development shall follow the submission requirements of the SALDO [Chapter 22].

F. The applicant shall make submissions to the Bucks County Planning Commission and/or the Bucks County Conservation District, as required.

G. Any submissions to the agencies listed above that are found to be incomplete shall not be accepted for review and shall be returned to the applicant with a notification in writing of the specific manner in which the submission is incomplete.

(Ord. 559, 7/27/2011, §113-20)

**§23-404. Stormwater Management (SWM) Site Plan Review.**

1. The Township Engineer shall review the stormwater management site plan for consistency with this Chapter. Any found incomplete shall not be accepted for review and shall be returned to the applicant.



2. The Township Engineer shall review the stormwater management site plan for any subdivision or land provisions not otherwise superseded by this Part.

3. The Conservation District, in accordance with established criteria and procedures, shall review the stormwater management site plan, when required, for consistency with stormwater management and erosion and sediment pollution control requirements and provide comments to Northampton Township. Such comments shall be considered by the Township prior to final approval of the stormwater management site plan.

4. For activities regulated by this Chapter, the Township Engineer shall notify Northampton Township in writing, within 45 calendar days, whether the stormwater management site plan is consistent with the provisions of this Chapter.

A. If the Township Engineer determines that the stormwater management site plan is consistent with the provisions of this Chapter, the Township Engineer shall forward two copies of the plan stamped “approved” along with a letter of consistency to the Township Zoning/Code Enforcement Officer who will then forward a copy to the applicant.

B. If the Township Engineer determines that the stormwater management site plan is inconsistent or noncompliant with the stormwater management plan, the Township Engineer shall forward a letter to the Township Zoning/Code Enforcement Officer with a copy to the applicant citing the reason(s) and specific Sections of this Chapter for the inconsistency or noncompliance. Inconsistency or noncompliance may be due to inadequate information to make a reasonable judgment as to compliance with the stormwater management plan. Any stormwater management site plans that are inconsistent or noncompliant may be revised by the applicant and resubmitted when consistent with this Chapter. Any inconsistent or noncompliant stormwater management site plans may be revised by the applicant and resubmitted consistent with this Part.

5. For regulated activities specified in §23-105 of this Chapter which require a building permit, the Township Engineer shall notify the Township Zoning/Code Enforcement Officer in writing, within a time frame consistent with the Township Building Code [Chapter 5, Part 1] and/or Township SALDO [Chapter 22], whether the stormwater management site plan is consistent with this Chapter. The Township Zoning/Code Enforcement Officer shall forward a copy of the consistency/inconsistency letter to the applicant. Any stormwater management site plan deemed inconsistent may be revised by the applicant and resubmitted consistent with this Part.

6. For regulated activities under this Part that require an NPDES permit application, the applicant shall forward all review comments from the reviewing agency to Northampton Township. Such comments shall be considered by the Township prior to final approval of the stormwater management site plan.

7. No building permits for any regulated activity specified in §23-105 of this Chapter shall be approved by Northampton Township if the stormwater management site plan has been found to be inconsistent, as determined by the Township Engineer and Bucks County Conservation District, or without considering the comments of the Township Engineer and Conservation District. All required permits from DEP must be obtained prior to issuance of a building permit.

8. Northampton Township’s approval of a stormwater management site plan shall

be valid for a period not to exceed 2 years commencing on the date that Northampton Township approves the stormwater management site plan. Northampton Township may specify a term of validity shorter than 2 years for the approval for any specific stormwater management site plan. If stormwater management facilities included in the approved stormwater management site plan have not been constructed, or if constructed, and as-built drawings of these facilities, if required, have not been approved within this 2-year time period, then Northampton Township may consider the stormwater management site plan inconsistent or noncompliant and may revoke any and all permits. Stormwater management site plans that are determined to be inconsistent or noncompliant by Northampton Township shall be resubmitted in accordance with §23-405 of this Chapter.

(Ord. 559, 7/27/2011, §113-21)

#### **§23-405. Modification of Plans.**

1. A modification to a submitted stormwater management site plan under review by Northampton Township for a development site that involves the following shall require a resubmission to Northampton Township of a modified stormwater management site plan consistent with §23-402 of this Part and be subject to review as specified in §23-404 of this Part.

A. Change in stormwater management facilities or techniques.

B. Relocation or re-design of stormwater management facilities.

C. Is necessary because soil or other conditions are not as stated on the stormwater management site plan as determined by the Township Engineer.

2. A modification to an already approved stormwater management site plan shall be submitted to Northampton Township, accompanied by the applicable Township review and inspection fee and escrow. A modification to a stormwater management site plan for which a formal action has not been taken by Northampton Township shall be submitted to the Township, accompanied by the applicable Township review and inspection fee and escrow.

(Ord. 559, 7/27/2011, §113-22)

#### **§23-406. Resubmission of Disapproved SWM Site Plans.**

An inconsistent, noncompliant or disapproved stormwater management site plan may be resubmitted, with the revisions addressing the Township Engineer's concerns documented in writing and addressed to the Township Zoning/Code Enforcement Officer in accordance with §23-403 of this Chapter and distributed accordingly and be subject to review as specified in §23-404 of this Chapter. The applicable Township fee must accompany a resubmission of an inconsistent, noncompliant or disapproved stormwater management site plan.

(Ord. 559, 7/27/2011, §113-23)

**Part 5****Design Criteria and Requirements****§23-501. Design Criteria.****1. General.**

A. All land areas shall be graded to secure proper drainage away from buildings and to prevent the collection of stormwater pools. Drainage provisions shall be of such design as to carry surface waters to the nearest practical adequate street, storm drain or natural watercourse. The developer shall construct and/or install such drainage structures and/or pipes as are determined by the Township Engineer to prevent erosion, damage and siltation and to satisfactorily carry off surface waters.

B. Stormwater discharge shall be carried by conduit to prevent excessive surface flow on or across streets, sidewalks, drives, parking areas and any other paved surface or traveled way, where infiltration practices would not be feasible. Culverts or bridges shall be required at all stream crossings of any street or roadway, using design criteria for a 100-year peak flow rate. Natural swales or open drains of any type may be used only where there is no danger to structures or abutting property.

C. Identified natural watercourses (streams or creeks) which have continuous flow shall remain open and shall not be piped or covered unless required by the Township and as approved by the Township Engineer and if required by PADEP.

D. The SWM site plan for each regulated activity shall take into account and provide for upstream areas within the entire watershed in computing discharge quantities, sizing of pipes, inlets and other structures. The runoff from any proposed development shall be subject to evaluation which includes the anticipated runoff from other existing or proposed developments within the same watershed. Stormwater management facilities designed to serve more than one property, or development in the same watershed are encouraged, in which case consultation with the Township is required prior to design.

E. The Board of Supervisors may require, based upon the advice of the Township Engineer, stormwater retention or detention devices, basins, subsurface recharge facilities or other delayed-release devices or designs to contain the excess storm discharge and prevent downstream flow increases and/or encourage groundwater recharge.

F. *Storm Drainage Required.* Overland or sheet flow is encouraged over concentrated flow. A storm sewer system and all appurtenances shall be required to be constructed by the applicant in any area from which the surface or subsurface drainage could impair public safety or cause physical damage to adjacent lands or public property. The system shall be designed to collect water at any point where 3 to 5 cubic feet per second is accumulated, at the bottom of all vertical grades and immediately upgrade from all street intersections. The system shall discharge to the nearest practical natural drainage channel or storm system.

G. *Off-site Improvements.* Any increase in runoff may require necessary

corrective measures, including deeds of easement, deemed appropriate by the Township to alleviate any off-site drainage problem affected by the regulated activity. The costs for such measures will be borne entirely by the developer or subdivider.

H. *Total Watershed Evaluation.* The future use of undeveloped areas upstream, as shown on the approved Township Comprehensive Plan, shall be taken into account in the design of all storm sewer systems. The capacity and maximum anticipated present flow of the body or system receiving the proposed system(s) discharge shall be calculated to verify its capability of receiving any additional flow caused by the development or subdivision. The runoff from any proposed development shall be subject to an evaluation which includes the anticipated runoff from other existing or proposed developments within the same watershed. Stormwater management facilities designed to serve more than one property or development in the same watershed are encouraged. Consultation with the Township is required prior to the design of such facilities.

I. In addition to any other requirement of this Chapter, the developer may be required to participate in off-site storm drainage improvements in the drainage basin within which the proposed development is located. The specific off-site drainage improvements required shall be those specified by the Township Board of Supervisors.

J. *General Note for All Stormwater Management Systems.* The following note shall be placed on all plans which propose a stormwater BMP: "The stormwater facilities shown on these plans are a basic and perpetual part of the stormwater management system of the proposed site located in Northampton Township, Bucks County, Commonwealth of Pennsylvania, and as such are to be protected and preserved in accordance with the approved final plans by the owners, their successors and assigns of these lands. Northampton Township and/or its agents reserve the right and privilege to enter upon these lands from time to time for the inspection of said facilities in order to determine that proper operation and maintenance and that the structural and design integrity is being maintained by the owner."

## 2. *Storm Sewer and Inlets.*

A. Storm sewer within all road rights-of-way and all Township-owned easements (pipes or other structures) shall be reinforced concrete pipe. All storm sewer (pipes or other structures) shall have a minimum grade of ½ percent and a minimum inside diameter of 18 inches or a cross-sectional area of 254 square inches, except that pipes under a fill of 25 feet or greater shall not be less than 24 inches in diameter (inside) or have a cross-sectional area of less than 453 square inches.

B. Roof drains or yard drains shall not connect to any sanitary sewer and shall not discharge water directly over any sidewalk. Storm drainage facilities should be located within the paved areas of roadways. Where storm sewers discharge into existing drainage channels at an angle greater than 30 degrees from parallel to the downstream channel flow, the far side bank shall be stabilized by the use of riprap, masonry, or concrete walls. The stabilization shall be designed to prevent erosion and frost heave under and behind the stabilizing media.

C. Storm sewer systems shall be constructed in accordance with Township specifications, which are approved by resolution of the Board of Supervisors. If a particular design or device is not specifically approved within the Township specifications, the Township Engineer must review the particular design or device for conformance with the objectives of this Section.

D. All pipe and inlets shall meet material capacity and construction specifications as outlined in the latest revisions of the Penn DOT Form 408 and the Penn DOT Design Manual or as outlined in the Township specification as approved by resolution of the Board of Supervisors.

E. *Design Flow Rate.* The storm drain system shall be designed to carry a 100-year peak flow rate. The design 100-year peak flow rate into each inlet shall be indicated on the stormwater drainage plan. The 100-year flow rate shall be determined by the rational formula as follows:

$$Q=ciA$$

Where:

Q=Peak runoff rate in cubic feet per second (cfs)

c=Runoff coefficient equal to the ratio of the peak runoff rate to the average rate of rainfall over a time period equal to the time of concentration.

i=Average rainfall intensity in inches per hour for a time equal to the time of concentration.

A=Drainage area in acres.

NOTE: Appropriate values for the runoff coefficient and rainfall intensity can be found in Appendix 23-B-7.

F. *Overflow System.* An overflow system shall be provided to carry flow to the detention basin when the capacity of the storm drain pipe system is exceeded.

G. *Inlet Capacity.* All inlets must be designed to accommodate the 100-year peak flow rate. The capacity of all C-type, M-type or S-type inlets shall be determined from the Commonwealth of Pennsylvania Department of Transportation Design Manual, Part 2, Highway Design.

H. *Straight Pipe Sections.* Wherever possible, all storm drain pipes shall be designed to follow straight courses. No angular deflections of storm sewer pipe sections in excess of 50 shall be permitted. A manhole or inlet shall be provided at all horizontal deflections in the storm pipe system exceeding 5 degrees. No vertical curves shall be permitted in the storm drain pipe system.

I. *Pipe Capacity.* The capacity of all pipe culverts shall, as a minimum, provide the required carrying capacity as determined by, this Chapter or if approved by the Township, the following sources:

US Department of Transportation

Federal Highway Administration

Hydraulic Design Series No. 5

*Hydraulic Design of Highway Culverts*, Second Edition

J. *Pipe Arches.* Where headroom is restricted, equivalent pipe arches may be

used in lieu of circular pipe.

K. *Allowable Headwater Depth.* At all inlets or manholes, the maximum allowable headwater depth shall be 1 foot below the top of the inlet grate or the manhole cover.

L. *Minimum and Maximum Cover.* A minimum of 2 feet of cover shall be maintained over all reinforced concrete pipe. All other storm pipes shall have a minimum of 3 feet of cover. The top of storm drain pipes shall be at least ½ foot below subgrade elevation. The maximum cover over storm drain pipes shall be 10 feet unless special structural design calculations are submitted or approved.

M. *Match Crowns.* The crowns of all pipes tying into an inlet or manhole shall be set at equal elevations.

N. *Diversions of Runoff.* All storm drain pipes shall be designed to carry the runoff into a detention basin or similar facility utilized to control the rate of runoff.

O. *Structural Backfill.* All storm drainage structures shall be backfilled in 12-inch layers with 2A stone to a dimension at the base of the structure 12 inches outside of all faces of the structure tapering to a width of 24 inches outside all faces of the structure at the top of the structure.

3. *Erosion and Sedimentation Control.* Prior to the commencement of any regulated earth disturbance activity, the following criteria shall be met:

A. No changes shall be made in the contour of the land and no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until such time as a plan for minimizing: soil erosion and sedimentation has been submitted and approved.

B. Measures used to control erosion and reduce sedimentation shall, as a minimum, meet the standards and specifications of the Bucks County Conservation District and the PADEP. The Township Engineer shall ensure compliance with the appropriate specifications, copies of which are available from the district.

C. Plans shall preserve salient natural features, keep cut/fill operations to a minimum and ensure conformity with natural topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff. Whenever feasible, natural vegetation shall be retained, protected and supplemented. The disturbed area and the duration of exposure shall be kept to a practical minimum. Disturbed soils shall be stabilized as quickly as practicable. Temporary vegetation and/or mulching shall be used to protect critical areas during development.

D. The permanent (final) vegetation, erosion control and drainage shall be installed as soon as practical in the development. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Sediment in all runoff water shall be trapped by the use of filters, sediment basins, silt traps or similar measures until the disturbed area is fully stabilized. Such devices shall be periodically cleaned of all silt and debris to ensure proper operation.

E. During grading operations, necessary measures for dust control must be exercised.

F. Grading equipment will not be allowed to cross-flowing streams. Provision

shall be made for the installation of temporary culverts or bridges which are subject to PADEP approval.

G. Permanent retention or detention basins shall be provided when required by the Board. The location of such basins shall be approved by the Board upon advice from the Township Engineer and when required, by the PADEP.

H. No person, corporation or other entity shall block, impede the flow of, alter, construct any structure or deposit any material or thing or commit any act which will affect normal or flood flow in any swale, stream or watercourse without having obtained prior approval from the Township and/or the Pennsylvania Department of Environmental Protection, whichever is applicable. It is the responsibility of any person, corporation or other entity doing any act on or across a stream, watercourse or swale or upon the floodplain or right-of-way during the period of the activity to return it to its original or equal condition after such activity is completed.

I. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces; drainage systems and watercourses and to repair any damage at their expense as quickly as possible.

J. Maintenance of all drainage facilities and watercourses, both existing and proposed, within the proposed site shall be the responsibility of the developer until such time as one of the following is accomplished:

(1) A right-of-way for these facilities is offered for dedication by the developer and is accepted by the Township, at which time it shall then be the responsibility of the Township.

(2) An easement acceptable to the Township is established. In the case of a subdivision, the maintenance shall then be the responsibility of the individual lot owners over whose property the easement passes. For land developments, the maintenance shall thereafter be the responsibility of the owner.

(3) A homeowner's association, approved by the Township, assumes responsibility for the maintenance of the development, including the maintenance of the watercourses and/or drainage facilities, provided that the Township Engineer approves the assumption of maintenance of such facilities.

K. The installation and design of the required erosion and sediment control measures, listed below, shall be in accordance with standards and specification found in PADEP's *Erosion and Sediment Pollution Control Program Manual* dated April 15, 2000, or latest edition, or the *Pennsylvania Handbook of Best Management Practices for Developing Areas*.

L. Detailed designs for all the appurtenances related to temporary basins and all stormwater and erosion and sedimentation control facilities must be supplied.

M. Criteria contained in this Chapter shall not remove or alter the requirement for the developer to submit plans and specifications to the Pennsylvania Department of Environmental Protection under the Clean Streams Act of 1972, 35 P.S. §691.1 *et seq.*, where Department of Environmental Protection's permits are required.

N. Three days prior to the commencement of any operation in the construction or installation of any drainage facilities or erosion and sedimentation control facility, the applicant shall notify the Township Engineer, who shall inspect the work, materials, construction and installation for compliance with Township requirements. The Township Engineer shall be authorized to have such tests of materials made as are provided in the Northampton Township specification and design standards in order to have proper control of materials. Such fees for tests of materials as provided above shall be in accordance with the fee schedule as established by resolution of the Board of Supervisors.

O. Sediment basins, retention basins, wet basins and detention basins shall neither be located within nor discharge into a tree protection zone where no established water course exists.

4. *Underdrains.*

A. All building foundations, grade slabs and cellar floors located in soils that have a community development limitation degree of moderate to severe seasonal high water table, as defined by an on-site soils test witnessed by the Township Engineer, shall be provided with an underdrain system. This system shall provide for drainage of the enclosed volume above the slab and relief of subsurface water to a depth of not less than 6 inches below the slab or foundation bottom. The system shall consist of a perforated pipe field of the herringbone or gridiron configuration in coarse, gravel-filled trenches that are in direct contact with the slab or foundation subbase. The excavation shall provide a minimum of 0.05-foot/foot slope to the gravel-filled trenches.

B. All proposed roadways shall be constructed with an underdrain system consisting of 6-inch perforated pipe wrapped in a Class 1 geotextile material. The underdrain shall be bedded with a minimum of 6 inches of 2B stone. The bedding material shall extend to the bottom of the base course. The underdrain shall discharge into an inlet, manhole or other approved stormwater device.

5. *Detention Basins/Stormwater Rate Management Facilities.*

A. *Basin Design Criteria.* The following design criteria shall be used in the design of all detention basins and/or other stormwater management facilities in the Township. The basins shall be designed to detain the quantity of water resulting from a 100-year, 24-hour storm under full development conditions. This criteria shall be met for all frequency storms and must be analyzed of the 1-year, 2-year, 5-year, 10-year, 25-year, 50-year and 100-year storms. All flows in excess of the above-mentioned standard shall flow over an emergency spillway.

B. *Maximum Depth of Detention Basins.* The maximum depth of water in a detention basin shall not exceed 5 feet.

C. *Emergency Spillway.* Whenever possible, the emergency spillway for detention basins shall be constructed on undisturbed ground. Emergency spillways shall be constructed of reinforced concrete, vegetated earth, or other approved material. All emergency spillways shall be constructed so that the detention basin berm is protected against erosion. The minimum capacity of all emergency spillways shall be equal to the peak flow rate from the post-development 100-year design storm. Emergency spillways shall extend along the upstream and downstream berm embankment slopes. The upstream edge of the emergency



spillway shall be a minimum of 3 feet below the spillway crest elevation. The downstream slope of the spillway shall, as a minimum, extend to the top of the berm embankment. The emergency spillway shall not discharge over earthen fill and/or easily erodible material.

D. *Anti-seep Collars.* Anti-seep collars shall be poured-in-place concrete and installed around the principal pipe barrel within the normal saturation zone of the detention basin berms. The collars shall be poured against the pipe bell. The anti-seep collars and their connections to the pipe barrel shall be watertight. The anti-seep collars shall extend a minimum of 2 feet beyond the outside of the principal pipe barrel. The spacing between collars shall be 16 feet. The use of an O-ring pipe would be required for all detention discharge pipes.

E. *Freeboard.* Freeboard is the difference between the design flow elevation in the emergency spillway and the top of the settled detention basin embankment. The minimum freeboard shall be 1 foot and the maximum freeboard shall be 2 feet.

F. *Slope of Detention Basin Embankment.* The maximum slope of earthen detention basin embankments shall be 3 to 1. The top or toe of any slope shall be located a minimum of 5 feet from any property line. Whenever possible, the side slopes and basin shape shall be amenable to the natural topography. Straight side slopes and rectangular basins shall be avoided whenever possible.

G. *Width of Berm.* The minimum top width of detention basin berms shall be 10 feet.

H. *Slope of Basin Bottom.* In order to ensure proper drainage of the detention basin, a minimum grade of 2 percent shall be maintained for all sheet flow.

I. *Energy Dissipaters.* Energy dissipating devices (riprap, end sills, etc.) shall be placed at all basin inlets and outlets. Forebays or split flow controls are encouraged at the inlet to all basins. When a forebay or split flow control is not used, an energy-dissipating device shall be used and extend to the bottom of the basin.

J. *Key Trench.* All basin berms in fill areas are to have a key trench. The minimum depth shall be 1 foot and increased to a depth of 3 feet at the maximum point of fill. The minimum width of the key trench shall be 8 feet.

K. The distance from the highest free water surface of any detention basin or drainage facility to a dwelling unit shall be a minimum of 100 feet.

L. All detention basin outlet structures with invert orifices of 12 inches or less shall be protected with a trash rack. The surface area of the trash rack shall be three times the area of the opening. The trash rack shall be welded aluminum with stainless steel anchors.

M. A sketch of the berm embankment and outlet structure, indicating the embankment top elevation, embankment side slopes, top width of embankment, emergency spillway elevation, perforated riser dimensions, pipe barrel dimensions and dimensions and spacing of anti-seep collars shall be provided.

#### 6. *Culverts and Drainage Channels.*

A. *Design Flow Standard.* All culverts and drainage channels shall be designed to carry a flow rate equal to a 100-year, 24-hour storm (Soil Conservation Service, Technical Release No. 55).

B. *Erosion Prevention.* All drainage channels shall be designed to prevent the erosion of the bed and bank areas. The flow velocity in all vegetated drainage channels shall not exceed the maximum permissible velocity to prevent erosion. Suitable bank stabilization shall be provided where required to prevent erosion of the drainage channels. The stabilization shall be designed to prevent erosion and frost heave under and behind the stabilizing media.

C. *Maximum Side Slope.* Any vegetated drainage channel requiring mowing of the vegetation shall have a maximum grade of 3 horizontal to 1 vertical.

D. *Design Standard.* Because of the critical nature of vegetated drainage channels, the design of all vegetated channels shall, as a minimum, conform to the design procedures outlined in the *Erosion and Sediment Pollution Control Program Manual*. Several acceptable sources outline procedures for non-vegetated drainage channels, including the following:

US Department of Transportation

Federal Highway Administration

Hydraulic Design Series No. 5

*Hydraulic Design of Highway Culverts*, Second Edition

7. *Subsurface Recharge System.*

A. In selecting the appropriate subsurface recharge BMPs, the applicant shall consider the following:

- (1) Permeability and infiltration rate of the site soils.
- (2) Slope and depth to bedrock.
- (3) Seasonal high water table.
- (4) Proximity to building foundations and well heads.
- (5) Erodibility of soils.
- (6) Land availability and topography.

B. *Soil Investigation.* In designing a subsurface stormwater system, a key element is an analysis of the soil. The Township Engineer shall require and witness the soil testing which shall include the following:

- (1) The locations and results of all test borings, test pits or auger holes, in order to determine the type of soil.
- (2) The seasonal high water level.
- (3) The slope and depth to bedrock.

C. *Infiltration Capacity.* Infiltration rates may be determined from permeability testing, percolation testing or hydraulic conductivity testing.

D. *Infiltration Rate.* Percolation tests shall be accepted as a means of determining the infiltration rate of a soil. The tests must be completed at the location and depth of the proposed infiltration area.

E. *Soil Characteristics.*

- (1) Infiltration BMPs are particular appropriate in hydrologic soil groups A and B.
- (2) Low erodibility factors ("k" factors) are preferred for the construction

of basins.

(3) There, must be a minimum depth of 24 inches between the bottom of any subsurface recharge BMP and the seasonal high water table and/or bedrock (limiting zones).

(4) There must be an infiltration and or percolation rate sufficient to accept the additional storm water load, and to drain completely as determined by field tests.

(5) Infiltration BMPS shall be located a minimum of 10 feet away from the building foundation wall.

(6) The infiltration system shall positive overflow controls to prevent storage within 1 foot of the finished surface or grade.

(7) Infiltration rates shall not be used in computing the storage volume or when routing the respective design storm through the infiltration system.

(8) *Sediment and Debris.* Various measures shall be taken to guarantee that the subsurface recharge system does not become filled with sediment during and after construction and that the system is kept free of debris (leaves, twigs, etc.) to prevent clogging. These measures include, but are not limited to, temporary siltation berms and other erosion controls and gutter screens for direct piping from roofs to the system. Surface inflows shall be designed to prevent direct discharge of sediment into the infiltration system.

F. During the period of land disturbance, runoff shall be controlled prior to entering any proposed infiltration area, areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, so as to maintain their maximum infiltration capacity.

G. Infiltration BMPs shall not be constructed nor receive runoff until the entire contributory drainage area to the infiltration BMPs has received final stabilization.

H. *Aggregate/Filter Material.* Aggregate fill shall be clean stone between 2 inches and 4 inches in diameter. Larger stone shall be placed near the bottom of the system and smaller stone near the top. An appropriate geotextile fabric shall line the bottom, top and sides, with sufficient excess material left at the top to fold over the aggregate fill when placed, prior to the placement of the topsoil layer.

I. *Prefabricated Systems.* When prefabricated systems are proposed, the applicant shall adhere to all recommended manufacturer's specifications, in addition to the requirements of this Section.

J. *Emergency Overflow.* Each subsurface recharge system shall be designed with an emergency overflow/surcharge system to protect the system in the event of a storm of higher intensity.

(Ord. 559, 7/27/2011, §113-24)

## **§23-502. Grading and Landscaping.**

1. *Grassed Areas or Grass/Ground Cover Combinations.* All such areas specified on proposed or approved plans shall be prepared, installed and maintained in accordance with the Pennsylvania Department of Transportation Form 408

Specifications, as amended.

2. *Drainage Channels and Retention Areas.* All storm drainage channels, detention and retention areas, whether existing or proposed, shall be graded and planted to effectively naturalize area(s) so as to become an integral and harmonious part of the landscape by contour and type of plant materials used.

3. All detention basins side slopes and bottom shall be seeded with an appropriate seed mixture specifically suited to the levels or periodic inundation for which the system is designed. No-mow basins shall only be allowed as approved by the Township.

4. A suitable naturalized, native plant screening shall be provided around all detention basins. Fences may be required at the discretion of the Board of Supervisors. Native plants acceptable for use are listed as part of the Recommended Native Plants for Landscaping in Pennsylvania, as issued by the PA Department of Conservation and Natural Resources. The uses of native plants and grasses and wetland tolerant plants, acceptable for use is highly encouraged.

5. Trees and shrubs shall be placed so as to provide a suitable visual barrier at the time of planting. Trees shall not be placed on the top of the detention basin. Trees may be placed in the basin bottom, subject to the approval of the Township Engineer. Whatever materials are used, they shall be placed sufficiently far back from the cut or fill slope so as to allow ease in mowing.

6. Native deciduous trees shall be a minimum of 2½ inches in caliper, native shrubs shall be a minimum of 24 to 36 inches in height, and native evergreen trees shall be a minimum of 6 to 8 feet in height at the time of installation. Trees and shrubs shall be spaced in accordance with the characteristic spread of each specific species at maturity.

7. The screening requirement shall be waived only with the expressed consent of the Board of Supervisors.

8. *Topsoil.* A minimum of 6 inches of topsoil material shall be placed on all areas affected by the basin construction (bottom of basin, side slopes, top of berm, etc.). The material must meet the requirements of the Pennsylvania Department of Transportation, Form 408 specifications, as amended.

9. *Subsurface recharge system.* In order to preserve the integrity of the system, at no time shall any trees be planted in or around a subsurface recharge system. As a general rule, the dripline of a mature tree should not be located within 5 feet of a subsurface recharge system.

10. *Grading Design Criteria.*

A. *Cuts.* No excavation shall be made with a cut face steeper than 3 to 1, horizontal to vertical, except under the condition in which the material in which the excavation is made is sufficiently stable to sustain a slope of steeper than 3 horizontal to 1 vertical. A written statement to that effect is required from a licensed civil engineer having experience in soils engineering and shall be submitted to the Township Engineer and approved by him. The statement shall affirm that the site has been inspected and that the deviation from the slope will not result in injury to persons or damage to property. Retaining walls will be required if a stable slope cannot be maintained. Any retaining walls design must be approved by the Township Engineer. The toe of the slope or headwall of any cut

must be located a minimum of 5 feet from property lines. No excavation shall endanger adjoining properties.

B. *Fills*. No fills shall be made which creates any exposed surface steeper in slope than 3 horizontal to 1 vertical, except where the fill is located so that settlement, sliding or erosion will not result in property damage or be a hazard to adjoining property, streets or buildings. A written statement from a licensed civil engineer licensed by the commonwealth of Pennsylvania and having experience in soils engineering, certifying that he has inspected the site and that any proposed deviation from the slope specified above will not endanger any property or result in property damage, must be submitted to and approved by the Township Engineer.

(1) A concrete or stone masonry wall constructed in accordance with Township specifications may be required to support the face of the fill where above slopes are exceeded.

(2) The top of any fill or toe of the slope of any fill shall be located 5 feet from any property line.

(3) *Fill Placement and Compaction*. All fill shall be placed mechanically and shall be free of any debris or organic material, roots and stumps. Fill shall be placed in consecutive, maximum eight-inch layers: and compressed or compacted mechanically with equipment weighing not less than 10 tons or with similar sheeps-foot roller or compactors having equivalent compression capability. The Township shall require, at the owner's expense, a test certifying the adequate compaction of fill materials as required above or in accordance with the requirements of the Township Engineer. All detention basin fill shall be compacted to 95 percent Modified Proctor Density (ASTM 1557).

C. *Retaining Walls*. All plans that require retaining walls shall provide shop drawings and design calculations, sealed by a professional engineer registered in the State of Pennsylvania, to be submitted to the Township Engineer for review and approval prior to construction. Top and bottom of wall elevations must be shown on the grading plans to the satisfaction of the Township Engineer.

11. Permanent removal of topsoil shall be prohibited in all developments. The only exception to this prohibition shall be under the circumstance where design of a large-scale development permits the removal of excess topsoil in locations of large parking areas or large buildings where the topsoil removed may be more appropriately used elsewhere on the site or on a nearby site. A special permit for such topsoil removal is required, as issued by the Board of Supervisors.

12. *Tree Protection Standards*.

A. General requirements shall be as follows:

(1) Grade changes and excavation on any location within the site shall not:

(a) Encroach upon a tree protection zone.

(b) Result in an alteration to soil or drainage conditions which would adversely affect existing vegetation to be retained following site disturbance, unless adequate provisions are made to protect such vegetation and its root systems.

(2) No toxic materials shall be stored within 100 feet of a tree protection

zone including petroleum-based and/or derived products.

(3) The area within a tree protection zone shall not be built upon or covered by impervious materials, either temporarily or permanently.

(4) The storage of equipment, materials, debris or fill and the parking of vehicles shall be prohibited within a tree protection zone.

B. Tree protection zone construction requirements shall be as follows:

(1) Prior to construction, any tree protection zone shall be identified on the site in conformance with the approved subdivision or land development plan and in the following manner:

(a) All trees scheduled to remain shall be clearly marked. Only trees on the outer edge of tree groups or forests are required to be marked.

(b) A 4-foot high wooden snow fence mounted on steel posts located 8 feet on center, or similar fencing materials or barrier approved by the Township Arborist, shall be placed along the boundary of the tree protection zone. Immediately following the installation of said fencing, the Township shall inspect and approve the same prior to the commencement of any development activity on the site. The fencing shall be properly maintained until all development activity has ceased, and damaged fencing shall be repaired or replaced before any development may recommence.

(c) In addition to such fencing, trees outside the tree protection zone may be temporarily retained to the limits of grading and utilized as an additional buffer area during construction. Such trees shall be removed prior to the completion of development.

(2) The operation of heavy equipment shall not occur within a tree protection zone.

(3) Trees being removed shall not be felled, pushed or pulled into a tree protection zone or into any other trees which are required to be retained.

(4) Any tree stumps located within 10 feet of a tree protection zone shall be removed by means of a stump grinder to minimize their effect on surrounding root systems.

(5) Tree roots which must be severed shall be:

(a) Cut by a backhoe or similar equipment, aligned radially to the tree, in such a manner so as to reduce the lateral movement of roots during excavation.

(b) Trimmed cleanly so that their edges are smooth and are cut back to a lateral root, if exposed.

(c) Covered temporarily with peat moss, moist burlap or other moist biodegradable material within 4 hours of any severance in order to avoid their drying out.

(6) Damaged areas shall be treated promptly, and as may be required by the Township Arborist.

(a) Damaged bark shall be cut back to a point where the bark is intact and tight to the tree.

- (b) Exposed roots shall be cleaned up and covered with topsoil.
- (c) Tree limbs shall be cut back in proportion to root area loss.
- (d) Liquid or dry fertilizer shall be applied to trees with disturbed root zones to compensate for any loss of roots.
- (e) All pruning shall be undertaken in accordance with the standards of the National Arborist Association as noted in the National Arborist Association Book of Standards, as amended.
- (f) Trees shall not be used for roping, cables, signs, fencing or lighting. Nails and spikes shall not be driven into trees.

(7) *Fertilization.*

- (a) All trees which have been disturbed or have tree roots which have been damaged as a result of development shall be fertilized.
- (b) Such trees shall be fertilized during the months of September through October or April through May.
- (c) Fertilizer having approximately three parts nitrogen to one part phosphorus and one part potassium (3 to 1 to 1 ratio) shall be broadcast over the soil surface in an area twice the size of the tree protection zone at a rate equivalent to 1 pound nitrogen per 1,000 square feet. A minimum of 1,000 square feet per tree shall receive fertilization.

(8) *Retaining Walls.*

- (a) Any re-grading which causes a change in the original grade at the tree protection zone line shall require the installation of a retaining wall outside of the tree protection zone, designed to comply with Township standards.
- (b) The top of such retaining wall shall be 4 inches above the finished grade line.
- (c) The retaining wall shall be constructed of large stones, brick, building tile, concrete blocks or treated wood beams not less than 6 inches by 6 inches.
- (d) A means for drainage through the wall shall be provided, as approved by the Township Engineer.
- (e) A layer of clean stone, sized  $\frac{3}{4}$  to 1 inch shall be placed 1 foot out from the retaining wall to aid in drainage.

(9) *Trenching and Tunneling.*

- (a) Utility lines shall be located outside tree protection zones.
- (b) Tunneling shall be used for the installation of any utility line approved by the Board of Supervisors for location within a tree protection zone. Trenching may only be used where, in the opinion of the Township, the survival of a tree or trees would not be affected.
- (c) Upon the completion of the installation of any utility line, the trench shall be filled immediately and tamped lightly to avoid air spaces.

(Ord. 559, 7/27/2011, §113-25)

**§23-503. Township Stormwater BMP Operation and Maintenance Fund.**

1. If stormwater facilities and BMPS are accepted by the Township for dedication, the Township may require persons installing stormwater BMPS to pay a specified amount to the Township stormwater BMP operation and maintenance fund, to help defray costs of operations and maintenance activities. The amount may be determined as follows:

A. If the stormwater facility or BMP is to be owned and maintained by the Township, the amount shall cover the estimated costs for operations and maintenance for 10 years as determined by the Township.

B. The amount shall then be converted to present worth of the annual series values.

2. If a BMP is proposed that also serves as a recreation facility (e.g., ball field, lake), the Township may adjust the amount accordingly.

3. The off-site stormwater drainage contribution shall be in addition to the obligation of the developer to construct and install at its sole expense the on-site and off-site drainage improvements required as a condition to subdivision or land development approval.

4. When, in the discretion of the Board of Supervisors, circumstances surrounding the development of a site warrant special consideration, these contributions may be reduced or waived.

(Ord. 559, 7/27/2011, §113-26)



**Part 6****Inspections and Right of Entry****§23-601. Inspections.**

1. The Township or its designee shall inspect all phases of the construction, operations, maintenance and any other implementation of the best management practices (BMPs) and/or stormwater management (SWM) facilities as deemed appropriate by the Township.

2. During any stage of the work, if the Township or its designee determines that the BMPs and/or stormwater management facilities are not being implemented or installed in accordance with the approved SWM site plan, the Township may suspend or revoke any existing permits or other approvals and issue a cease and desist order until a revised SWM site plan is submitted and approved, as specified in this Chapter and until the deficiencies are corrected.

3. A final inspection of all BMPs and/or stormwater management facilities shall be conducted by the Township to confirm compliance with the approved SWM site plan prior to the issuance of any occupancy permit.

(Ord. 559, 7/27/2011, §113-27)

**§23-602. Right of Entry.**

1. Upon presentation of proper credentials, duly authorized representatives of the Township may enter at reasonable times upon any property within the Township to inspect the implementation, condition, or operation and maintenance of the stormwater facilities or best management practices (BMPs) in regard to any aspect governed by this Chapter.

2. Landowners, with stormwater facilities and BMPs on their property, shall allow persons working on behalf of the Township ready access to all parts of the premises for the purposes of determining compliance with this Chapter.

3. Persons working on behalf of the Township shall have the right to temporarily locate on any stormwater facility or BMP in the Township such devices as are necessary to conduct monitoring and/or sampling of the discharges from such stormwater facilities or BMP.

4. Unreasonable delays in allowing the Township access to a stormwater management facility or BMP is a violation of this Chapter.

(Ord. 559, 7/27/2011, §113-28)



**Part 7****Fees and Expenses****§23-701. Stormwater Management (SWM) Site Plan Review and Inspection Fee.**

Fees shall be established by the Township to cover plan review and construction inspection costs incurred by the Township. All fees shall be paid by the applicant at the time of SWM site plan submission. A review and inspection fee schedule shall be established by resolution of the Board of Supervisors. The Township shall periodically update the review and inspection fee schedule to ensure that review costs are adequately reimbursed. No permit to begin any work on the project shall be issued until the requested fees have been paid.

(Ord. 559, 7/27/2011, §113-29)

**§23-702. Expenses Covered by Fees.**

The fees required by this Chapter shall, at a minimum, cover:

- A. Administrative costs.
- B. The review of the stormwater (SWM) site plan and as-built plan by the Township and the Township Engineer. Review shall mean all technical reviews, meetings and discussions relative to the plans.
- C. The site inspections including, but not limited, to pre-construction meetings, inspections during construction of stormwater facilities and BMP's and final inspection upon completion of the stormwater facilities and BMP's.
- D. Any additional work required to enforce any permit provisions regulated by this Chapter, correct violations, and assure proper completion of stipulated remedial actions.
- E. Stormwater permit issuance.

(Ord. 559, 7/27/2011, §113-30)



**Part 8****Maintenance Responsibilities****§23-801. Performance Guarantee and Maintenance.**

1. For subdivisions and land developments, the applicant shall provide a financial guarantee to the Northampton Township for the timely installation and proper construction of all stormwater management (SWM) facilities as:

A. Required by the approved SWM site plan equal to or greater than the full construction cost of the required controls.

B. The amount and method of payment provided for in the Subdivision and Land Development Ordinance [Chapter 22].

2. For other regulated activities, Northampton Township may require a financial guarantee from the applicant.

3. Unless and until the permitted earth disturbance activity and stormwater management facilities have been completed and are accepted by the Township or other legal entity approved by the Township, the maintenance of said stormwater management facilities shall be the responsibility of the applicant.

4. Whenever sedimentation is caused by an earth disturbance activity, it shall be the responsibility of the person causing such sedimentation to remove it from all affected surfaces, drainage systems and watercourses on and off site and to repair any damage at his expense as quickly as possible following a storm event.

5. Persons doing any earth disturbance on or across a watercourse, swale, floodplain or right-of-way shall return such areas to their original or equal condition after such activity is completed.

6. Upon the issuance of an approved earth disturbance permit, unless maintenance responsibilities lie with the Township or a legal entity approved by the Township, the owner of any property on which an excavation or fill has been made shall maintain in good condition and repair all retaining walls, cribbing, drainage structures, fences, landscaping and any other protective devices.

(Ord. 559, 7/27/2011, §113-31)

**§23-802. Responsibilities for Operations and Maintenance (O&M) of Stormwater Facilities and BMPs.**

1. No regulated activities within Northampton Township shall commence until approval by Northampton Township of a SWM site plan that describes how the permanent stormwater controls and BMPs will be properly operated and maintained.

2. The owner of any land upon which stormwater facilities and BMPs will be placed, constructed, or implemented, as described in the stormwater management site plan, shall record the following documents in the Office of the Recorder of Deeds for Bucks County, within 10 days of approval of the stormwater management site plan by the Township:

A. The O&M agreements.

B. Easements.

3. The Township may suspend or revoke any approvals granted for the project site upon discovery of failure on the part of the owner to comply with this Section.

4. The stormwater management site plan for the project site shall establish responsibilities for the continuing O&M of all stormwater facilities and BMPs, as follows:

A. If a plan includes structures or lots which are to be separately owned and in which streets, sewers and other public improvements are to be dedicated to the Township, stormwater facilities and BMPs may also be offered for dedication to and maintained by the Township. If the Township does not accept dedication of the BMP's, the owner, homeowners association, or private management entity shall be responsible for the continued operation and maintenance of the BMP's.

5. The Township shall make the final determination on the continuing O&M responsibilities. The Township reserves the right to accept or reject the O&M responsibility for any or all of the stormwater facilities and BMPs.

6. Facilities, areas, or structures used as BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.

7. The O&M plan shall be recorded as a restrictive deed covenant that runs with the land.

8. The Township may take enforcement actions against an owner for any failure to satisfy the provisions of this Part and this Chapter.

9. The O&M agreement shall be transferred with transfer of ownership. The agreement shall be substantially the same as the agreement in Appendix 23-A.

10. Other items may be included in the O&M agreement where determined necessary to guarantee the satisfactory O&M of all stormwater controls and BMPs. The O&M agreement shall be subject to the review and approval of the Township.

11. The owner is responsible for the O&M of the SWM BMPs. If the owner fails to adhere to the O&M agreement, the Township may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

(Ord. 559, 7/27/2011, §113-32)

**§23-803. As-Built Plan.**

The applicant and/or developer shall be responsible for providing as-built plans of all stormwater management BMPs included in the approved stormwater management site plan required by a subdivision or land development, or as deemed necessary by the Township. The as-built plans and an explanation of any discrepancies from the approved SWM site plan which received approval by Northampton Township, shall be submitted to Northampton Township. The as-built plans shall be submitted in paper and digital (.dwg) formats.

(Ord. 559, 7/27/2011, §113-33)

**§23-804. Stormwater Management Easements.**

1. Where stormwater or surface water will be gathered, discharged, or drained over lands within or beyond the boundaries of the subdivision or land development, or within a proposed regulated activity site, the applicant or owner shall reserve or obtain easements over all lands affected thereby, provided that no easement or right-of-way for drainage purposes exists on such affected land. Such easements shall be adequate for such discharge of drainage and for the carrying off of such water and for the maintenance, repair and reconstruction of the same, including the right of passage over and upon the same by vehicles, machinery and other equipment for such purposes, and which shall be of sufficient width for such passage and work and that would provide ingress to and egress from a public right-of-way. The width of the easement shall be determined by the Township Engineer, but in no case be less than 20 feet in width. The owner shall convey, free of charge or cost, such easement to the Township upon demand.

2. Stormwater management easements shall be provided by the property owner, if necessary, for:

A. Access for inspections and maintenance.

B. Preservation of stormwater runoff conveyance, infiltration and detention areas and other BMPs, by persons other than the property owner. The purpose of the easement shall be specified in any agreement.

3. All easements shall be fully described with metes ad bounds on the BMP operations and maintenance plan.

(Ord. 559, 7/27/2011, §113-34)





**Part 9****Prohibitions****§23-901. Prohibited Discharges.**

1. Any stormwater drain or stormwater conveyance, whether on the surface or subsurface, that allows any nonstormwater discharge, including sewage, process wastewater, and wash water to enter the waters of the Commonwealth is prohibited.

2. No person shall allow, or cause to allow, stormwater discharges into surface waters of this Commonwealth or Northampton Township separate storm sewer system which are not composed entirely of stormwater, except (A) as provided in subsection .3 below, and (B) discharges allowed under a State or Federal permit.

3. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of the Commonwealth:

- A. Discharges from firefighting activities.
- B. Potable water sources including water line flushing and fire hydrant flushing.
- C. Irrigation drainage.
- D. Air conditioning condensate.
- E. Springs.
- F. Water from crawl space pumps.
- G. Flows from riparian habitats and wetlands.
- H. Uncontaminated water from foundations or from footing drains.
- I. Lawn watering.
- J. De-chlorinated swimming pool discharges (per Department of Environmental Protection (PADEP) requirements).
- K. Uncontaminated groundwater.
- L. Water from individual residential car washing.
- M. Routine external building wash down (which does not use detergents or other compounds).
- N. Pavement washwater where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used.

4. In the event that the Township or PADEP determines that any of the discharges identified in subsection .3 significantly contribute to pollution of the waters of this Commonwealth, the Township or PADEP will notify the responsible person(s) to cease the discharge.

5. Upon notice provided by the Township, the discharger will have a reasonable time, as determined by the Township to cease the discharge consistent with the degree of pollution caused by the discharge.

(Ord. 559, 7/27/2011, §113-35)

**§23-902. Roof Drains.**

1. Roof drains shall not be connected to streets, sanitary or storm sewers, or roadside ditches; except as provided in §23-901.2.

2. When it is more advantageous to connect directly to streets or storm sewers, connections of roof drains to streets or roadside ditches may be permitted by the Township.

3. Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs and to the maximum extent practicable satisfy the criteria for disconnected impervious areas (DIAs); provided, however, that roof drains may be connected to streets, road side ditches, or storm drains upon determination by the Borough Engineer that such connection is the only practical alternative or will provide other offsetting advantages. (*Ord. 559, 7/27/2011, §113-36*)

**§23-903. Alteration of SWM BMPs.**

1. No person shall modify, remove, fill, landscape, or alter any stormwater management (SWM) best management practices (BMPs), facilities, areas, or structures unless it is part of an approved maintenance program and written approval of the Township has been obtained.

2. No person shall place any structure, fill, landscaping, or vegetation into a stormwater facility or BMP or within a drainage easement which would limit or alter the functioning of the stormwater facility or BMP without the written approval of the Township.

(*Ord. 559, 7/27/2011, §113-37*)

**Part 10****Enforcement and Penalties****§23-1001. Enforcement.**

1. The Board of Supervisors of Northampton Township or its designee is hereby authorized and directed to enforce all of the provisions of this Chapter. All inspections regarding compliance with the stormwater management (SWM) site plan and this Chapter shall be the responsibility of the Township Engineer or other qualified persons designated by Northampton Township.

2. It shall be unlawful for any person, firm or corporation to undertake any regulated activity on any property except as provided for in the approved SWM site plan and pursuant to the requirements of this Chapter. It shall be unlawful to alter or remove any structure required by the SWM site plan pursuant to this Chapter or to allow the property to remain in a condition which does not conform to the approved SWM site plan without written approval from the Township.

3. Whenever the Township finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the Township may order compliance by written notice to the responsible person. Such notice may, without limitation, require the following remedies:

- A. Performance of monitoring, analyses, and reporting.
- B. Elimination of prohibited connections or discharges.
- C. Cessation of any violating discharges, practices, or operations.
- D. Abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property.
- E. Payment of a fine to cover administrative and remediation costs.
- F. Implementation of stormwater facilities and best management practices (BMPs).
- G. Operation and maintenance (O&M) of stormwater facilities and BMPs.

D. Such notification shall set forth the nature of the violation(s) and establish a time limit for correction of these violations(s). Said notice may further advise that, if applicable, should the violator fail to take the required action within the established deadline, the work will be done by the Township or designee and the expense may be charged to the violator.

E. Failure to comply within the time specified may subject a violator to the penalty provisions of this Chapter. All such penalties shall be deemed cumulative and shall not prevent the Township from pursuing any and all other remedies available in law or equity.

(Ord. 559, 7/27/2011, §131-38)

**§23-1002. Suspension and Revocation of Permits and Approvals.**

1. Any building, land development, or other permit or approval issued by the Township may be suspended or revoked, in whole or in part, by the Township for:

- A. Noncompliance with or failure to implement any provision of the permit.
  - B. A violation of any provision of this Chapter.
  - C. The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard or nuisance, pollution or which endangers the life, health, or property of others.
2. A suspended permit may be reinstated by the Township when:
- A. The Township or designee has inspected and approved the corrections to the stormwater facilities, BMPs and the erosion and sedimentation control facilities or the elimination of the hazard or nuisance.
  - B. The Township is satisfied that all applicable violations in this Chapter have been corrected.
3. Any permit or approval that has been revoked by the Township cannot be reinstated. The applicant may apply for a new permit under the procedures outlined of this Chapter.

(Ord. 559, 7/27/2011, §113-39)

#### **§23-1003. Penalties.**

1. Any person violating the provisions of this Chapter guilty of a misdemeanor and upon conviction, shall be subject to a fine of not more than \$1,000 for each violation, recoverable with costs. Each day that the violation continues shall constitute a separate offense and the applicable fines are cumulative.
2. In addition, the Township through its Solicitor may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Chapter. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

(Ord. 559, 7/27/2011, §113-40)

#### **§23-1004. Appeals.**

1. Any person aggrieved by any action of Northampton Township or its designee may appeal to the Board of Supervisors of Northampton Township within 30 days of that action. The Board of Supervisors of Northampton Township shall, within 30 days of receipt of an appeal, schedule a hearing to consider the appeal. The proceeding shall be governed by the Pennsylvania Local Agency Law, 2 Pa.C.S.A. §751 *et seq.*
2. Any person aggrieved by any decision of the Board of Supervisors of Northampton Township may appeal to the County Court of Common Pleas of Bucks County within 30 days of the Township's decision.

(Ord. 559, 7/27/2011, §113-41)

**APPENDIX 23-A**  
**STORMWATER CONTROLS AND BEST MANAGEMENT**  
**PRACTICES OPERATIONS AND MAINTENANCE**  
**AGREEMENT (Example)**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by and between \_\_\_\_\_, (hereinafter the  
"Landowner"), and \_\_\_\_\_,  
\_\_\_\_\_ County, Pennsylvania, (hereinafter "Municipality");

**WITNESSETH**

**WHEREAS**, the Landowner is the owner of certain real property as recorded by  
deed in the land records of \_\_\_\_\_ County, Pennsylvania, Deed Book  
\_\_\_\_\_ at Page \_\_\_\_\_, (hereinafter "Property").

**WHEREAS**, the Landowner is proceeding to build and develop the Property; and

**WHEREAS**, the Stormwater Controls and BMP Operations and Maintenance  
Plan approved by the Municipality (hereinafter referred to as the "Plan") for the property  
identified herein, which is attached hereto as Appendix A and made part hereof, as  
approved by the Municipality, provides for management of stormwater within the  
confines of the Property through the use of Best Management Practices (BMPs); and

**WHEREAS**, the Municipality, and the Landowner, his successors and assigns,  
agree that the health, safety, and welfare of the residents of the Municipality and the  
protection and maintenance of water quality require that on-site stormwater Best  
Management Practices be constructed and maintained on the Property; and

**WHEREAS**, for the purposes of this agreement, the following definitions shall  
apply:

BMP – "Best Management Practice;" activities, facilities, designs, measures or  
procedures used to manage stormwater impacts from land development, to protect and  
maintain water quality and groundwater recharge and to otherwise meet the purposes of  
the Municipal Stormwater Management Ordinance, including but not limited to infiltration

trenches, seepage pits, filter strips, bioretention, wet ponds, permeable paving, rain gardens, grassed swales, forested buffers, sand filters and detention basins.

**WHEREAS**, the Municipality requires, through the implementation of the Plan, that stormwater management BMPs as required by said Plan and the Municipal Stormwater Management Ordinance be constructed and adequately operated and maintained by the Landowner, his successors and assigns, and

**NOW, THEREFORE**, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The BMPs shall be constructed by the Landowner in accordance with the plans and specifications identified in the Plan.
2. The Landowner shall operate and maintain the BMP(s) as shown on the Plan in good working order acceptable to the Municipality and in accordance with the specific maintenance requirements noted on the Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper identification, to inspect the BMP(s) whenever it deems necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the property.
4. In the event the Landowner fails to operate and maintain the BMP(s) as shown on the Plan in good working order acceptable to the Municipality, the Municipality or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s). This provision shall not be construed to allow the Municipality to erect any permanent structure on the land of the Landowner. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the BMP(s) by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality's employees and designated representatives from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or Municipality. In the event that a claim is asserted against the Municipality, its designated representatives or employees, the Municipality shall promptly notify the Landowner and the Landowner shall defend, at his own expense, any suit based on the claim. If any judgment or claims against the Municipality's employees or designated representatives shall be allowed, the Landowner shall pay all costs and expenses regarding said judgment or claim.
8. The Municipality shall inspect the BMP(s) at a minimum of once every three years to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of \_\_\_\_\_ County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the Municipality:

(SEAL)

For the Landowner:

ATTEST:

\_\_\_\_\_ (City, Borough, Township)

County of \_\_\_\_\_, Pennsylvania

I, \_\_\_\_\_, a Notary Public in and for the  
County and State aforesaid, whose commission expires on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_, do hereby certify that

\_\_\_\_\_ whose name(s) is/are signed to the  
foregoing Agreement bearing date of the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_, has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)



## **APPENDIX 23-B**

### **STORMWATER MANAGEMENT DESIGN CRITERIA**

**TABLE 23-B-1**

#### **DESIGN STORM RAINFALL AMOUNT**

Source: NOAA Atlas 14 website, Doylestown Gage (36-2221)  
[http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa\\_pfds.html](http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa_pfds.html).

**FIGURE 23-B-1**

#### **ATLAS 14 TYPE II S-CURVES FOR ALL FREQUENCY STORMS – DOYLESTOWN GAGE (36-2221)**

Source: NOAA Atlas 14 website, Doylestown Gage (36-2221)  
[http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa\\_pfds.html](http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa_pfds.html).

**TABLE 23-B-2**

#### **NATURAL RESOURCE PROTECTION STORMWATER MANAGEMENT CONTROLS**

Source: PA BMP Manual Chapter 8, pg 33

**TABLE 23-B-3**

#### **GUIDANCE TO CALCULATE THE 2-YEAR, 24-HOUR VOLUME INCREASE FROM PRE-DEVELOPMENT TO POST-DEVELOPMENT CONDITIONS**

Source: PA BMP Manual Chapter 8, pg 37

**TABLE 23-B-4**

#### **RUNOFF CURVE NUMBERS**

Source: NRCS (SCS) TR-55

**TABLE 23-B-5**

#### **VOLUME CONTROL CALCULATION GUIDANCE FOR NONSTRUCTURAL BMPS**

Source: PA BMP Manual Chapter 8, pg 34

**TABLE 23-B-6**

#### **VOLUME CONTROL CALCULATION GUIDANCE FOR STRUCTURAL BMPS**

Source: PA BMP Manual Chapter 8, pg 38

**TABLE 23-B-7**

#### **RATIONAL RUNOFF COEFFICIENTS**

Source: New Jersey Department of Transportation, Technical Manual for Stream Encroachment, August, 1984

**TABLE 23-B-8**

#### **MANNING ROUGHNESS COEFFICIENTS**

**TABLE 23-B-1**  
**DESIGN STORM RAINFALL AMOUNT (INCHES)**

The design storm rainfall amount chosen for design should be obtained from the National  
Oceanic and Atmospheric Administration Atlas 14 interactive website:  
[http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa\\_pfds.html](http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa_pfds.html)

Source: NOAA Atlas 14 website, Doylestown Gage (36-2221)  
[http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa\\_pfds.html](http://hdsc.nws.noaa.gov/hdsc/pfds/orb/pa_pfds.html)

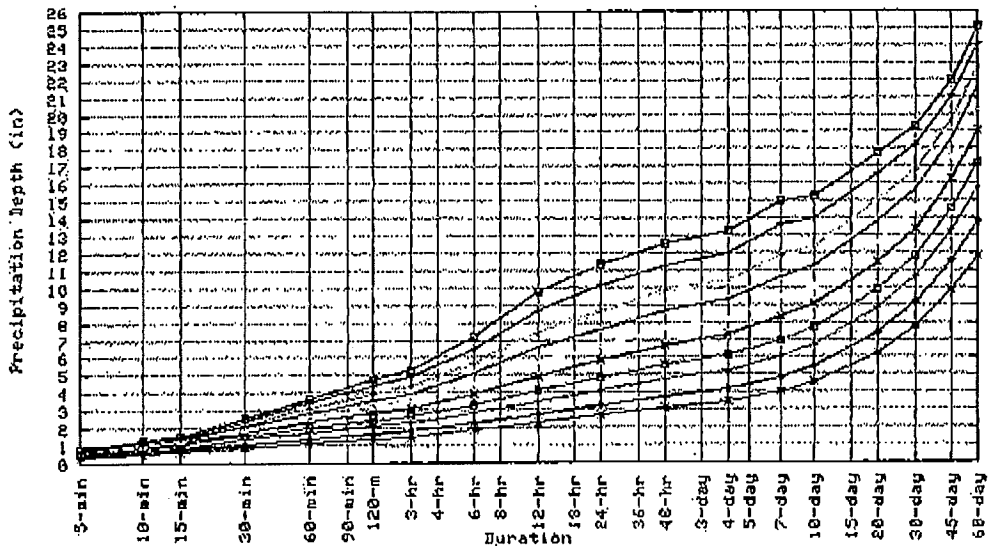
Precipitation Frequency Estimates (inches)																		
ARI* (years)	5 min	10 min	15 min	30 min	60 min	120 min	3 hr	6 hr	12 hr	24 hr	48 hr	4 day	7 day	10 day	20 day	30 day	45 day	60 day
1	0.34	0.54	0.68	0.93	1.15	1.38	1.51	1.89	2.30	2.71	3.13	3.48	4.07	4.61	6.23	7.76	9.85	11.81
2	0.40	0.64	0.81	1.12	1.40	1.67	1.83	2.28	2.78	3.26	3.78	4.19	4.87	5.51	7.39	9.14	11.57	13.83
5	0.47	0.76	0.96	1.36	1.75	2.10	2.30	2.86	3.50	4.11	4.76	5.24	6.02	6.71	8.81	10.65	13.30	15.78
10	0.53	0.84	1.06	1.54	2.01	2.42	2.66	3.32	4.11	4.81	5.57	6.09	6.96	7.68	9.93	11.83	14.60	17.23
25	0.59	0.94	1.19	1.76	2.34	2.86	3.15	3.98	4.99	5.83	6.71	7.30	8.30	9.03	11.44	13.36	16.25	19.04
50	0.63	1.00	1.27	1.92	2.60	3.21	3.54	4.52	5.74	6.70	7.66	8.29	9.41	10.11	12.61	14.52	17.46	20.35
100	0.67	1.07	1.35	2.07	2.85	3.56	3.94	5.09	6.55	7.63	8.67	9.33	10.59	11.23	13.79	15.66	18.61	21.57
200	0.71	1.13	1.42	2.21	3.11	3.92	4.35	5.69	7.43	8.64	9.75	10.44	11.83	12.39	14.98	16.79	19.69	22.70
500	0.76	1.20	1.51	2.40	3.44	4.41	4.90	6.54	8.73	10.12	11.30	12.01	13.60	14.00	16.58	18.23	21.02	24.08
1000	0.79	1.24	1.56	2.53	3.69	4.78	5.34	7.23	9.82	11.35	12.57	13.29	15.04	15.28	17.80	19.31	21.96	25.04

\* These precipitation frequency estimates are based on a partial duration series. ARI is the Average Recurrence Interval.

FIGURE 23-B-1

Atlas 14 Type II S-Curves for All Frequency Storms - Doylestown Gage (36-2221)

Partial duration based Point Precipitation Frequency Estimates - Version: 3  
48.3 N 75.1333 W 385 ft



Wed Mar 11 12:14:13 2009

Average Recurrence Interval (years)	
1	↑
2	↑
5	↑
10	↑
25	↑
100	↑
200	↑
500	↑
1000	↑

**TABLE 23-B-2: NATURAL RESOURCE PROTECTION  
STORMWATER MANAGEMENT CONTROLS**

<b>Existing Natural Sensitive Resource</b>	<b>Mapped in the ERSAM? Yes/No/n/a</b>	<b>Total Area (Ac.)</b>	<b>Area to be Protected (Ac.)</b>
Waterbodies			
Floodplains			
Riparian Areas / Buffers			
Wetlands			
Vernal Pools			
Woodlands			
Natural Drainage Ways			
Steep Slopes, 15%-25%			
Steep Slopes, over 25%			
Other:			
Other:			
<b>Total Existing:</b>			

**TABLE 23-B-3: GUIDANCE TO CALCULATE THE 2-YEAR, 24-HOUR VOLUME INCREASE FROM PRE-DEVELOPMENT TO POST-DEVELOPMENT CONDITIONS**

Existing Conditions: Cover Type/Condition	Soil Type	Area (sf)	Area (ac)	CN	S	Ia (0.2*S)	Q Runoff (in)	Runoff Volume (ft3)
Woodland								
Meadow								
Impervious								
Total:								

Developed Conditions: Cover Type/Condition	Soil Type	Area (sf)	Area (ac)	CN	S	Ia (0.2*S)	Q Runoff (in)	Runoff Volume (ft3)
Total:								

2-year Volume Increase (ft3):

TABLE 23-B-4. Runoff Curve Numbers (from NRCS (SCS) TR-55)

LAND USE DESCRIPTION	Hydrologic Condition	HYDROLOGIC SOIL GROUP			
		A	B	C	D
Open Space					
Grass cover < 50%	Poor	68	79	86	89
Grass cover 50% to 75%	Fair	69	79	84	
Grass cover > 75%	Good	39	61	74	80
Meadow		30	58	71	78
Agricultural					
Pasture, grassland, or range – Continuous forage for grazing	Poor	68	79	86	89
Pasture, grassland, or range – Continuous forage for grazing.	Fair	49	69	79	84
Pasture, grassland, or range – Continuous forage for grazing	Good	39	61	74	80
Brush-weed-grass mixture with brush the major element.	Poor	48	67	77	83
Brush-weed-grass mixture with brush the major element.	Fair	35	56	70	77
Brush-weed-grass mixture with brush the major element.	Good	30	48	65	73
Fallow Bare soil	-----	77	86	91	94
Crop residue cover (CR)	Poor	76	85	90	93
	Good	74	83	88	90
Woods – grass combination (orchard or tree farm)	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30	55	70	77
Commercial (85% Impervious)		92	94	95	
Industrial (72% Impervious)		88	91	93	
Institutional (50% Impervious)		82	88	90	
Residential districts by average lot size:					
	% Impervious				
1/8 acre or less * (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
Farmstead		59	74	82	86
Smooth Surfaces (Concrete, Asphalt, Gravel or Bare Compacted Soil)	98	98	98	98	
Water	98	98	98	98	
Mining/Newly Graded Areas (Pervious Areas Only)	77	86	91	94	

\* Includes Multi-Family Housing unless justified lower density can be provided.

Note: Existing site conditions of bare earth or fallow ground shall be considered as meadow when choosing a CN value.

**TABLE 23-B-5: VOLUME CONTROL CALCULATION GUIDANCE FOR  
NONSTRUCTURAL BMPs**

**Type of Nonstructural BMP**

	AREA (sq ft)	* Runoff Volume (in)	* 1/12 =	Volume Reduction(ft <sup>3</sup> )
<b>Use of Natural Drainage Feature</b>				
<i>Utilize natural flow pathways</i>	_____sq ft	* 1/4"	* 1/12 =	_____cu ft
<b>Minimum Soil Compaction</b>				
<i>Lawn</i>	_____sq ft	* 1/3"	* 1/12 =	_____cu ft
<i>Meadow</i>	_____sq ft	* 1/3"	* 1/12 =	_____cu ft
<b>Protecting existing trees (not located in protected area)</b>				
For trees within 20 feet of impervious cover:				
<i>Tree Canopy</i>	_____sq ft	* 1"	* 1/12 =	_____cu ft
For trees within 20-100 feet of impervious cover:				
<i>Tree Canopy</i>	_____sq ft	* 1/2"	* 1/12 =	_____cu ft
<b>Rooftop Disconnection</b>				
For runoff directed to pervious and/or vegetative areas where infiltration occurs				
<i>Roof Area</i>	_____sq ft	* 1/4"	* 1/12 =	_____cu ft
<b>Impervious Disconnection</b>				
For runoff from impervious surfaces such as streets and concrete directed to pervious and/or vegetative areas where infiltration occurs				
<i>Impervious Area</i>	_____sq ft	* 1/4"	* 1/12 =	_____cu ft
<b>Total Volume Reduction</b>				_____cu ft

\* represents multiply

**TABLE 23-B-6: VOLUME CONTROL CALCULATION GUIDANCE FOR STRUCTURAL BMPS**

$$\begin{array}{ccc} \text{Required} & \text{Nonstructural} & \text{Structural Volume} \\ \text{Volume Control (ft}^3\text{)} & \text{Volume Control (ft}^3\text{)} & \text{Requirement (ft}^3\text{)} \\ \text{Table B-3} & \text{Table B-5} & \end{array} =$$

Type	Proposed Structural BMP	Section in BMP Manual	Area (sq ft)	Storage Volume (cu ft)
Infiltration and / or Evapotranspiration	Porous Pavement	6.4.1		
	Infiltration Basin	6.4.2		
	Infiltration Bed	6.4.3		
	Infiltration Trench	6.4.4		
	Rain Garden/Bioretention	6.4.5		
	Dry Well/Seepage Pit	6.4.6		
	Constructed Filter	6.4.7		
	Vegetative Swale	6.4.8		
	Vegetative Filter Strip	6.4.9		
	Infiltration Berm	6.4.10		
Evaporation and / or Reuse	Vegetative Roof	6.5.1		
	Capture and Re-use	6.5.2		
Runoff Quality	Constructed Wetlands	6.6.1		
	Wet Pond / Retention Basin	6.6.2		
	Dry Extended Detention Basin	6.6.3		
	Water Quality Filters	6.6.4		
Restoration	Riparian Buffer Restoration	6.7.1		
	Landscape Restoration / Reforestation	6.7.2		
	Soil Amendment	6.7.3		
Other	Level Spreader	6.8.1		
	Special Storage Areas	6.8.2		
	other			

**Total Volume Control from Structural BMPs:** \_\_\_\_\_



**TABLE 23-B-7. RATIONAL RUNOFF COEFFICIENTS**  
By Hydrologic Soils Group and Overland Slope (%)

Land Use	A			B			C			D		
	0-2%	2-6%	6%-	0-2%	2-6%	6%-	0-2%	2-6%	6%-	0-2%	2-6%	6%-
Cultivated Land	0.08 <sup>a</sup> 0.14 <sup>b</sup>	0.13 0.18	0.16 0.22	0.11 0.16	0.15 0.21	0.21 0.28	0.14 0.20	0.19 0.25	0.26 0.34	0.18 0.24	0.25 0.29	0.31 0.41
Pasture	0.12 0.15	0.20 0.25	0.30 0.37	0.18 0.23	0.28 0.34	0.37 0.45	0.24 0.30	0.34 0.42	0.44 0.52	0.50 0.57	0.40 0.50	0.58 0.62
Meadow	0.10 0.14	0.16 0.22	0.25 0.30	0.14 0.20	0.22 0.28	0.30 0.37	0.20 0.26	0.28 0.35	0.36 0.44	0.24 0.30	0.30 0.40	0.40 0.50
Forest	0.05 0.08	0.08 0.11	0.11 0.14	0.08 0.10	0.11 0.14	0.14 0.18	0.10 0.12	0.13 0.16	0.16 0.20	0.12 0.15	0.16 0.20	0.20 0.25
Residential												
Lot Size 1/8 Acre	0.25 0.33	0.28 0.37	0.31 0.40	0.27 0.33	0.30 0.39	0.35 0.44	0.30 0.38	0.33 0.42	0.38 0.49	0.33 0.41	0.36 0.45	0.42 0.54
Lot Size 1/4 Acre	0.22 0.30	0.26 0.34	0.29 0.37	0.24 0.33	0.29 0.37	0.33 0.42	0.27 0.36	0.31 0.40	0.36 0.47	0.30 0.38	0.34 0.42	0.40 0.51
Lot Size 1/3 Acre	0.19 0.28	0.23 0.31	0.26 0.35	0.22 0.30	0.26 0.35	0.30 0.39	0.25 0.33	0.29 0.38	0.34 0.45	0.28 0.36	0.32 0.40	0.39 0.50
Lot Size 1/2 Acre	0.16 0.25	0.20 0.29	0.24 0.32	0.19 0.28	0.23 0.32	0.28 0.36	0.22 0.31	0.27 0.35	0.32 0.42	0.26 0.34	0.30 0.38	0.37 0.48
Lot Size 3/4 Acre	0.14 0.22	0.19 0.26	0.23 0.29	0.17 0.24	0.21 0.28	0.26 0.34	0.20 0.28	0.25 0.32	0.31 0.40	0.24 0.31	0.29 0.35	0.35 0.46
Industrial	0.67 0.85	0.68 0.85	0.68 0.85	0.68 0.85	0.68 0.86	0.69 0.86	0.68 0.86	0.69 0.86	0.69 0.87	0.69 0.86	0.69 0.86	0.70 0.88
Commercial	0.71 0.88	0.71 0.88	0.72 0.89	0.71 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.90	0.72 0.89	0.72 0.89	0.72 0.90
Streets	0.70 0.76	0.71 0.77	0.71 0.79	0.71 0.80	0.72 0.82	0.74 0.84	0.72 0.84	0.73 0.83	0.76 0.89	0.73 0.89	0.73 0.91	0.78 0.95
Open Space	0.05 0.11	0.10 0.16	0.14 0.20	0.08 0.14	0.13 0.19	0.19 0.26	0.12 0.18	0.17 0.23	0.24 0.32	0.16 0.22	0.21 0.27	0.28 0.39
Parking	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97

<sup>a</sup> Runoff coefficients for storm recurrence intervals less than 25 years.

<sup>b</sup> Runoff coefficients for storm recurrence intervals of 25 years or more.

Source: Rawls, W.J., S.L. Wong and R.H. McCuen, 1981, "Comparison of Urban Flood Frequency Procedures", Preliminary Draft, U.S. Department

**TABLE 23-B-8. MANNING'S ROUGHNESS COEFFICIENTS**

DESCRIPTION	Manning's n-value
Smooth-wall Plastic Pipe	0.011
Concrete Pipe	0.012
Smooth-lined Corrugated Metal Pipe	0.012
Corrugated Plastic Pipe	0.024
Annular Corrugated Steel And Aluminum Alloy Pipe (Plain or polymer coated)	
88 mm × 13 mm (2 2/3 in × 1/2 in) Corrugations	0.024
75 mm × 25 mm (3 in × 1 in) Corrugations	0.027
125 mm × 25 mm (5 in × 1 in) Corrugations	0.025
150 mm × 50 mm (6 in × 2 in) Corrugations	0.033
Helically Corrugated Steel And Aluminum Alloy Pipe (Plain or polymer coated)	
75 mm × 25 mm (3 in × 1 in), 125 mm × 25 mm (5 in × 1 in), or 150 mm × 50 mm (6 in × 2 in) Corrugations	0.024
Helically Corrugated Steel And Aluminum Alloy Pipe (Plain or polymer coated)	
88 mm × 13 mm (2 2/3 in × 1/2 in) Corrugations	
a. Lower Coefficients*	
450 mm (18 in) Diameter	0.014
600 mm (24 in) Diameter	0.016
900 mm (36 in) Diameter	0.019
1200 mm (48 in) Diameter	0.020
1500 mm (60 in) Diameter or larger	0.021
b. Higher Coefficients**	0.024
Annular or Helically Corrugated Steel or Aluminum Alloy Pipe Arches or Other Non-Circular Metal Conduit (Plain or Polymer coated)	0.024
Vitrified Clay Pipe	0.012
Ductile Iron Pipe	0.013
Asphalt Pavement	0.015
Concrete Pavement	0.014
Grass Medians	0.050
Grass – Residential	0.30
Earth	0.020
Gravel	0.030
Rock	0.035
Cultivated Areas	0.030 - 0.050
Dense Brush	0.070 - 0.140
Heavy Timber (Little undergrowth)	0.100 - 0.150
Heavy Timber (w/underbrush)	0.40
Streams:	
a. Some Grass And Weeds (Little or no brush)	0.030 - 0.035
b. Dense Growth of Weeds	0.035 - 0.050
c. Some Weeds (Heavy brush on banks)	0.050 - 0.070

**Notes:**

\* Use the lower coefficient if any one of the following conditions apply:

- A storm pipe longer than 20 diameters, which directly or indirectly connects to an inlet or manhole, located in swales adjacent to shoulders in cut areas or depressed medians.
- A storm pipe which is specially designed to perform under pressure.

\*\*Use the higher coefficient if any one of the following conditions apply:

- A storm pipe which directly or indirectly connects to an inlet or manhole located in highway pavement sections or adjacent to curb or concrete median barrier.
- A storm pipe which is shorter than 20 diameters long.
- A storm pipe which is partly lined helically corrugated metal pipe.

## APPENDIX 23-C

### SWM SITE PLAN CHECKLIST

---

TMP No: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Engineer: \_\_\_\_\_  
Date: \_\_\_\_\_  
Project ID: \_\_\_\_\_ (for Municipal use ONLY)

---

#### SECTION I: REGULATED ACTIVITIES

Reference: §23-105

1. Does the Proposed Project meet the definition of a "Regulated Activity"? ☐ Yes ☐ No

**STOP** – If you have checked NO for the above question, you are not required to submit a Grading Permit.

---

#### SECTION II: EXEMPTION

Reference: §23-106

1. Does the regulated activity create an Impervious Surface greater than 1,000 square feet but less than 5,000 square feet? ☐ Yes ☐ No
2. Does the regulated activity involve an Agricultural Activity? ☐ Yes ☐ No
3. Does the regulated activity involve Forest Management or Timber Operations? ☐ Yes ☐ No

Parcel IS Exempt from the SWM Site Plan and Peak Rate Control ☐

Parcel IS Exempt from Peak Rate Control ☐

Parcel IS NOT Exempt ☐

---

#### SECTION III: VOLUME CONTROLS

Reference: §23-304

##### A. Site Disturbance Minimization

1. Has an Existing Resource and Site Analysis Map (ERSAM) been prepared?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Are any of the following environmentally sensitive areas identified on site?

Steep Slopes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Ponds / Lakes / Vernal Pools	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Streams	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Wetlands	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Hydric Soils	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Flood plains	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Stream Buffer Zones	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Hydrologic Soil Groups A or B	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Recharge Areas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Others: _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown

3. Does the site layout plan avoid environmentally sensitive areas identified on site?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. Post-development Runoff Volume Control**

1. What method is used to calculate the required volume control?

☐ Design-storm method ☐ Simplified method

2. What is the level of runoff volume (ft<sup>3</sup>) required to be controlled from the post-development site?  
\_\_\_\_\_ (ft<sup>3</sup>)

**C. Stormwater runoff control measures**

1. What is the level of runoff volume (ft<sup>3</sup>) controlled through nonstructural BMPs? \_\_\_\_\_ (ft<sup>3</sup>)

2. What is the level of runoff volume (ft<sup>3</sup>) controlled through structural BMPs? \_\_\_\_\_ (ft<sup>3</sup>)

3. Have provisions been installed to promote infiltration on site?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Have provisions been installed to promote evapotranspiration, capture or reuse on site?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SECTION V: PEAK RATES

Reference: §23-305

1. Does the Proposed Conditions Runoff meet the Criteria established in Table 23-305.1?

☐ Yes ☐ No, if you answered Yes proceed to Section VI.

---

## SECTION VI: CALCULATION METHODOLOGY

Reference: §23-306 and Appendix 23-B

1. Which method(s) are utilized in the site stormwater management plan for computing stormwater runoff rates and volumes?

<input type="checkbox"/> TR-20	<input type="checkbox"/> PSRM
<input type="checkbox"/> TR-55	<input type="checkbox"/> Rational Method
<input type="checkbox"/> HEC-1 / HEC-HMS	<input type="checkbox"/> Other: _____

2. Was Table 23-B-1 or Figure 23-B-1 utilized in rainfall determination?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Was Table 23-B-4 (Runoff Curve Numbers) or Table 23-B-7 (Rational Runoff Coefficients) utilized in calculations for runoff?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

## SECTION IX: FACILITY OPERATION AND MAINTENANCE PLAN

Reference: §23-803

1. Has a Stormwater Control and BMP Operations and Maintenance Plan been approved by the Municipality?

☐ Yes ☐ No, Explain \_\_\_\_\_  
\_\_\_\_\_

2. Who shall assume responsibility for implementing the Stormwater Control and BMP Operations and Maintenance Plan?

<input type="checkbox"/> Municipality	<input type="checkbox"/> Homeowner Association
<input type="checkbox"/> Private Owner	<input type="checkbox"/> Other _____

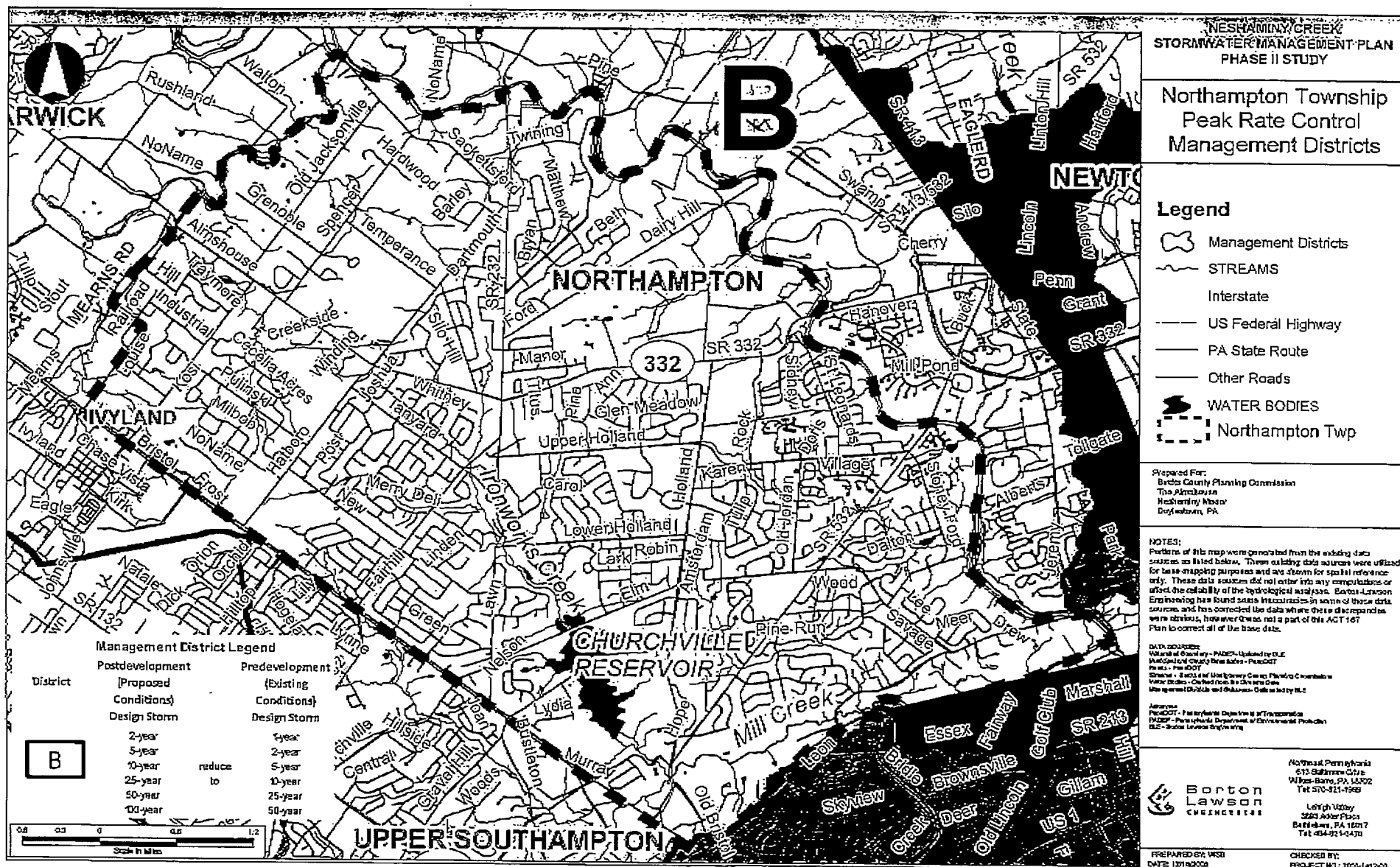


**APPENDIX 23-D**

**MAPS OF MANAGEMENT DISTRICTS**









## **APPENDIX 23-E**

### **LOW IMPACT DEVELOPMENT (LID) PRACTICES**

#### **ALTERNATIVE APPROACH FOR MANAGING STORMWATER RUNOFF**

Natural hydrologic conditions can be altered radically by poorly planned development practices, such as destroying existing drainage swales, constructing unnecessary storm sewers, and changing local topography. A traditional drainage approach of development has been to remove runoff from a site as quickly as possible and capture it in a detention basin. This approach leads ultimately to the degradation of water quality, as well as expenditure of additional resources for detaining and managing concentrated runoff at some downstream location.

The recommended alternative approach is to promote practices that will minimize post development runoff rates and volumes and will minimize needs for artificial conveyance and storage facilities. To simulate predevelopment hydrologic conditions, infiltration is often necessary to offset the loss of infiltration by the creation of impervious surfaces. Preserving natural hydrologic conditions requires careful alternative site design considerations. Site design practices include preserving natural drainage features, reducing the hydraulic connectivity of impervious surfaces, and protecting natural depression storage. A well-designed site will contain a mix of all those features.

The following describes various LID techniques that may be used:

1. **Protect Sensitive and Special Value Resources:** See Section 5.4 of the *Pennsylvania Stormwater Best Management Practices Manual*, Pennsylvania Department of Environmental Protection (PADEP) No. 363-0300-002 (2006).
  - a. **Preserving Natural Drainage Features.** Protecting natural drainage features, particularly vegetated drainage swales and channels, is desirable because of their ability to infiltrate and attenuate flows and to filter pollutants. However, this objective is often not accomplished in land development. In fact, commonly held drainage philosophy encourages just the opposite pattern—streets and adjacent storm sewers are typically located in the natural headwater valleys and swales, thereby replacing natural drainage functions with a completely impervious system. As a result, runoff and pollutants generated from impervious surfaces flow directly into storm sewers with no opportunity for attenuation, infiltration, or filtration. Developments designed to fit site topography also minimizes the amount of grading on site.
  - b. **Protecting Natural Depression Storage Areas.** Depressional storage areas either have no surface outlet or drain very slowly following a storm event. They can be commonly seen as ponded areas in farm fields during

the wet season or after large runoff events. Traditional development practices eliminate these depressions by filling or draining, thereby obliterating their ability to reduce surface runoff volumes and trap pollutants. The volume and release rate characteristics of depressions should be protected in the design of the development site. The depressions can be protected by simply avoiding the depression or by incorporating its storage as additional capacity in required detention facilities.

**2. Disconnect/Distribute/Decentralize:** See Section 5.8 of the *Pennsylvania Stormwater Best Management Practices Manual, Pennsylvania Department of Environmental Protection (PADEP) No. 363-0300-002 (2006)*.

- a. **Routing Roof Runoff over Lawns.** Roof runoff can be easily routed over lawns in most site designs. The practice discourages direct connections of downspouts to storm sewers or parking lots. The practice also discourages sloping driveways and parking lots to the street. By routing roof drains and crowning the driveway to run off to the lawn, the lawn is essentially used as a filter strip.
- b. **Reducing the Use of Storm Sewers.** By reducing use of storm sewers for draining streets, parking lots, and back yards, the potential for accelerating runoff from the development can be greatly reduced. The practice requires greater use of swales and may not be practical for some development sites, especially if there are concerns for areas that do not drain in a "reasonable" time. The practice requires educating local citizens and public works officials, who expect runoff to disappear shortly after a rainfall event.

In summary, a careful consideration of the existing topography and implementation of a combination of the above-mentioned techniques may avoid construction of costly stormwater control measures. Benefits include reduced potential of downstream flooding, water quality improvement of receiving streams/water bodies and enhancement of aesthetics and reduction of development costs. Other benefits include more stable baseflows in receiving streams, improved groundwater recharge, reduced flood flows, reduced pollutant loads, and reduced costs for conveyance and storage.

## APPENDIX 23-F

### DISCONNECTED IMPERVIOUS AREA (DIA)

#### ROOFTOP DISCONNECTION

When rooftop downspouts are directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the rooftop may qualify as completely or partially DIA and a portion of the impervious rooftop area may be excluded from the calculation of total impervious area.

A rooftop is considered to be completely or partially disconnected if it meets the requirements listed below:

- The contributing area of a rooftop to each disconnected discharge is 500 square feet or less, and
- The soil, in proximity of the roof water discharge area, is not designated as hydrologic soil group "D" or equivalent, and
- The overland flow path from roof water discharge area has a positive slope of 5% or less.

For designs that meet these requirements, the portion of the roof that may be considered disconnected depends on the length of the overland path as designated in Table F.1.

**Table F.1: Partial Rooftop Disconnection**

Length of Pervious Flow Path *	Roof Area Treated as Disconnected
(ft)	(% of contributing area)
0 – 14	0
15 – 29	20
30 – 44	40
45 – 59	60
60 – 74	80
75 or more	100

\* Flow path cannot include impervious surfaces and must be at least 15 feet from any impervious surfaces.

If the discharge is concentrated at one or more discrete points, no more than 1,000 square feet may discharge to any one point. In addition, a gravel strip or other spreading device is required for concentrated discharges. For non-concentrated discharges along the edge of the pavement, this requirement is waived; however, there must be a provision for the establishment of vegetation along the pavement edge and temporary stabilization of the area until vegetation becomes stabilized.

#### REFERENCE

Philadelphia Water Department. 2006. *Stormwater Management Guidance Manual*. Section 4.2.2: Integrated Site Design. Philadelphia, PA.



## **APPENDIX 23-G**

### **SMALL PROJECT STORMWATER MANAGEMENT (SWM) SITE PLAN**

#### **Small Project Stormwater Management Site Plan**

This small project stormwater site plan has been developed to assist those proposing residential projects to meet the requirements of the *Neshaminy Creek Watershed Stormwater Management Act 167 Plan Model Ordinance* without having to hire professional services to draft a formal stormwater management plan. This small project site plan is only permitted for residential projects proposing less than or equal to 5,000 square feet of impervious surface and less than 1 acre of earth disturbance.

#### **A. What is an applicant required to submit?**

A brief description of the proposed stormwater facilities, including types of materials to be used, total square footage of proposed impervious areas, volume calculations, and a simple sketch plan showing the following information:

- Location of proposed structures, driveways, or other paved areas with approximate surface area in square feet.
- Location of any existing or proposed on-site septic system and/or potable water wells showing proximity to infiltration facilities.
- Bucks County Conservation District erosion and sediment control "Adequacy" letter.

#### **B. Determination of Required Volume Control and Sizing Stormwater Facilities**

By following the simple steps outlined below in the provided example, an applicant can determine the runoff volume that is required to be controlled and how to choose the appropriate stormwater facility to permanently remove the runoff volume from the site. Impervious area calculations must include all areas on the lot proposed to be covered by roof area or pavement which would prevent rain from naturally percolating into the ground, including impervious surfaces such as sidewalks, driveways, parking areas, patios or swimming pools. Pervious areas that are designed and constructed to allow for infiltration are not included in this calculation.

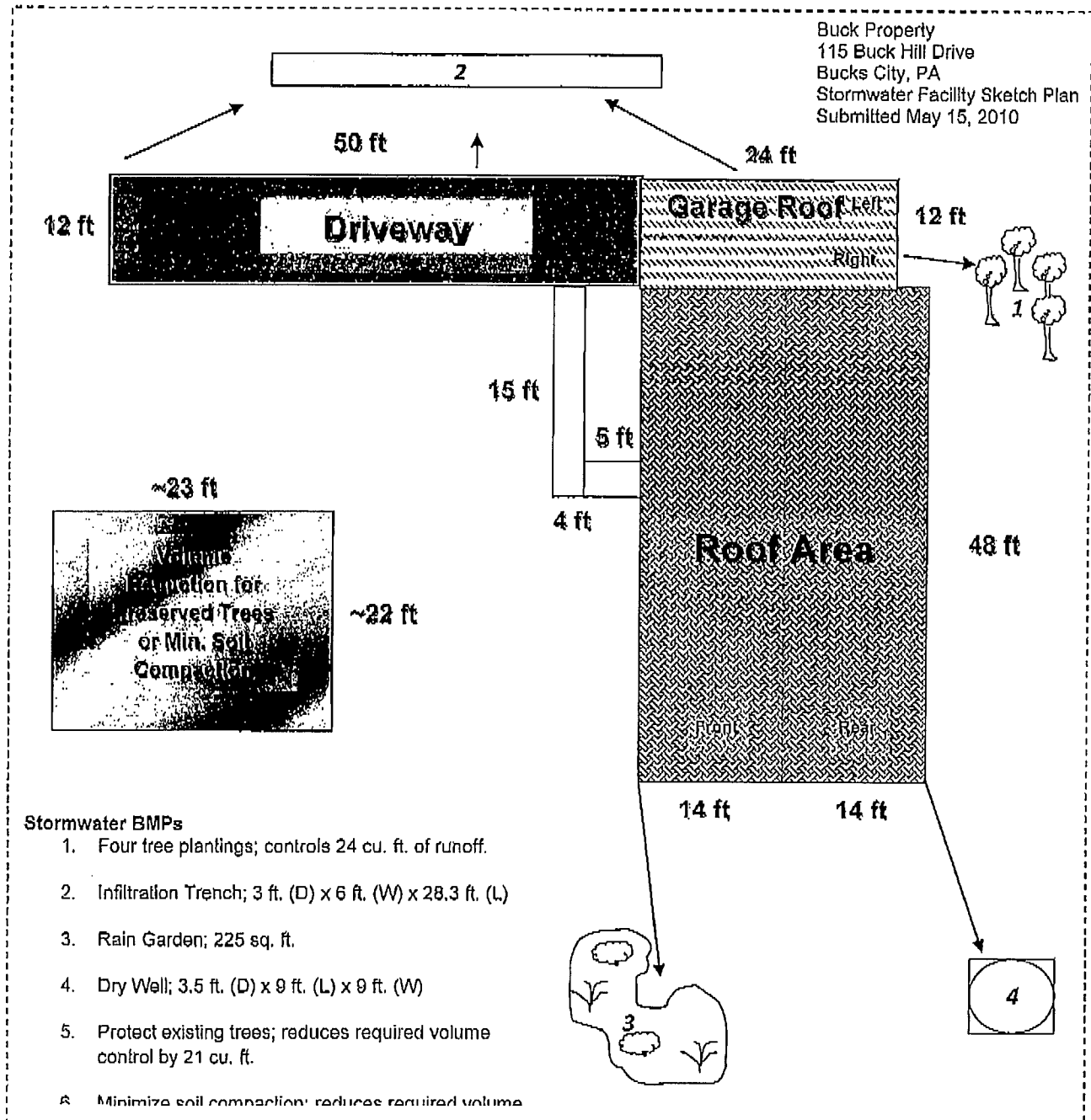
#### **Site Plan Example: Controlling runoff volume from a proposed home site**

##### **Step 1: Determine Total Impervious Surfaces**

<b>Impervious Surface</b>			<b>Area (sq. ft.)</b>
House Roof (Front)	14 ft. x 48 ft.	=	672 sq. ft.
House Roof (Rear)	14 ft. x 48 ft.	=	672 sq. ft.
Garage Roof (Left)	6ft. x 24 ft.	=	144 sq. ft.

Garage Roof (Right)	6 ft. x 24 ft.	=	144 sq. ft.
Driveway	12 ft. x 50 ft.	=	1000 sq. ft.
Walkway	4 ft. x 20 ft.	=	80 sq. ft.
			-----
	Total Impervious		3000 sq ft

Figure 1: Sample Site Sketch Plan





**Step 2: Determine Required Volume Control (cubic feet) using the following equation:**

Volume (cu. ft.) = (Total impervious area in square feet x 2 inches of runoff) /12 inches

(3,000 sq. ft. x 2 inches of runoff) /12 inches = 500 cu. ft.

**Step 3: Sizing the Selected Volume Control BMP**

Several Best Management Practices (BMPs), as described below, are suitable for small stormwater management projects. However, their application depends on the volume required to be controlled, how much land is available, and the site constraints. Proposed residential development activities can apply both nonstructural and structural BMPs to control the volume of runoff from the site. A number of different volume control BMPs are described below. Note that Figure 1 is an example of how these BMPs can be utilized in conjunction to control the total required volume on one site.

**Structural BMPs**

**1. Infiltration Trench**

An Infiltration Trench is a linear stormwater BMP consisting of a continuously perforated pipe at a minimum slope in a stone-filled trench. During small storm events, infiltration trenches can significantly reduce volume and serve in the removal of fine sediments and pollutants. Runoff is stored between the stones and infiltrates through the bottom of the facility and into the soil matrix. Runoff should be pretreated using vegetative buffer strips or swales to limit the amount of coarse sediment entering the trench which can clog and render the trench ineffective. In all cases, an infiltration trench should be designed with a positive overflow.

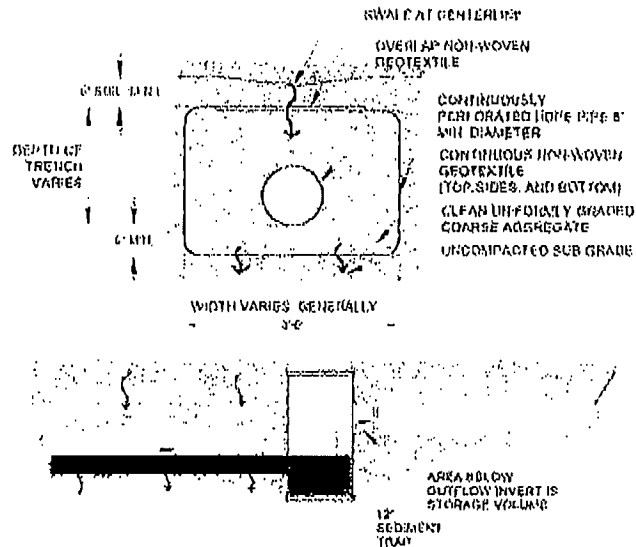
**Design Considerations:**

- Although the width and depth can vary, it is recommended that Infiltration Trenches be limited in depth to not more than six (6) feet of stone.
- Trench is wrapped in nonwoven geotextile (top, sides, and bottom).
- Trench needs to be placed on uncompacted soils.
- Slope of the Trench bottom should be level or with a slope no greater than 1%.
- A minimum of 6 inches of topsoil is placed over trench and vegetated.
- The discharge or overflow from the Infiltration Trench should be properly designed for anticipated flows.
- Cleanouts or inlets should be installed at both ends of the Infiltration Trench and at appropriate intervals to allow access to the perforated pipe.
- Volume of facility = Depth x Width x Length x Void Space of the gravel bed (assume 40%).

#### Maintenance:

- Catch basins and inlets should be inspected and cleaned at least two times a year.
- The vegetation along the surface of the infiltration trench should be maintained in good condition and any bare spots should be re-vegetated as soon as possible.
- Vehicles should not be parked or driven on the trench and care should be taken to avoid soil compaction by lawn mowers.

Figure 3: Infiltration Trench Diagram



Source: PA BMP Guidance Manual, Chapter 6, page 42.

Figure 4: Example of Infiltration Trench Installation



Source: PA BMP Guidance Manual, Chapter 6, Page 46.

## Sizing Example for Infiltration Trench

1. Determine Total Impervious Surface to drain to Infiltration Trench:

Garage Roof (Left)	6 ft. x 24 ft.	=	144 sq ft
Driveway	12 ft. x 50 ft.	=	1000 sq ft
Walkway	4 ft. x 20 ft.	=	80 sq ft

2. Determine the required infiltration volume:

$$(1224 \text{ sq. ft.} \times 2 \text{ inches of runoff}) / 12 \text{ ft.} = 204 \text{ cu. ft.} / 0.4^* = 510 \text{ cu. ft.}$$

(\*0.4 assumes 40% void ratio in gravel bed)

3. Sizing the infiltration trench facility:

$$\text{Volume of Facility} = \text{Depth} \times \text{Width} \times \text{Length}$$

Set Depth to 3 feet and determine required surface area of trench.

$$510 \text{ cu. ft.} / 3 \text{ ft} = 170 \text{ sq ft.}$$

The width of the trench should be greater than 2 times its depth (2 x D); therefore, in this example, the trench width of 6 feet is selected.

$$\text{Determine trench length: } L = 170 \text{ sq. ft.} / 6 \text{ ft.} = 28.3 \text{ ft.}$$

*Final infiltration trench dimensions: 3 ft. (D) x 6 ft. (W) x 28.3 ft. (L)*

## 2. Rain Garden

A Rain Garden is a planted shallow depression designed to catch and filter rainfall runoff. The garden captures rain from a downspout or a paved surface. The water sinks into the ground, aided by deep rooted plants that like both wet and dry conditions. The ideal location for a rain garden is between the source of runoff (roofs and driveways) and the runoff destination (drains, stream, low spots, etc).

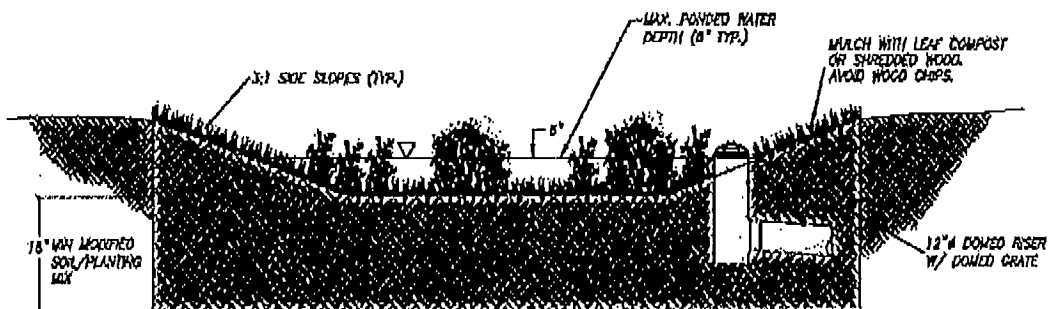
### Design Considerations:

- A maximum of 3:1 side slope is recommended.
- The depth of a rain garden can range from 6 - 8 inches. Pondered water should not exceed 6 inches.
- The rain garden should drain within 72 hours.
- The garden should be at least 10-20 feet from a building's foundation and 25 feet from septic system drainfields and wellheads.
- If the site has clay soils, soil should be amended with compost or organic material.
- Choose native plants. See [http://pa.audubon.org/habitat/PDFs/RGBrochure\\_complete.pdf](http://pa.audubon.org/habitat/PDFs/RGBrochure_complete.pdf) for a native plant list. To find native plant sources go to [www.pawildflower.org](http://www.pawildflower.org).
- At the rain garden location, the water table should be at least 2 feet below the soil level. If water stands in an area for more than one day after a heavy rain, you can assume it has a higher water table and is not a good choice for a rain garden.

#### Maintenance:

- Water plants regularly until they become established.
- Inspect twice a year for sediment buildup, erosion and vegetative conditions.
- Mulch with hardwood when erosion is evident and replenish annually.
- Prune and remove dead vegetation in the spring season.
- Weed as you would any garden.
- Move plants around if some plants would grow better in the drier or wetter parts of the garden.

Figure 5: Rain Garden Diagram



Source: PA BMP Guidance Manual, Chapter 6 Page 50

#### Sizing Example for Rain Garden

1. Pick a site for the rain garden between the source of runoff and between a low lying area, a.k.a., a drainage area.
2. Perform an infiltration test to determine the depth of the rain garden:
  - Dig a hole 8" x 8"
  - Fill with water and put a popsicle stick at the top of the water level.
  - Measure how far it drains down after a few hours (ideally 4).
  - Calculate the depth of water that will drain out over 24 hours.
3. Determine total impervious surface area to drain to rain garden:

House Roof (Front)	14 ft. x 48 ft.	=	672 sq ft
--------------------	-----------------	---	-----------

#### 4. Sizing the rain garden:

For this example, the infiltration test determined 6 inches of water drained out of a hole in 24 hours. The depth of the rain garden should be set to the results of the infiltration test so 6 inches is the depth of the rain garden. The sizing calculation below is based on controlling 1 inch of runoff. First divide the impervious surface by the depth of the rain garden.

$$(672 \text{ sq ft} / 6 \text{ ft.}) = 112 \text{ sq. ft.}$$

In order to control 2 inches of runoff volume, the rain garden area needs to be multiplied by 2.

$$112 \text{ sq. ft.} * 2 = 224 \text{ sq. ft.}$$

*The rain garden should be about 225 sq. ft. in size and 6 inches deep.*

### 3. Dry Well (a.k.a. Seepage Pit)

A Dry Well, sometimes called a Seepage Pit, is a subsurface storage facility that temporarily stores and infiltrates stormwater runoff from the roofs of structures. By capturing runoff at the source, Dry Wells can dramatically reduce the increased volume of stormwater generated by the roofs of structures. Roof leaders connect directly into the Dry Well, which may be either an excavated pit filled with uniformly graded aggregate wrapped in geotextile, or a prefabricated storage chamber or pipe segment. Dry Wells discharge the stored runoff via infiltration into the surrounding soils. In the event that the Dry Well is overwhelmed in an intense storm event, an overflow mechanism (surcharge pipe, connection to a larger infiltration area, etc.) will ensure that additional runoff is safely conveyed downstream.

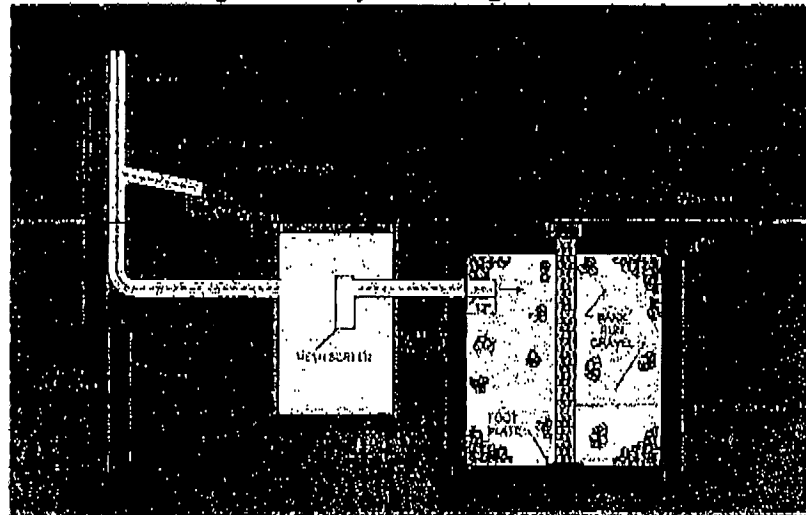
#### Design Considerations:

- Dry Wells typically consist of 18 to 48 inches of clean washed, uniformly graded aggregate with 40% void capacity (AASHTO No. 3, or similar). "Clean" gravel fill should average one and one-half to three (1.5 – 3.0) inches in diameter.
- Dry Wells are not recommended when their installation would create a significant risk for basement seepage or flooding. In general, 10-20 feet of separation is recommended between Dry Wells and building foundations.
- The facility may be either a structural prefabricated chamber or an excavated pit filled with aggregate.
- Depth of dry wells in excess of three-and-a-half (3.5) feet should be avoided unless warranted by soil conditions.
- Stormwater dry wells must never be combined with existing, rehabilitated, or new septic system seepage pits. Discharge of sewage to stormwater dry wells is strictly prohibited.

**Maintenance:**

- Dry wells should be inspected at least four (4) times annually, as well as after large storm events.
- Remove sediment, debris/trash, and any other waste material from a dry well.
- Regularly clean out gutters and ensure proper connections to the dry well.
- Replace the filter screen that intercepts the roof runoff as necessary.

**Figure 6: Dry Well Diagram**



Source: PA BMP Guidance Manual, Chapter 6, Page 65.

**Sizing Example for Dry Wells:**

1. Determine contributing impervious surface area:

House Roof (Rear)	14 ft. x 48 ft.	=	672 sq. ft.
-------------------	-----------------	---	-------------

2. Determine required volume control:

$$(672 \text{ sq. ft.} \times 2 \text{ inches of runoff}) / 12 \text{ inches} = 112 \text{ cu. ft.}$$

$$112 \text{ cu. ft.} / 0.4 = 280 \text{ cu. ft. (assuming the 40\% void ratio in the gravel bed)}$$

3. Sizing the dry well:

Set depth to 3.5 ft; Set width equal to length for a square chamber.

$$280 \text{ cu. ft.} = 3.5 \text{ ft.} \times L \times L; L = 9 \text{ ft.}$$

$$\text{Dimensions} = 3.5 \text{ ft. (D)} \times 9 \text{ ft. (L)} \times 9 \text{ ft. (W)}$$

## Non-Structural BMPs

### 1. Tree Plantings and Preservation

Trees and forests reduce stormwater runoff by capturing and storing rainfall in the canopy and releasing water into the atmosphere through evapotranspiration. Tree roots and leaf litter also create soil conditions that promote the infiltration of rainwater into the soil. In addition, trees and forests reduce pollutants by taking up nutrients and other pollutants from soils and water through their root systems. A development site can reduce runoff volume by planting new trees or by preserving trees which existed on the site prior to development. The volume reduction calculations either determine the cubic feet to be directed to the area under the tree canopy for infiltration or determine a volume reduction credit which can be used to reduce the size of any one of the planned structural BMPs on the site.

#### Tree Considerations:

- Existing trees must have at least a 4 inches trunk caliper or larger.
- Existing tree canopy must be within 100 ft. of impervious surfaces.
- A tree canopy is classified as the continuous cover of branches and foliage formed by a single tree or collectively by the crowns of adjacent trees.
- New tree plantings must be at least 6 ft. in height and have a 2-inch trunk caliper.
- All existing and newly planted trees must be native to Pennsylvania. See <http://www.dcnr.state.pa.us/forestry/commontr/commontrees.pdf> for a guide book titled *Common Trees of Pennsylvania* for a native tree list.
- When using trees as volume control BMPs, runoff from impervious areas should be directed to drain under the tree canopy.

Determining the required number of planted trees to reduce the runoff volume:

1. Determine contributing impervious surface area:

Garage Roof (Right)	6 ft. x 24 ft.	=	144	ft
---------------------	----------------	---	-----	----

2. Calculate the required control volume:

$$(144 \text{ sq. ft.} \times 2 \text{ inches of runoff}) / 12 \text{ inches} = 24 \text{ cu. ft.}$$

3. Determine the number of tree plantings:

- A newly planted deciduous tree can reduce runoff volume by 6 cu. ft.
- A newly planted evergreen tree can reduce runoff volume by 10 cu. ft.

$$24 \text{ cu. ft.} / 6 \text{ cu. ft.} = 4 \text{ Deciduous Trees}$$

Determining the volume reduction for preserving existing trees:

1. Calculate approximate area of the existing tree canopy:

$$\sim 22 \text{ sq. ft.} \times \sim 23 \text{ sq. ft.} = 500 \text{ sq. ft.}$$

2. Measure distance from impervious surface to tree canopy: 35 ft.

3. Calculate the volume reduction credit by preserving existing trees:

- For Trees within 20 feet of impervious cover:  
Volume Reduction cu. ft. = (Existing Tree Canopy sq. ft.  $\times$  1 inch) / 12
- For Trees beyond 20 feet but not farther than 100 feet from impervious cover:  
Volume Reduction cu. ft. = (Existing Tree Canopy sq. ft.  $\times$  0.5 inch) / 12

$$(500 \text{ sq. ft.} \times 0.5 \text{ inches}) / 12 = 21 \text{ cu. ft.}$$

This volume credit can be utilized in reducing the size of any one of the structural BMPs planned on the site. For example, the 21 cu. ft. could be subtracted from the required infiltration volume when sizing the infiltration trench:

$$510 \text{ cu. ft.} - 21 \text{ cu. ft.} = 489 \text{ cu. ft.}$$

$$489 \text{ cu. ft.} / 3 \text{ ft (Depth)} = 163 / 6 \text{ ft. (Width)} = 27.1 \text{ ft (Length)}$$

Using the existing trees for a volume credit would decrease the length of the infiltration trench to 27.1 ft. instead of 28.3 ft.

## **2. Minimize Soil Compaction and Replant with Lawn or Meadow**

When soil is overly compacted during construction, it can cause a drastic reduction in the permeability of the soil and rarely is the soil profile completely restored. Runoff from vegetative areas with highly compacted soils similarly resembles runoff from an impervious surface. Minimizing soil compaction and re-planting with a vegetative cover like meadow or lawn, not only increases the infiltration on the site, but also creates a friendly habitat for a variety of wildlife species.



#### Design Considerations:

- Area shall not be stripped of topsoil.
- Vehicle movement, storage, or equipment/material lay down shall not be permitted in areas preserved for minimum soil compaction.
- The use of soil amendments and additional topsoil is permitted.
- Meadow should be planted with native grasses. Refer to *Meadows and Prairies: Wildlife-Friendly Alternatives to Lawn* at <http://pubs.cas.psu.edu/FreePubs/pdfs/UH128.pdf> for reference on how to properly plant the meadow and for a list of native species.

Determining the volume reduction by minimizing soil compaction and planting a meadow:

1. Calculate approximate area of preserved meadow:  
 $\sim 22 \text{ sq. ft.} \times \sim 23 \text{ sq. ft.} = 500 \text{ sq. ft.}$
2. Calculate the volume reduction credit by minimizing the soil compaction and planting a lawn/meadow:
  - For Meadow Areas: Volume Reduction (cu. ft.) = (Area of Min. Soil Compaction (sq. ft.)  $\times$  1/3 inch of runoff) / 12  
 $(500 \text{ sq. ft.} \times 1/3 \text{ inch of runoff}) / 12 = 13.8 \text{ cu. ft.}$
  - For Lawn Areas: Volume Reduction (cu. ft.) = (Area of Min. Soil Compaction (sq. ft.)  $\times$  1/4 inch of runoff) / 12  
 $(500 \text{ sq. ft.} \times 1/4 \text{ inch of runoff}) / 12 = 10.4 \text{ cu. ft.}$

This volume credit can be used to reduce the size of any one of the structural BMPs on the site. See explanation under the volume credit for preserving existing trees for details.

#### REFERENCES:

Center for Watershed Protection and US Forest Service. (2008). *Watershed Forestry Resource Guide*. Retrieved on May 26, 2010 from <http://www.forestsforwatersheds.org/reduce-stormwater/>.

Department of Environmental Protection. (2006). *Pennsylvania Stormwater Best Management Practices Manual*.

Wissahickon Watershed Partnership. *Pennsylvania Rain Garden Guide*. Retrieved on May 4, 2010 from [http://pa.audubon.org/habitat/PDFs/RGBrochure\\_complete.pdf](http://pa.audubon.org/habitat/PDFs/RGBrochure_complete.pdf).

Building a Backyard Rain Garden. North Carolina Cooperative Extension. Retrieved on May 4, 2010 from <http://www.bae.ncsu.edu/topic/raingarden/Building.htm>

Delaware County Planning Commission. (2010). *Draft Crum Creek Watershed Act 167 Stormwater Management Plan. Ordinance Appendix B. Simplified Approach to Stormwater Management for Small Projects.*

Solebury Township. (2008). *Solebury Township Stormwater Management Ordinance. "Appendix J Simplified Stormwater Management Procedures for Existing Single Family Dwelling Lots"*

## **Chapter 24**

### **Taxation; Special**

#### **Part 1 Earned Income Tax**

- §24-101. Short Title
- §24-102. Incorporation of Statute
- §24-103. Definitions
- §24-104. Imposition of Tax
- §24-105. Declaration of Profit; Filing of Returns; Payment of Taxes
- §24-106. Collection at Source
- §24-107. Administration
- §24-108. Nonapplicability
- §24-109. Credits
- §24-110. Enforcement and Penalties

#### **Part 2 Local Services Tax**

- §24-201. Definitions
- §24-202. Levy of Tax
- §24-203. Exemption and Refunds
- §24-204. Duty of Employers to Collect
- §24-205. Returns
- §24-206. Dates for Determining Tax Liability and Payment
- §24-207. Self-Employed Individuals
- §24-208. Individuals Engaged in More than One Occupation or Employed in More than One Political Subdivision
- §24-209. Nonresidents Subject to Tax
- §24-210. Administration of Tax
- §24-211. Suits for Collection
- §24-212. Violations and Penalties
- §24-213. Interpretation

#### **Part 3 Realty Transfer Tax**

- §24-301. Short Title
- §24-302. Statutory Authority
- §24-303. Definitions
- §24-304. Payment of Tax; Evidence of Payment; Intent; Interest
- §24-305. Exempt Parties
- §24-306. Excluded Transactions
- §24-307. Documents to Be Taxable
- §24-308. Acquired Companies
- §24-309. Credits Against Tax

§24-310.	Determinations by Department of Revenue
§24-311.	Extension of Lease
§24-312.	Proceeds of Judicial Sale
§24-313.	Duties of Recorder of Deeds
§24-314.	Statement of Value
§24-315.	Violations and Penalties
§24-316.	Liens
§24-317.	Collection of Tax
§24-318.	Enforcement

**Part 1****Earned Income Tax****§24-101. Short Title.**

This Part shall be known as the “Northampton Township Earned Income Tax Ordinance.”

(*Ord. 387, 8/10/1994*)

**§24-102. Incorporation of Statute.**

This Part is enacted and adopted under and by virtue of the authority of the Act of December 31, 1965, P.L. 1257, 53 P.S. §6924.101 *et seq.*, the Local Tax Enabling Act, and its supplements and amendments. This Act is incorporated herein by reference, except that where options are provided in §§13 and 14 of the Act (53 P.S. §§6913 and 6914), this Part designates the options selected.

(*Ord. 387, 8/10/1994*)

**§24-103. Definitions.**

The terms used in this Part shall have the definitions ascribed to them by §1 of the Local Tax Enabling Act, 53 P.S. §6913, Subdivision I, “Definitions.”

(*Ord. 387, 8/10/1994*)

**§24-104. Imposition of Tax.**

A tax for general revenue purposes in the amount of 1 percent is hereby imposed on earned income, including, inter alia, salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation received by residents of Northampton Township and on earned income, including, inter alia, salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation received by nonresidents of Northampton Township for work done or services performed or rendered in Northampton Township and on the net profits received from businesses, professions or other activities conducted by residents of Northampton Township and the net profits received from businesses, professions or other activities conducted in Northampton Township by nonresidents of Northampton Township, beginning July 1, 1994, and continuing for each succeeding year from January 1 through December 31.

(*Ord. 387, 8/10/1994*)

**§24-105. Declaration of Profit; Filing of Returns; Payment of Taxes.**

1. *Net Profits.*

A. Every taxpayer making net profits shall, on or before April 15 of the current year, make and file with the Officer, on a form prescribed or approved by the Officer, a declaration of his or her estimated net profits during the period beginning, in 1994, on July 1, 1994, and ending December 31, 1994, and, in each year after 1994, for the period beginning January 1 of the current year and ending December 31 of the current year, and pay to the Officer in four equal quarterly

installments the tax due thereon as follows: the first installment at the time of ailing the declaration and the other installments on or before June 15 of the current year, September 15 of the current year and January 15 of the succeeding year, respectively.

B. Any taxpayer who first anticipates any net profit after April 15 of the current year shall make and file the declaration hereinabove required on or before June 15 of the current year, September 15 of the current year or December 31 of the current year, whichever of these dates next follows the date on which the taxpayer first anticipates such net profit, and shall pay to the Officer in equal installments the tax due thereon on or before the quarterly payment dates which remain after the filing of the declaration.

C. Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the Officer, on a form prescribed or approved by the Officer, a final return showing the amount of net profits earned during the period beginning, in 1994, on July 1, 1994, and ending December 31, 1994, and, after 1994, for the period beginning January 1 of the current year and ending December 31 of the current year, the total amount of tax due thereon and the total amount of tax paid thereon. At the time of filing the final return, the taxpayer shall pay to the Officer the balance of tax due or shall make demand for refund or credit in the case of overpayment.

D. Any taxpayer may, in lieu of paying the fourth quarterly installment of his estimated tax, elect to make and file with the Officer, on or before January 31 of the succeeding year, the final return as hereinabove required.

E. Every taxpayer who discontinues business prior to December 31 of the current year shall, within 30 days after the discontinuance of business, file his final return as hereinabove required and pay the tax due.

## 2. *Earned Income.*

A. Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the Officer, on a form prescribed or approved by the Officer, a final return showing the amount of earned income received during the period beginning on July 1, 1994, and ending December 31, 1994, for 1994, and for the period beginning January 1 of the current year and ending December 31 of the current year for all years succeeding 1994, the total amount of tax due thereon, the amount of tax paid thereon, the amount of tax thereon that has been withheld pursuant to the provisions relating to the collection at source and the balance of tax due. At the time of filing the final return, the taxpayer shall pay the balance of the tax due or shall make demand for refund or credit in the case of overpayment.

B. *Earned Income Not Subject to Withholding.* Every taxpayer who is employed for a salary, wage, commission or other compensation and who received any earned income not subject to the provisions relating to collection at source shall make and file with the Officer, on a form prescribed or approved by the Officer, a quarterly return on or before April 30 of the current year, July 31 of the current year, October 31 of the current year and January 31 of the succeeding year setting forth the aggregate amount of earned income not subject to withholding by the taxpayer during the 3-month periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year and December 31 of the

current year, respectively, and subject to the tax, together with such other information as the Officer may require. Every taxpayer making such return shall, at the time of filing thereof, pay to the Officer the amount of the tax shown as due thereon.

(Ord. 387, 8/10/1994)

**§24-106. Collection at Source.**

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the corporate limits of Northampton Township, Bucks County, Pennsylvania, who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation who has not previously registered shall, within 15 days after becoming an employer, register with the Officer his name and address and such other information as the Officer may require.

2. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the corporate limits of Northampton Township, Bucks County, Pennsylvania, who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation shall deduct at the time of payment thereof the tax imposed by this Part on the earned income due to his employee or employees and shall, on or before April 30 of the current year, July 31 of the current year, October 31 of the current year and January 31 of the succeeding year, file a return and pay to the Officer the amount of taxes deducted during the preceding 3-month periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year and December 31 of the current year, respectively. Such return, unless otherwise agreed upon between the Officer and the employer, shall show the name and social security number of each such employee, the earned income of such employee during such 3-month period, the tax deducted therefrom, the name of Northampton Township, Bucks County, Pennsylvania, which is the political subdivision imposing the tax upon such employee, the total earned income of all such employees during such preceding 3-month period and the total tax deducted therefrom and paid with the return.

3. Any employer who for two of the preceding four quarterly periods has failed to deduct the proper tax or any part thereof or has failed to pay over the proper amount of tax to Northampton Township, Bucks County, Pennsylvania, may be required by the Officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the Officer on or before the last day of the month succeeding the month for which the tax was withheld.

4. On or before February 28 of the succeeding year, every employer shall file with the Officer:

A. An annual return showing the total amount of earned income paid, the total amount of tax deducted and the total amount of tax paid to the Officer for the period beginning on July 1, 1994, and ending December 31, 1994, for 1994, and for the period beginning January 1 of the current year and ending December 31 of the current year for all years succeeding 1994.

B. A return withholding statement for each employee employed during all or any part of the period beginning on July 1, 1994, and ending December 31, 1994, for the year 1994, and during all or any part of the period beginning January 1 of

the current year and ending December 31 of the current year for all years succeeding 1994, setting forth the employee's name, address and Social Security number, the amount of earned income paid to the employee during said period, the amount of tax deducted, the name of Northampton Township, Bucks County, Pennsylvania, which is the political subdivision imposing the tax upon such employee, and the amount of tax paid to the Officer. Every employer shall furnish two copies of the individual return to the employee for whom it is filed.

5. Every employer who discontinues business prior to December 31 of the current year shall, within 30 days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.

6. Any employer who willfully or negligently fails or omits to make the deductions required by this Part shall be liable for payment of the taxes which he was required to withhold to the extent that such taxes have not been recovered from the employee.

7. The failure or omission of any employer to make the deductions required by this Section shall not relieve any employee from the payment of the tax or from complying with the requirements of this Part relating to the filing of declarations and returns.

(Ord. 387, 8/10/1994)

#### **§24-107. Administration.**

The Income Tax Officer shall be selected from time to time by resolution of the Board of Supervisors of Northampton Township and shall receive such compensation for his services and expenses as determined from time to time by the Northampton Township Board of Supervisors pursuant to 53 P.S. §6913, Subdivision VI, "Compensation of Income Tax Officer," as amended. Such Officer shall have the powers and duties set forth in 53 P.S. §6913, Subdivision V, "Powers and Duties of Officer," as amended, and shall be subject to the penalties set forth in The Local Tax Enabling Act, 53 P.S. §6924.101 *et seq.*, as amended.

(Ord. 387, 8/10/1994)

#### **§24-108. Nonapplicability.**

The tax imposed in §24-104 of this Part shall not be levied on net profits of any person, institution or organization as to whom or to which it is beyond the power of the Board of Supervisors of Northampton Township to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

(Ord. 387, 8/10/1994)

#### **§24-109. Credits.**

1. Payments of any tax on income to any state other than Pennsylvania or to any political subdivision thereof by residents thereof pursuant to any State or local law, to the extent that such income includes salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation or net profits of businesses, professions or other activities, but in such proportions as hereinafter set forth, shall be credited to and allowed as a deduction from the liability of such person for the tax imposed by this Part on salaries, wages, commissions bonuses, incentive payments, fees, tips and other



compensation or net profits of businesses, professions or other activities, if residents of Northampton Township receive credits and deductions of a similar kind to a like degree from the tax on income imposed by the other State or political subdivision thereof.

2. Where a credit or a deduction is allowable, it shall be allowed in proportion to the concurrent periods for which taxes are imposed by the other State or respective political subdivision, but not in excess of the amount previously paid for a concurrent period.

(*Ord. 387, 8/10/1994*)

**§24-110. Enforcement and Penalties.**

1. Any person who fails, neglects, or refuses to make any declaration or return required by this Part, any employer who fails, neglects or refuses to register or to pay the tax deducted from his employees, or fails, neglects, or refuses to deduct or withhold the tax from his employees, any person who refuses to permit the officer or any agent designated by him to examine his books, records, and papers, and any person who knowingly makes any incomplete, false or fraudulent return, or attempts to do anything whatsoever to avoid the full disclosure of the amount of his net profits or earned income in order to avoid the payment of the whole or any part of the tax imposed by this Part, shall, upon conviction therefor before any magisterial district judge, or court of competent jurisdiction, be sentenced to pay a fine of not more than \$500 for each offense, and costs, and in default of payment, to be imprisoned for a period not exceeding 30 days.

2. Any person who divulges any information which is confidential under the provisions of this Part, shall, upon conviction therefor, before any magisterial district judge, or court of competent jurisdiction, be sentenced to pay a fine of not more than \$500 for each offense, and costs, and in default of payment, to be imprisoned for a period not exceeding 30 days.

3. The penalties imposed under this Section shall be in addition to any other penalty imposed by any other Section of this Part.

4. The failure of any person to receive or procure forms required for making the declaration or returns required by this Part shall not excuse him from making such declaration or return.

(*Ord. 387, 8/10/1994; as amended by Ord. 561, 4/25/2012*)



**Part 2****Local Services Tax****§24-201. Definitions.**

The following words and phrases, when used in this Part, shall have the meanings ascribed to them in this Section, except where the context or language clearly indicates or requires a different meaning:

*Political subdivision*—the area within the corporate limits of Northampton Township, Bucks County, Pennsylvania.

*Collector*—the person, public employee or private agency designated by the political subdivision to collect and administer the tax herein imposed.

*DCED*—the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

*Earned income*—compensation as this term is defined in §13 (relating to earned income taxes) of the Local Tax Enabling Act, the Act of Dec. 31, 1965, P.L. 1257, §13, as amended, 53 P.S. §6913, as amended.

*Employer*—an individual, partnership, association, limited liability corporation, limited liability partnership, corporation, governmental body, agency or other entity employing one or more persons on a salary, wage, commission or other compensation basis, including a self-employed person.

*He, his or him*—indicates the singular and plural number, as well as male, female and neuter genders.

*Individual*—any person, male or female, engaged in any occupation, trade or profession within the corporate limits of the political subdivision.

*Net profits*—the net income from the operation of a business, profession; or other activity, as this term is defined in §13 (relating to earned income taxes) of the Local Tax Enabling Act, the Act of Dec. 31; 1965, P.L. 1251, §13, as amended, 53 P.S. §6913, as amended.

*Occupation*—any trade, profession, business or undertaking of any type, kind or character, including services, domestic or other, earned on or performed within the corporate limits of the political subdivision for which compensation is charged or received; whether by means of salary, wages, commission or fees for services rendered.

*Tax*—the local services tax at the rate fixed in §24-202 of this Part.

*Tax year*—the period from January 1 until December 31 in any year; a calendar year.

(Ord. 533, 12/10/2008)

**§24-202. Levy of Tax.**

For specific revenue purposes, an annual tax is hereby levied and assessed, commencing January 1, 2009; upon the privilege of engaging in an occupation with a primary place of employment within Northampton Township during the tax year. Each

natural person who exercises such privilege for any length of time during any tax year shall pay the tax for that year in the amount of \$52, assessed on a pro rata basis, in accordance with the provisions of this Part. This tax may be used solely for the following purposes as the same may be allocated by the Board of Supervisors from time to time: (A) emergency services, which shall include emergency medical services, police services and/or fire services; (B) road construction and/or maintenance; (C) reduction of property taxes; or (D) property tax relief through implementation of a homestead and farmstead exclusion in accordance with 53 Pa.C.S., Ch. 85, Subch. F (relating to homestead property exclusion). The political subdivision shall use no less than 25 percent of the funds derived from the tax for emergency services. This tax is in addition to all other taxes of any kind or nature heretofore levied by the political subdivision. The tax shall be no more than \$52 on each person for each calendar year, irrespective of the number of political subdivisions within which a person maybe employed.

(Ord. 533, 12/10/2008)

### **§24-203. Exemption and Refunds.**

1. *Exemption.* Any person whose total earned income and net profits from all sources within the political subdivision is less than \$12,000 for any calendar year in which the tax is levied is exempt from the payment of the tax for that calendar year. In addition, the following persons are exempt from payment of the tax:

A. Any person who has served in any war or armed conflict in which the United States was engaged and is honorably discharged or released under honorable circumstances from active service if, as a result of military service, the person is blind, paraplegic or a double or quadruple amputee or has a service-connected disability declared by the United States Veterans' Administration or its successor to be a total 100 percent disability.

B. Any person who serves as a member of a reserve component of the armed forces and is called to active duty at any time during the taxable year. For the purposes of this paragraph, "reserve component of the armed forces" shall mean the United States Army Reserve, United States Navy Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, the Pennsylvania Army National Guard or the Pennsylvania Air National Guard.

2. *Procedure to Claim Exemption.*

A. A person seeking to claim an exemption from the local services tax may annually file an exemption certificate with the political subdivision and with the person's employer affirming that the person reasonably expects to receive earned income and net profits from all sources within the political subdivision of less than \$12,000 in the calendar year for which the exemption certificate is filed. In the event the political subdivision utilizes a tax collection officer, it shall provide a copy of the exemption certificate to that officer. The exemption certificate shall have attached to it a copy of all the employee's last pay stubs or W-2 forms from employment within the political subdivision for the year prior to the fiscal year for which the employee is requesting to be exempted from the tax. Upon receipt of the exemption certificate and until otherwise instructed by the political subdivision or except as required by paragraph .B, the employer shall not withhold the tax from

the person during the calendar year or the remainder of the calendar year for which the exemption certificate applies. Employers shall ensure that the exemption certificate forms are readily available to employees at all times and shall furnish each new employee with a form at the time of hiring. The exemption certificate form shall be the uniform form provided by the political subdivision.

B. With respect to a person who claimed an exemption for a given calendar year from the tax, upon notification to an employer by the person or by the political subdivision that the person has received earned income and net profits from all sources within the political subdivision equal to or in excess of \$12,000 in that calendar year or that the person is otherwise ineligible for the tax exemption for that calendar year, or upon an employer's payment to the person of earned income within the municipality in an amount equal to or in excess of \$12,000 in that calendar year, an employer shall withhold the local services tax from the person under paragraph .C.

C. If a person who claimed an exemption for a given calendar year from the tax becomes subject to the tax for the calendar year under paragraph .B, the employer shall withhold the tax for the remainder of that calendar year. The employer shall withhold from the person, for the first payroll period after receipt of the notification under paragraph .B, a lump sum equal to the amount of tax that was not withheld from the person due to the exemption claimed by the person under this subsection, plus the per payroll amount due for that first payroll period. The amount of tax withheld per payroll period for the remaining payroll periods in that calendar year shall be the same amount withheld for other employees. In the event the employment of a person subject to withholding of the tax under this paragraph is subsequently severed in that calendar year, the person shall be liable for any outstanding balance of tax due, and the political subdivision may pursue collection under this Part.

D. Except as provided in paragraph .B, it is the intent of this subsection that employers shall not be responsible for investigating exemption certificates, monitoring tax exemption eligibility or exempting any employee from the local services tax.

3. *Refunds.* The Board of Supervisors, in consultation with the collector and DCED, shall establish procedures for the processing of refund claims for any tax paid by any person who is eligible for exemption, which procedures shall be in accord with provisions of the general municipal law relating to refunds of overpayments and interest on overpayments. Refunds made within 75 days of a refund request or 75 days after the last day the employer is required to remit the tax for the last quarter of the calendar year, whichever is later, shall not be subject to interest. No refunds shall be made for amounts overpaid in a calendar year that do not exceed \$1. The Board of Supervisors or the collector shall determine eligibility for exemption and provide refunds to exempt persons.

(Ord. 533, 12/10/2008)

#### **§24-204. Duty of Employers to Collect.**

1. Each employer within the political subdivision, as well as those employers situated outside the political subdivision but who engage in business within the

political subdivision, is hereby charged with the duty of collecting the tax from each of his employees engaged by him or performing for him within the political subdivision and making a return and payment thereof to the collector. Further, each employer is hereby authorized to deduct this tax for each employee in his or her employ, whether said employee is paid by salary, wage or commission and whether or not all such services are performed within the political subdivision.

2. A person subject to the tax shall be assessed by the employer a pro rata share of the tax for each payroll period in which the person is engaging in an occupation. The pro rata share of the tax assessed on the person for a payroll period shall be determined by dividing the rate of the tax levied for the calendar year by the number of payroll periods established by the employer for the calendar year. For purposes of determining the pro rata share, an employer shall round down the amount of the tax collected each payroll period to the nearest one-hundredth of a dollar. Collection of the tax shall be made on a payroll period basis for each payroll period in which the person is engaging in an occupation, except as provided in subsection .4 of this Section, for purposes of this subsection, combined rate shall mean the aggregate annual rate of the tax levied by the school district and the Township.

3. No person shall be subject to the payment of the local services tax by more than one political subdivision during each payroll period.

4. In the case of concurrent employment, an employer shall refrain from withholding the tax if the employee provides a recent pay statement from a principal employer that includes the name of the employer, the length of the payroll period and the amount of the tax withheld and a statement from the employee that the pay statement is from the employee's principal employer and the employee will notify other employers of a change in principal place of employment within 2 weeks of its occurrence. The employee's statement shall be provided on the form approved by DCED.

5. The tax shall be no more than \$52 on each person for each calendar year, irrespective of the number of political subdivisions within which a person maybe employed. The political subdivision shall provide a taxpayer a receipt of payment upon request by the taxpayer.

6. No employer shall be held liable for failure to withhold the tax or for the payment of the withheld tax money to the political subdivision if the failure to withhold taxes arises from incorrect information submitted by the employee as to the employee's place or places of employment, the employee's principal office or where the employee is principally employed. Further, an employer shall not be liable for payment of the local services tax in an amount exceeding the amount withheld by the employer if the employer complies with the provisions of §24-203.2 of this Part and this Section and remits the amount so withheld in accordance with this Part.

7. Employers shall be required to remit the local services taxes 30 days after the end of each quarter of a calendar year.

(Ord. 533, 12/10/2008)

#### **§24-205. Returns.**

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to the employer by the collector. If an employer fails to file the return and pay the tax, whether or not the employer makes collection thereof from the

salary, wages or commissions paid by him or her to an employee, except as provided hereafter in this Part, the employer shall be responsible for the payment of the tax in full as though the tax had been originally levied against the employer.

(Ord. 533, 12/10/2008)

**§24-206. Dates for Determining Tax Liability and Payment.**

In each tax year, each employer shall use his or her employment records to determine the number of employees from whom such tax shall be deducted and paid over to the collector on or before the thirtieth day following the end of each calendar quarter of each such tax year.

(Ord. 533, 12/10/2008)

**§24-207. Self-Employed Individuals.**

Each self-employed individual who performs services of any type or kind or engages in any occupation or profession within a primary place of employment within the political subdivision shall be required to comply with this Part and pay the pro rata portion of the tax due to the collector on or before the thirtieth day following the end of each quarter.

(Ord. 533, 12/10/2008)

**§24-208. Individuals Engaged in More than One Occupation or Employed in More than One Political Subdivision.**

1. The situs of the tax shall be the place of employment on the first day the person becomes subject to the tax during each payroll period. In the event a person is engaged in more than one occupation, that is, concurrent employment, or an occupation which requires the person working in more than one political subdivision during a payroll period, the priority of claim to collect the local services tax shall be in the following order:

A. First, the political subdivision in which a person maintains his or her principal office or is principally employed.

B. Second, the political subdivision in which the person resides and works if the tax is levied by that political subdivision.

C. Third, the political subdivision in which a person is employed and which imposes the tax nearest in miles to the person's home. In case of dispute, a tax receipt of the taxing authority for that calendar year declaring that the taxpayer has made prior payment constitutes prima facie certification of payment to all other political subdivisions.

(Ord. 533, 12/10/2008)

**§24-209. Nonresidents Subject to Tax.**

All employers and self-employed individuals residing or having their places of business outside of the political subdivision but who perform services of any type or kind or engage in any occupation or profession within the political subdivision do, by virtue thereof, agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this Part with the same force and effect as though

they were residents of the political subdivision. Further, any individual engaged in an occupation within the political subdivision and an employee of a nonresidential employer may, for the purpose of this Part, be considered a self-employed person, and in the event his or her tax is not paid, the political subdivision shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

(Ord. 533, 12/10/2008)

#### **§24-210. Administration of Tax.**

1. The collector shall be appointed by resolution of the political subdivision. It shall be the duty of the collector to accept and receive payments of this tax and to keep a record thereof showing the amount received by him from each employer of self-employed person, together with the date the tax was received.

2. The collector is hereby charged with the administration and enforcement of this Part and is hereby charged and empowered, subject to municipal approval, to proscribe, adopt and promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this Part, including provisions for the examination of payroll records of any employer subject to this Part, the examination and correction of any return made in compliance with this Part and any payment alleged or found to be incorrect or as to which overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the collector shall have the right to appeal consistent with the Local Taxpayers Bill of Rights under Act 50 of 1998 (municipalities may detail their appeal processes).

3. The collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return. made by an employer or, if no return. was made, to ascertain the tax due. Each employer is hereby directed and required to give the collector the means, facilities and opportunity for such examination.

(Ord. 533, 12/10/2008)

#### **§24-211. Suits for Collection.**

1 In the event that any tax under this Part remains due or unpaid 30 days after the due dates above set forth, the collector may sue for the recovery of any such tax due or unpaid under this article, together with interest and penalty.

2. If for any reason the tax is not paid when due, interest at the rate of 6 percent on the amount of such tax shall be calculated beginning with the due date of the tax and a penalty of 5 percent shall be added to the flat rate of such tax for nonpayment thereof. Where suit is brought for the recovery of this tax or other appropriate remedy undertaken, the individual liable therefore shall, in addition, be responsible and liable for the costs of collection.

(Ord. 533, 12/10/2008)

#### **§24-212. Violations and Penalties.**

Whoever makes any false or untrue statement on any return required by this Part, or whoever refuses inspection of the books, records or accounts in his or her custody and control setting forth the number of employees subject to this tax who are in his or her employment, or whoever fails or refuses to file any return, required by this Part, upon



being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not more than \$600 plus all court costs. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation. The action to enforce the penalty herein prescribed may be instituted against any person in charge of the business of any employer who shall have failed or who refuses to file a return required by this Part.

(*Ord. 533*, 12/10/2008; as amended by *Ord. 561*, 4/25/2012)

**§24-213. Interpretation.**

1. Nothing contained in this Part shall be construed to empower the political subdivision to levy and collect the tax hereby imposed on any occupation not within the taxing power of the political subdivision under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

2. If the tax hereby imposed under the provisions of this Part shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax or the validity of the tax so imposed on other persons or individuals as herein provided.

(*Ord. 533*, 12/10/2008)



**Part 3****Realty Transfer Tax****§24-301. Short Title.**

This Part shall be known as the “Realty Transfer Tax Ordinance of Northampton Township.”

(*Ord. 245, 1/5/1987*)

**§24-302. Statutory Authority.**

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within Northampton Township, regardless of where the documents making the transfer are made, executed or delivered or where the actual settlements on such transfer took place, as authorized by Article XI-D, Local Real Estate Transfer Tax, 72 P.S. §8101-D *et seq.*

(*Ord. 245, 1/5/1987*)

**§24-303. Definitions.**

The following words, terms and phrases, when used in this Part, shall have the meanings ascribed to them in this Section, except when the context clearly indicates a different meaning:

*Association*—a partnership, limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons, other than a private trust or decedent's estate.

*Corporation*—a corporation, joint-stock association, business trust or banking institution which is organized under the laws of this Commonwealth, the United States or any other State, territory, foreign country or dependency.

*Document*—any deed, instrument or writing which conveys, transfers, demises, vests, confirms or evidences any transfer or demise of title to real estate, but does not include wills; mortgages; deeds of trust, or other instruments of like character given as security for a debt, and deeds of release thereof to the debtor; land contracts whereby the legal title does not pass to the grantee until the total consideration specified in the contract has been paid, or any cancellation thereof, unless the consideration is payable over a period of time exceeding 30 years; or instruments which solely grant, vest or confirm a public utility easement. “Document” shall also include a declaration of acquisition required to be presented for recording under §24-302 of this Part.

*Family farm corporation*—a corporation of which at least 75 percent of its assets are devoted to the business of agriculture and of which at least 75 percent of each class of stock of the corporation is continuously owned by members of the same family. The business of agriculture shall not be deemed to include:

- (1) Recreational activities such as, but not limited to, hunting, fishing, camping, skiing, show competition or racing.
- (2) The raising, breeding or training of game animals or game birds, fish,

cats, dogs or pets or animals intended for use in sporting or recreational activities.

(3) Fur farming.

(4) Stockyard and slaughterhouse operations.

(5) Manufacturing or processing operations of any kind.

*Members of the same family*—any individual, such individual's brothers and sisters, the brothers and sisters of such individual's parents and grandparents, the ancestors and lineal descendants of any of the foregoing, a spouse of any of the foregoing and the estate of any of the foregoing. Individuals related by half blood or legal adoption shall be treated as if they were related by whole blood.

*Person*—every natural person, association or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment, or both, the term “person,” as applied to associations, shall include the responsible members or general partners thereof and, as applied to corporations, the officers thereof.

*Real estate*—

(1) All lands, tenements or hereditaments within the Township, including, without limitation, buildings, structures, fixtures, mines, minerals, oil, gas, quarries, spaces with or without upper or lower boundaries, trees and other improvements, immovables or interests which, by custom, usage or law, pass with a conveyance of land, but excluding permanently attached machinery and equipment in an industrial plant.

(2) A condominium unit.

(3) A tenant stockholder's interest in a cooperative housing corporation, trust or association under a proprietary lease or occupancy agreement.

*Real estate company*—a corporation or association which is primarily engaged in the business of holding, selling or leasing real estate, 90 percent or more of the ownership interest in which is held by 35 or fewer persons, and which:

(1) Derives 60 percent or more of its annual gross receipts from the ownership or disposition of real estate.

(2) Holds real estate, the value of which comprises 90 percent or more of the value of its entire tangible asset holdings, exclusive of tangible assets which are freely transferable and actively traded as an established market.

*Title to real estate*—

(1) Any interest in real estate which endures for a period of time, the termination of which is not fixed or ascertained by a specific number of years, including, without limitation, an estate in fee simple or perpetual leasehold.

(2) Any interest in real estate enduring for a fixed period of years but which, either by reason of the length of the term or the grant of a right to extend the term by renewal or otherwise, consists of a group of rights approximating those of an estate in fee simple, life estate or perpetual leasehold, including, without limitation, a leasehold interest or possessory interest under a lease or occupancy agreement for term of 30 years or more or a leasehold interest or possessory interest in real estate in which the lessee has equity.

*Township*—Northampton Township, Bucks County, Pennsylvania.

*Transaction*—the making, executing, delivering, accepting or presenting for recording of a document.

*Value*—

(1) In the case of any bona fide sale of real estate at arm's length for actual monetary worth, the amount of the actual consideration therefor, paid or to be paid, including liens or other encumbrances thereon existing before the transfer and not removed thereby, whether or not the underlying indebtedness is assumed, and ground rents, or a commensurate part thereof, where such liens or other encumbrances and ground rents also encumber or are charged against other real estate, provided that, where such documents shall set forth a nominal consideration, the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale.

(2) In the case of a gift, sale by execution upon a judgment or upon the foreclosure of a mortgage by a judicial officer, transactions without consideration or for consideration less than the actual monetary worth of real estate, a taxable lease, an occupancy agreement, a leasehold or possessory interest, any exchange of properties or the real estate of an acquired company, the actual monetary worth of the real estate, determined by adjusting the assessed value of the real estate for local real estate tax purposes for the common level ratio factor developed by the Pennsylvania Department of Revenue for Pennsylvania realty transfer tax base calculations, as established by the State Tax Equalization Board.

(3) In the case of an easement or other interest in real estate, the "value" of which is not determinable under subparagraph (1) or (2) above, the actual monetary worth of such interest.

(4) The actual consideration for or actual monetary worth of an executory agreement for the construction of buildings, structures or other permanent improvements to real estate between the grantor and other persons, existing before the transfer and not removed thereby, or between the grantor, the agent or principle of the grantor of a related corporation, association or partnership and the grantee, existing before or effective with the transfer.

(Ord. 245, 1/5/1987)

**§24-304. Payment of Tax; Evidence of Payment; Intent; Interest.**

1. Every person who makes, executes, delivers, accepts or presents for recording any document, or in whose behalf any document is made, executed, delivered, accepted or presented for recording, shall be subject to pay for and in respect to the transaction or any part thereof a tax at the rate of 1 percent of the value of the real estate represented by such document, which tax shall be payable at the earlier of the time the document is presented for recording or within 30 days of acceptance of such document or within 30 days of becoming an acquired company.

2. The payment of the tax imposed herein shall be evidenced by the affixing of an official stamp or writing by the Recorder of Deeds. whereon the date of the payment of the tax, the amount of the tax and the signature of the collecting agent shall be set

forth.

3. It is the intent of this Part that the entire burden of the tax imposed herein on a person or transfer shall not exceed the limitations prescribed in the Local Tax Enabling Act, Act of December 31, 1965, P.L. 1257, 53 P.S. §6924.101 *et seq.*, so that, if any other political subdivision shall impose or hereafter shall impose such tax on the same person or transfer, then the tax levied by the Board of Supervisors under the authority of that Act shall, during the time such duplication of the tax exists, except as hereinafter otherwise provided, be half of the rate, and such half rate shall become effective without any action on the part of the Township; provided, however, that the Township and any other political subdivision which impose such tax on the same person or transfer may agree that, instead of limiting their respective rates to half of the rate herein provided, they will impose respectively different rates, the total of which shall not exceed the maximum rate permitted under the Local Tax Enabling Act.

4. If for any reason the tax is not paid when due, interest, at the rate in effect at the time the tax is due, shall be added and collected.

(Ord. 245, 1/5/1987)

#### **§24-305. Exempt Parties.**

The United States, the Commonwealth or any of their instrumentalities, agencies or political subdivisions shall be exempt from payment of the tax imposed by this Part. The exemption of such governmental bodies shall not, however, relieve any other party to a transaction from liability for the tax.

(Ord. 245, 1/5/1987)

#### **§24-306. Excluded Transactions.**

1. The tax imposed by §24-304 shall not be imposed upon:

A. A transfer to the Commonwealth, or to any of its instrumentalities, agencies or political subdivisions, by gift, dedication or deed in lieu of condemnation or deed of confirmation in connection with condemnation proceedings, or a reconveyance by the condemning body of the property condemned to the owner of record at the time of condemnation, which reconveyance may include property line adjustments, provided that said reconveyance is made within 1 year from the date of condemnation.

B. A document which the Township is prohibited from taxing under the Constitution or statutes of the United States.

C. A conveyance to a municipality, township, school district or county pursuant to acquisition by the municipality, township, school district or county of a tax-delinquent property at a sheriff's sale or Tax Claim Bureau sale.

D. A transfer for no or nominal actual consideration, which corrects or confirms a transfer previously recorded but which does not extend or limit existing record legal title or interest.

E. A transfer or division in kind for no or nominal actual consideration of property passed by testate or intestate succession and held by cotenants. However, if any of the parties takes a share greater in value than his undivided interest, tax is due on the excess.

F. A transfer between husband and wife, between persons who were previously husband and wife who have since been divorced, provided that the property or interest therein subject to such transfer was acquired by the husband and wife or husband or wife prior to the granting of the final decree in divorce, between parent and child or the spouse of such child, between brother or sister or the spouse of a brother or sister and brother or sister or the spouse of a brother or sister and between a grandparent and grandchild or the spouse of such grandchild, except that a subsequent transfer by the grantee within 1 year shall be subject to tax as if the grantor were making such transfer.

G. A transfer for no or nominal actual consideration of property passing by testate or intestate succession from a personal representative of a decedent to the decedent's devisee or heir.

H. A transfer for no or nominal actual consideration to a trustee of an ordinary trust, where the transfer of the same property would be exempt if the transfer was made directly from the grantor to all of the possible beneficiaries, whether or not such beneficiaries are contingent or specifically named. No such exemption shall be granted unless the Recorder of Deeds is presented with a copy of the trust instrument that clearly identifies the grantor and all possible beneficiaries.

I. A transfer for no or nominal actual consideration from a trustee to a beneficiary of an ordinary trust.

J. A transfer for no or nominal actual consideration from trustee to successor trustee.

K. A transfer for no or nominal actual consideration between principal and agent or straw party, or from or to an agent or straw party where, if the agent or straw party were his principal, no tax would be imposed under this Part. Where the document by which title is acquired by a grantee or statement of value fails to set forth that the property was acquired by the grantee from or for the benefit of his principal, there is a rebuttable presumption that the property is the property of the grantee in his individual capacity if the grantee claims an exemption from taxation under this subsection.

L. A transfer made pursuant to the statutory merger or consolidation of a corporation or statutory division of a nonprofit corporation, except where the Department reasonably determines that the primary intent for such merger, consolidation or division is avoidance of the tax imposed by this Part.

M. A transfer from a corporation or association of real estate held of record in the name of the corporation or association, where the grantee owns stock in the corporation or an interest in the association in the same proportion as his interest in the ownership of the real estate being conveyed and where the stock of the corporation or the interest in the association has been held by the grantee for more than 2 years.

N. A transfer from a nonprofit industrial development agency or authority to a grantee of property conveyed by the grantee to that agency or authority as security for a debt or the grantee or a transfer to a nonprofit industrial development agency or authority.

O. A transfer from a nonprofit industrial development agency or authority to

a grantee purchasing directly from it, but only if:

(1) The grantee shall directly use such real estate for the primary purpose of manufacturing, fabricating, compounding, processing, publishing research and development, transportation, energy conversion, energy production, pollution control, warehousing or agriculture.

(2) The agency or authority has the full ownership interest in the real estate transferred.

P. A transfer by a mortgagor to the holder of a bona fide mortgage in default, in lieu of a foreclosure or a transfer pursuant to a judicial sale in which the successful bidder is the bona fide holder of a mortgage, unless the holder assigns the bid to another person.

Q. Any transfer between religious organizations or other bodies or persons holding title for a religious organization if such real estate is not being or has not been used by such transferor for commercial purposes.

R. A transfer to a conservancy which possesses a tax-exempt status pursuant to §501(c)(3) of the Internal Revenue Code of 1954 (68A Stat. 3, 26 U.S.C. §501(c)(3)) and which has as its primary purpose the preservation of land for historic, recreational, scenic, agricultural or open-space opportunities.

S. A transfer of real estate devoted to the business of agriculture to a family farm corporation by a member of the same family which directly owns at least 75 percent of each class of the stock thereof.

T. A transfer between members of the same family of an ownership interest in a real estate company or family farm corporation.

U. A transaction wherein the tax due is \$1 or less.

V. Leases for the production or extraction of coal, oil, natural gas or minerals and assignments thereof.

2. In order to exercise any exclusion provided in this section, the true, full and complete value of the transfer shall be shown on the statement of value. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. For leases of coal, oil, natural gas or minerals, the statement of value may be limited to an explanation of the reason such document is not subject to tax under this Part.

(Ord. 245, 1/5/1987)

#### **§24-307. Documents to Be Taxable.**

Except as otherwise provided in §24-306, documents which make, confirm or evidence any transfer or demise of title to real estate between associations or corporations and the members, partners, shareholders or stockholders thereof are fully taxable. For the purposes of this Part, corporations and associations are entities separate from their members, partners, stockholders or shareholders.

(Ord. 245, 1/5/1987)

#### **§24-308. Acquired Companies.**

1. A real estate company is an acquired company upon a change in the ownership



interest in the company, however effected, if the change does not effect the continuity of the company and, of itself or together with prior changes, has the effect of transferring, directly or indirectly, 90 percent or more of the total ownership interest in the company within a period of 3 years.

2. With respect to real estate acquired after February 16, 1986, a family farm corporation is an acquired company when, because of voluntary or involuntary dissolution, it ceases to be a family farm corporation or when, because of the issuance or transfer of stock or because of the acquisition or transfer of asset that are devoted to the business of agriculture, it fails to meet the minimum requirements of a family farm corporation under this Part.

3. Within 30 days after becoming an acquired company, the company shall present a declaration of acquisition with the recorder of each county in which it holds real estate for the affixation of documentary stamps and recording. Such declaration shall set forth the value of real estate holdings of the acquired company in such county. A copy of the Pennsylvania realty transfer tax declaration of acquisition may be submitted for this purpose.

(Ord. 245, 1/5/1987)

#### **§24-309. Credits Against Tax.**

1. Where there is a transfer of a residential property by a licensed real estate broker, which property was transferred to him within the preceding year as consideration for the purchase of other residential property, a credit for the amount of the tax paid at the time of the transfer to him shall be given to him toward the amount of the tax due upon the transfer.

2. Where there is a transfer by a builder of residential property which was transferred to the builder within the preceding year as consideration for the purchase of new, previously unoccupied residential property, a credit for the amount of the tax paid at the time of the transfer to the builder shall be given to the builder toward the amount of the tax due upon the transfer.

3. Where there is a transfer of real estate which is leased by the grantor, a credit for the amount of tax paid at the time of the lease shall be given the grantor toward the tax due upon the transfer.

4. Where there is a conveyance by deed of real estate which was previously sold under a land contract by the grantor, a credit for the amount of tax paid at the time of the sale shall be given the grantor toward the tax due upon the deed.

5. If the tax due upon the transfer is greater than the credit given under this Section, the difference shall be paid. If the credit allowed is greater than the amount or tax due, no refund or carry-over shall be allowed.

(Ord. 245, 1/5/1987)

#### **§24-310. Determinations by Department of Revenue.**

Whenever the amount of tax due to the Commonwealth of Pennsylvania pursuant to 72 P.S. §8101-C *et seq.*, upon final determination, redetermination or review by the Department of Revenue, is less than the amount actually paid to the Commonwealth on account thereof, such amount, including all interest or penalties thereon, shall be

deemed to be the amount due and payable to the Township pursuant to this Part and shall be collectible by the Recorder of Deeds upon rerecording as hereinafter provided. If the amount of such tax as finally determined is more than the amount actually paid, then upon application to the Township, together with proof of payment and final determination by the Department of Revenue, the Township shall refund such portion of the overpayment that the Township actually received. All applications for refunds must be received by the Township within 2 years of the date of payment for which a refund is requested.

(Ord. 245, 1/5/1987)

**§24-311. Extension of Lease.**

In determining the term of a lease, it shall be presumed that a right or option to renew or extend a lease will be exercised if the rental charge to the lessee is fixed or if a method for calculating the rental charge is established.

(Ord. 245, 1/5/1987)

**§24-312. Proceeds of Judicial Sale.**

The tax herein imposed shall be fully paid and have priority out of the proceeds of any judicial sale of real estate before any other obligation, claim, lien, judgment, estate or cost of the sale and of the writ upon which the sale is made, except the State realty transfer tax, and the sheriff or other officer conducting said sale shall pay the tax herein imposed out of the first moneys paid to him in connection therewith. If the proceeds of the sale are insufficient to pay the entire tax herein imposed, the purchaser shall be liable for the remaining tax.

(Ord. 245, 1/5/1987)

**§24-313. Duties of Recorder of Deeds.**

1. As provided in 16 P.S. §11011-6, as amended by Act of July 7, 1983 (P.L. 40, No. 21), the Recorder of Deeds shall be the collection agent for the local realty transfer tax, including any amount payable to the Township based on a redetermination of the amount of tax due by the Commonwealth of Pennsylvania of the Pennsylvania realty transfer tax, without compensation from the Township.

2. In order to ascertain the amount of taxes due when the property is located in more than one political subdivision, the Recorder shall not accept for recording such a deed unless it is accompanied by a statement of value showing what taxes are due each municipality.

3. On or before the tenth of each month, the Recorder shall pay over to the Township all local realty transfer taxes collected, less 2 percent for the use of the county, together with a report containing the information as is required by the Commonwealth of Pennsylvania in reporting collections of the Pennsylvania realty transfer tax. The 2 percent commission shall be paid to the county.

4. Upon a redetermination of the amount of realty transfer tax due by the Commonwealth of Pennsylvania, the Recorder shall rerecord the deed or record the additional realty transfer tax form only when both the State and local amounts and a rerecording or recording fee has been tendered.

(*Ord. 245, 1/5/1987*)

**§24-314. Statement of Value.**

Every document lodged with or presented to the Recorder of Deeds for recording shall set forth therein and as a part of such document the true, full and complete value thereof or shall be accompanied by a statement of value executed by a responsible person connected with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. The provisions of this Section shall not apply to any excludable real estate transfers which are exempt from taxation based on family relationship. Other documents presented for the affixation of stamps shall be accompanied by a certified copy of the document and statement of value executed by a responsible person connected with the transaction, showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part.

(*Ord. 245, 1/5/1987*)

**§24-315. Violations and Penalties.**

1. If any part of any underpayment of tax imposed by this Part is due to fraud, there shall be added to the tax an amount equal to 50 percent of the underpayment.

2. In the case of failure to record a declaration required under this Part on the date prescribed therefor, unless it is shown that such failure is due to reasonable cause, there shall be added to the tax 5 percent of the amount of such tax if the failure is for not more than 1 month, with an additional 5 percent for each additional month or fraction thereof during which such failure continues, not exceeding 50 percent in the aggregate.

3. In addition to the penalties prescribed in subsections .1 and .2 above, any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of this Part, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not more than \$600 plus all court costs. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation. [*Ord. 561*]

(*Ord. 245, 1/5/1987; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012*)

**§24-316. Liens.**

The tax imposed by this Part shall become a lien upon the lands, tenements or hereditaments, or any interest therein, lying or being situated, wholly or in part, within the boundaries of the Township, which lands, tenements or hereditaments, or interest therein, are described in or conveyed by or transferred by the deed which is the subject of the tax imposed, assessed and levied by this Part, said lien to begin at the time when the tax under this Part is due and payable and continue until discharge by payment,

or in accordance with the law, and the Solicitor is authorized to file a municipal or tax claim in the Court of Common Pleas of Bucks County, in accordance with the provisions of the Municipal Claims and Tax Liens Act of 1923, 53 P.S. §7101 *et seq.*, and its supplements and amendments.

(*Ord. 245, 1/5/1987*)

**§24-317. Collection of Tax.**

All taxes imposed by this Part, together with the interest and penalties prescribed herein, shall be recoverable as other debts of like character are recovered.

(*Ord. 245, 1/5/1987*)

**§24-318. Enforcement.**

The Township Manager of the Township is charged with enforcement and collection of tax and is empowered to promulgate and enforce reasonable regulations for the enforcement and collection of the tax. The regulations which have been promulgated by the Pennsylvania Department of Revenue under 72 P.S. §8101-C *et seq.*, to the extent that they are applicable, are incorporated into and made a part of this Part.

(*Ord. 245, 1/5/1987*)

## **Chapter 25**

**[Reserved]**



## **Chapter 26**

### **Water**

#### **Part 1**

##### **Mandatory Connection to Public Water Facilities**

- §26-101. Definitions
- §26-102. Notice of Facilities to Be Put into Service
- §26-103. Connection Required
- §26-104. Unlawful Acts
- §26-105. Violations and Penalties

#### **Part 2**

##### **Water Conservation**

- §26-201. Purpose
- §26-202. Scope
- §26-203. Statutory Authority
- §26-204. Objectives
- §26-205. Supervisors to Determine Emergencies
- §26-206. Prohibited Water Uses
- §26-207. Violations and Penalties

#### **Part 3**

##### **Wells**

- §26-301. Permit Required
- §26-302. Scope
- §26-303. General Principles
- §26-304. Definitions
- §26-305. Location
- §26-306. Design and Construction Specifications
- §26-307. Surface Protection
- §26-308. Miscellaneous Construction Requirements; Samples and Reports
- §26-309. Pump Installation and Construction
- §26-310. Use of Wells for Waste Disposal
- §26-311. Abandonment
- §26-312. General Enforcement and Administration
- §26-313. Fees
- §26-314. Violations and Penalties





**Part 1****Mandatory Connection to Public Water Facilities****§26-101. Definitions.**

As used herein, the following terms shall have the meanings stated:

*Building*—any structure in which potable water is or may be used and includes, without limiting the generality of the foregoing, dwellings, flats, apartments, stores, shops, trailers, offices and business or industrial establishments.

*Person*—any individual, firm, company, association, society, partnership or corporation.

*Potable water*—water fit for human consumption.

*Property accessible to public water facilities*—real property which adjoins, abuts on or is adjacent to any public or private street, road or way which contains a public water facility.

*Public water facility*—the potable water supply system or any part thereof operated by the Authority.

(Ord. 396, 6/14/1995)

**§26-102. Notice of Facilities to Be Put into Service.**

When the public water facilities intended to be constructed by the Authority within the project area are ready to be put into service, the Township shall cause notice of the fact to be published once in a newspaper of general circulation in the Township, such notice to state that the owners of property accessible to the public water facilities, and whose principal buildings are within 250 feet thereof, are compelled to make a connection therewith pursuant to this Part. A copy of such notice, together with a copy of this Part and any ordinance or resolution then in effect imposing water connection or tapping fees and water service rates, shall be mailed to the record owner of each such property, but failure to mail such copies, or defects in the mailed copies or the mailing thereof, shall not affect the validity of the notice.

(Ord. 396, 6/14/1995)

**§26-103. Connection Required.**

1. Any owner of a property within the project area and accessible to public water facilities on which there is one or more buildings within 250 feet of such public water facilities shall, at the owner's expense, connect the building or buildings to the public water facilities within 60 days after publication of the notice described in §26-102 of this Part.

2. Any owner of a property within the project area and accessible to public water facilities on which a building is hereafter erected within 250 feet therefrom shall, at the time of erection and at the owner's expense, connect the same to the public water facilities.

3. All connections to the public water facilities shall be made in accordance with the rules, regulations and policies of the Authority then in effect.

(*Ord. 396, 6/14/1995*)

**§26-104. Unlawful Acts.**

It shall be unlawful for any person owning or occupying a property on which there is a building required to be connected to the public water facilities under the provisions of §26-103 hereof to construct or use for the benefit of such property any facility for the dispensing of potable water, other than the public water facilities. Any such other source of potable water shall be declared a nuisance which shall be abated as provided by law.

(*Ord. 396, 6/14/1995*)

**§26-105. Violations and Penalties.**

Any person violating any provision of this Part shall, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. The existence of a violation of this Part or the failure or refusal to correct a violation of this Part shall be deemed a separate offense during each calendar month or part thereof during which the violation continues.

(*Ord. 396, 6/14/1995; as amended by Ord. 561, 4/25/2012*)

**Part 2****Water Conservation****§26-201. Purpose.**

This local water use restriction plan is intended to establish measures for essential conservation of water resources and to provide for the equitable distribution of limited water supplies in order to balance demand and limited available supplies and to assure that sufficient water is available to preserve public health and safety within Northampton Township.

(Ord. 244, 11/26/1986)

**§26-202. Scope.**

This plan shall apply to all users of water in Northampton Township, including water customers of the Northampton Township, Bucks County Municipal Authority, and to all residents of Northampton Township who own, maintain and/or use private wells as their sources of water.

(Ord. 244, 11/26/1986)

**§26-203. Statutory Authority.**

This plan is authorized by the Second Class Township Code, 53 P.S. §65101 *et seq.*

(Ord. 244, 11/26/1986)

**§26-204. Objectives.**

1. It is imperative that users of water in Northampton Township, including water customers of the Northampton Township, Bucks County, Municipal Authority, as well as Northampton Township residents who own and use private wells, achieve an immediate and further reduction in water use in order to extend existing water supplies and, at the same time, assure that sufficient water is available to preserve the public health and sanitation and provide fire-protection service.

2. The plan provides for equitable reduction in water usage and for equal sacrifice on the part of each water consumer. The success of this plan depends on the cooperation of all water users in Northampton Township, including water customers of the Northampton Township, Bucks County, Municipal Authority, as well as Northampton Township residents who own and use private wells.

(Ord. 244, 11/26/1986)

**§26-205. Supervisors to Determine Emergencies.**

1. The Board of Supervisors of Northampton Township, at its sole discretion, will determine the timing of the implementation of the plan set forth in §26-206.

2. The Board of Supervisors of Northampton Township may declare a drought emergency by a resolution, which will be acted upon at a duly authorized and advertised meeting of said Board, which provides for implementation of a water use restriction plan and the prohibition of nonessential water uses, as set forth in §26-206

hereof, and shall indicate the effective date of said prohibitions. When, in the sole discretion of the Board of Supervisors of Northampton Township, the drought emergency has ended, said Board shall, by resolution, terminate the water use restrictions and prohibitions on the date set forth in said resolution.

(*Ord. 244, 11/26/1986*)

**§26-206. Prohibited Water Uses.**

1. The following water uses are declared nonessential and are prohibited within Northampton Township:

A. The use of water for the watering of lawns including the use of in-ground sprinklers, except that water may be used at the minimum rate necessary to establish and maintain newly seeded and sodded grass areas (those areas which have been seeded or sodded no more than three months prior to the drought emergency declaration) when applied between the hours of 5 p.m. and 10 a.m. by means of a bucket, can or hand-held hose equipped with an automatic-shutoff nozzle.

B. The use of fresh water for irrigation and the watering of outdoor gardens, landscaped areas, trees, shrubs and other outdoor plants by means other than a bucket, pail or hand-held hose equipped with an automatic-shutoff nozzle, except agricultural irrigation for the production of food and fiber, the maintenance of livestock or the production of nursery stock.

C. The use of fresh water for watering any portion of golf courses, except for tees and greens.

D. The use of water for washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts and patios.

E. The use of water for ornamental purposes, including fountains, artificial waterfalls and reflecting pools.

F. The use of water for the noncommercial washing or cleaning of automobiles, trucks and other motor vehicles and trailers by means other than by bucket or pail.

G. The serving of water in restaurants, clubs or eating places unless specifically requested by the individual.

2. In addition to prohibited uses, all water consumers will be encouraged to save water on a voluntary basis.

(*Ord. 244, 11/26/1986*)

**§26-207. Violations and Penalties.**

Any person violating any provision of this Part shall, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 244, 11/26/1986; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012*)

**Part 3****Wells****§26-301. Permit Required.**

It shall be unlawful from and after the passage of this Part for any person to dig, construct or supply any water well, whether drilled, artesian or dug, in the Township of Northampton, or to make any alterations or additions to any well in the Township of Northampton, without first obtaining a permit from the properly designated official of said Township; and, further provided, that all work shall be done in strict accordance with the provisions of this Part.

(Ord. 53, 4/11/1962)

**§26-302. Scope.**

1. *Applicability.* Provisions of this Part apply to any well as defined in §26-304 of this Part.

2. *Approved Comparable Construction.* When strict compliance with this Part appears to be impracticable, the reasons therefor shall be communicated in writing to Northampton Township for advice and approval of comparable specifications.

3. *Contract Applicability.* Applicable specifications and provisions of this Part are, by law, a part of any order or agreement, written or verbal, for the construction or reconstruction of a well or appurtenances thereto or for the installation of pumping equipment. Construction or installation shall be deemed complete when all ordinance requirements or approved comparable specifications are complied with.

(Ord. 53, 4/11/1962)

**§26-303. General Principles.**

The following basic principles, general in scope and fundamental in character, shall govern the location, construction or reconstruction and maintenance of wells, installation and maintenance of pumping equipment and supervision of well constructors and pumping equipment installers:

A. *Well Construction.* Wells shall be:

(1) Located in such manner that the well and its surroundings can be kept in a sanitary condition.

(2) Adequate in size to permit such construction or reconstruction as may be necessary to provide a safe and adequate water supply. See §26-304, definitions of “adequate water supply” and “approved.”

(3) Constructed in such manner as to maintain natural protection against contamination of water-bearing formation and to exclude known sources of contamination.

B. *Pump Installation.* The installation of the pumping equipment shall be:

(1) Located in such manner that the pump and its surroundings can be kept in a sanitary condition.

(2) Adequate in capacity to supply the required volume of water, where available, for maintenance of sanitary conditions, all ordinary domestic purposes and other specified uses.

(3) Designed to meet the well characteristics, durable in character and made in such manner that continued operation without priming is assured at time of installation.

(4) Made in such manner as to provide adequate protection against contamination of any character from any surface or subsurface sources.

(Ord. 53, 4/11/1962)

#### **§26-304. Definitions.**

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

*Adequate waver supply*—where obtainable, the yield of a well or the capacity of a pump and distribution system sufficient to meet the requirements which the user has stated are necessary for drinking, culinary and other purposes for which well water is intended to be used.

*Annular space*—the space between two circular objects, one of which surrounds the other, such as the opening between a drill hole and a casing pipe or between a casing pipe and a liner pipe.

*Approved*—sanctioned by Northampton Township, in conformity with applicable laws and regulations.

*Contamination*—any matter which will render water unsafe for human consumption.

*Drawdown*—the extent of lowering of the water level in a well when water flows or is pumped from it.

*Drill hole:*

(1) *Lower drill hole*—that part of the drill hole below the vertical zone of contamination.

(2) *Upper drill hole*—that part of a drill hole, auger hole or excavation established through the vertical zone of contamination.

*Driven point well*—a well constructed by joining a drive point with a length of pipe, extended as may be necessary, and driving the assembly into the ground without a preliminary excavation in excess of 10 feet in depth.

*Established grade*—the permanent point of contact of the ground or artificial surface with the casing pipe or curbing of the well.

*Established ground surface*—the permanent elevation of the surface of the site of the well.

*Flushing*—the act of causing a rapid flow of water from a well by pumping, bailing or similar operation.

*Near-surface water*—water in the zone immediately below the ground surface. It may include seepage from barnyards, leaching pools and disposal beds or leakage from sewers, drains and similar sources of contaminated water.

*Northampton Township*—the Board of Supervisors of Northampton Township

or any properly authorized official of Northampton Township who may be designated to act for the Township by the Board of Supervisors.

*Pumping water level*—elevation of the surface of the water in a well when water flows or is pumped from it at a given rate.

*Safe water*—water that is sufficiently free from contamination to be safe for human ingestion.

*Sanitary condition*—

(1) When referring to a well, it means that the construction of the well and the installation of the pumping equipment are such that the well is effectively protected against entrance of contaminating matter.

(2) When referring to the surroundings of a well, it means that the location and surrounding area are free from debris or filth of any character and not subject to flooding.

*Sewer*—a conduit used or intended for conveying sewage or other wastes.

*Specific capacity*—the continuous yield of a well at a given drawdown expressed in gallons per minute per foot of drawdown.

*Static water level*—that elevation of the surface of the water in a well when no water flows or is being pumped therefrom.

*Stuffing box*—an approved receptacle in which packing may be compressed to form a watertight or airtight junction between two objects.

*Vertical zone of contamination*—that depth of near-surface formations containing connecting pore spaces, crevices or similar openings, including artificial channels such as unprotected wells, through which contaminated water may gain access to a well or the groundwater body.

*Watertight construction*—implies cased and grouted construction through firm foundations like clay or rock. Through granular material like sand or gravel, it implies that the casing pipe is of approved quality and assembled watertight.

*Well*—includes a dug well, a drilled well and an artesian well.

*Well seal*—an approved removable arrangement or device used to cap a well or to establish and maintain a junction between the casing or curbing of a well and the piping or equipment installed therein so as to prevent water from entering the well at the upper terminal.

*Well vent*—an outlet at the upper end of the well casing to allow equalization of air pressure in the well.

*Yield*—the quantity of water per unit of time which may flow or be pumped from a well at a constant specified drawdown.

(Ord. 53, 4/11/1962)

#### **§26-305. Location.**

1. *General.* Every well shall be located in keeping with the following principles:
  - A. At the highest point in the premises consistent with general layout and surroundings, but in any case protected against surface wash.
  - B. As far removed from any known or probable source of contamination as the

general layout of the premises and the surroundings permit.

2. *Relation to Pollution Sources.* Minimum distances between wells and sources of contamination shall be in accordance with requirements of the Department of Health of the County of Bucks.

3. *Relation to Buildings.* With respect to buildings, the location of a well shall be made as follows:

A. When a well is located adjacent to a building, it shall be located so that the center line of the well extended vertically will clear any projection from the building by not less than two feet.

B. Every well shall be located so that it will be reasonably accessible with proper equipment for cleaning, treatment, repair, test, inspection and such other attention as may be necessary.

C. No well shall be located so that the top thereof will be within the basement of any building nor under a building having no basement.

(Ord. 53, 4/11/1962)

**§26-306. Design and Construction Specifications.**

1. *Drilled-Type Wells.* The requirements of §26-303.B shall be deemed to be fulfilled to the minimum extent when a drilled well has been installed in conformity with the applicable construction set forth in Table 1.

2. *Well Casing Pipe.* The minimum standard of quality for casing shall be new steel or wrought iron equivalent to American Standard Schedule 30 pipe for sizes 8 inches and over and Schedule 40 pipe for sizes under 8 inches.

A. All connections to a well casing and all joints in the casing itself must be assembled pressure-tight, made up of correctly mated threaded pipe fittings, welded connections, sanitary well seals or other approved connections.

B. Well casing pipe shall be driven or installed so that no injury affecting the safety of the water supply results.

C. Upon completion of drilling, the well shall be equipped with a suitable watertight cap or plug to protect the well from tampering or from the entrance of foreign matter.

3. (Also see §26-307.1) Provision for sounding water levels and water-level indicating device.

A. A well used for domestic purposes shall be equipped with an access opening extending at least to ground level to permit sounding of water level in the well. This opening shall be 3/8-inch or larger pipe, properly sealed with a watertight cap or plug to prevent access of surface water. This access pipe may be a part of the well venting system.

B. A well used for commercial or industrial purposes shall, in addition to the above, be equipped with an approved water-level indicating device.

4. *Flowing Wells.* The construction of flowing wells shall comply with the minimum requirements of subsection .1 of this Section.

A. Every practicable effort shall be made to extend the watertight (cased and cement-grouted) construction into the upper confining bed of the artesian basin.



B. When it is impractical to extend the watertight construction as indicated in subsection .4.A, an adequate packer shall be set and maintained in the confining bed with a flowpipe extending therefrom to a point at least 1 foot above the established grade.

5. *Bored-Type Wells.* Construction of this type well shall be subject to regulations specified by the Board of Supervisors of Northampton Township at the time of application.

6. *Driven Point Wells.* Construction of this type well shall be subject to regulations specified by the Township at the time application is made.

7. *Dug-Type Wells.* Construction of this type well shall be subject to regulations specified by the Township at the time of application.

8. *Conversion of Dug-Type Wells.* Construction of this type well shall be subject to regulations specified by the Township at the time of application and in subsections .9 and .10 of this Section.

9. *Preparation for Deepening.* Any sediment or debris in the bottom of the dug well shall be removed. The bottom shall be disinfected by distributing a chlorine solution over the bottom or adding such solution to water in the well. A concentration of 200 parts per million of chlorine should be attained for disinfection.

10. *Applicability to Drilled-Type Construction.* Deepening construction done by drilling methods shall conform to applicable conditions of subsection .1 of this Section. Existing dug-type and drilled-type wells shall be effectively protected against entrance of surface and near-surface water by extending the casing pipe of the drilled part of the well to the surface and filling the dug part of the well with puddled clay or equally impermeable material.

(Ord. 53, 4/11/1962)

#### **§26-307. Surface Protection.**

1. Where practicable, the watertight casing of any well shall extend to a point above the established ground surface. See §26-302.2.

2. Well pits will not be permitted unless approval is obtained from the Township. To be approved, well pits must be gravity drained by a pipe of not less than 3 inches in size.

3. On offset pump installations in basements, the pump impeller or cylinder shall be located at an elevation above ground surface or at a height of 2 or more feet above the basement floor.

(Ord. 53, 4/11/1962)

#### **§26-308. Miscellaneous Construction Requirements; Samples and Reports.**

1. *Alignment.* The center line of a drilled or bored well shall not be out of plumb more than 12 inches per 100 feet of depth.

2. *Caving Protection.* When caving or sloughing formation that would interfere with the proper functioning of well or the pumping equipment are encountered, entrance of foreign material shall be prevented by means of liner pipe, cementing or other approved methods.

3. *Finishing Operations.* Upon completing construction or reconstruction operations, the constructor of the well shall carry out finishing operations as follows:

A. *Flushing and Testing.* Flush the well at a rate at least equal to 200 percent of the expected pump capacity for a minimum of 2 hours or until the water discharging is clear and free from sand. During the flushing operation, the amount of drawdown and stability of the yield shall be determined. See §§26-302.2 and 26-304, definition of “adequate water supply.”

B. *Sampling.* After completion of well testing, the constructor shall obtain and deliver to the Township an analysis of a sample of the well water, which analysis shall have been made by a recognized laboratory or water testing service. The sample shall have been taken either by personnel of such laboratory or under conditions prescribed by such laboratory.

C. *Sealing.* After testing and sampling, the well constructor shall seal the well watertight. [See §26-306.2.]

4. *Safe Water.* If the results of analysis (see subsection .3.B above) indicate unsafe water in the well, the well constructor shall take such additional measures as approved by the Township to assure a safe water supply. The safety of the water shall be judged by additional sampling and analysis as required by the Township. The cost per analysis is nominal, and all such costs shall be borne by the applicant.

5. *Blasting.* The use of explosives for increasing or recovering yield of any well developed into limestone, granite or quartzite formations, or of any sandstone well in which casings and liners are not grouted or in which the diameter of the drill hole is larger than that of casings or liners above the point of shooting, shall be undertaken only under permit from the Township. Any person engaged in blasting shall, in addition thereto, be licensed by the Pennsylvania Department of Labor and Industry.

6. *Chemical Conditioning.* The use of dry ice, detergents, chlorine, acids or other chemicals in wells for the purpose of increasing or restoring yield shall be undertaken only under permit from the Township.

7. *Well Construction Report.* Within 10 days after completing the construction or reconstruction of a well, the constructor thereof shall submit a construction report to the Township upon form furnished by the Township.

(Ord. 53, 4/11/1962)

#### **§26-309. Pump Installation and Construction.**

1. *Hand Pump.* Every shallow-well-type hand pump and every deep-well-type hand pump head, stand or similar device shall be so constructed that no unprotected opening connecting with the interior of the pump exists. The spout shall be of the closed type (see subsection .4). A hand pump shall be mounted firmly to the well casing pipe or pump mounting sleeve in such manner as to effectively seal the top of the casing or sleeve.

2. *Power-Driven Pump.* Any power-driven pump located over the well shall be mounted on the well casing, a pump foundation or a pump stand in such manner as to effectively seal the top of the well. In case the pump unit is not located over the well and the pump delivery or suction pipe emerges from the top thereof, a watertight expanding or equivalent seal shall be provided between the well casing and the piping. A similar

seal shall be provided at the terminal of a conduit containing suction, submersible or jet pump piping. See §26-306.2.A and subsection .5 of this Section. (Note: On aboveground pump installations, the extension of the well casing at least 1 inch into the pump base will be considered an effective seal, provided the pump base is mounted on a base plate or foundation in such manner as to exclude entrance of insects into the well and the elevation at the top of the well is at least two feet above any known floodwater level.)

3. *Pump House.* The structure housing a power-driven pump shall be constructed so as to permit access to the pump for maintenance and repair work. The pump house floor shall be constructed of concrete. On aboveground installations, the surface thereof shall be located not less than 4 inches above the established ground surface.

4. *Protection Against Freezing.* The pump, discharge line and accessory equipment shall be protected against freezing by insulation of structure and piping and installation of dependable heating facilities, preferably of a thermostatically controlled type.

5. *Well Vent.* Any well vent opening shall be piped watertight to a point not less than 24 inches above any known floodwater level but at least 12 inches above the top of the well. Such vent opening and extension thereof shall be not less than ¼ inch in diameter, the extension pipe to be firmly attached. The terminal of the vent pipe shall be shielded and screened so as to prevent entrance of foreign matter. Any opening in a pump base shall be sealed watertight.

6. *Sampling Faucet.* In all pressure water systems, provision shall be made for collection of water samples by installation of a faucet or pet cock at the discharge side of the pump.

7. *Final Sampling.* Upon completing the installation of the pump equipment, the installer thereof shall furnish to the Township an analysis of a sample of the well water, which analysis shall have been made by a recognized laboratory or water testing service. The sample shall have been taken either by personnel of such laboratory or under conditions prescribed by such laboratory. The Township reserves the further right to, in addition thereto, require such installer to furnish a sample of water taken from the sampling faucet (see subsection .4 above) and to have its own analysis made of such water at the cost of the applicant.

(Ord. 53, 4/11/1962)

#### **§26-310. Use of Wells for Waste Disposal.**

No well shall be drilled nor any existing well used for the purpose of disposal of domestic or industrial waste.

(Ord. 53, 4/11/1962)

#### **§26-311. Abandonment.**

1. *Sealing of Abandoned Wells.* The owner of any well shall, upon abandonment of any existing well or test hole, effectively seal and fill such well or test hole in accordance with the requirements of subsections .2 and .3 hereof. Any debris or obstructions that may interfere with proper sealing of the well or test hole must first be removed.

2. *Dug or Bored Wells.* Any lining material shall be removed at least down to the

existing water level. Crushed stone not exceeding 1½ inches in size and/or earth free of debris shall be used to pack the excavation up to existing water level. A layer of puddled clay or concrete at least 5 feet thick shall be placed above the bottom fill. The remainder of the excavation shall be filled with earth free of debris and large stones. The final fill must be well tamped in layers not exceeding 18 inches in thickness.

3. *Drilled Wells (Cased)*. The bottom portion of the well in the water-bearing stratum shall be filled with clean gravel or ¾-inch crushed stone for a depth of at least 5 feet but not exceeding 15 feet. In no event shall the bottom fill extend into the casing. The remainder of the well shall be sealed with cement grout or with alternate layers of cement grout and gravel or ¾-inch crushed stone. The final layer shall be cement grout and shall be at least 20 feet deep measured from the top of the casing. The final layer of grout shall be inserted through a fill pipe extending into the casing and removed as the grout fill is installed or shall be thoroughly rodded. If the top of the well casing terminates below existing grade, the excavation to the top of the casing shall be filled with earth free of debris and large stones and well tamped in place.

4. *Report to Township*. A report shall be made to the Township by the owner of every well which has been abandoned or temporarily removed from service. Such report shall include a detailed description of location, construction and geologic features and method of sealing.

(Ord. 53, 4/11/1962)

#### **§26-312. General Enforcement and Administration.**

1. The Board of Supervisors of Northampton Township shall have the responsibility for the enforcement of this Part. Said Township shall have the management and control of well permits, applications and certificates.

2. No well contractor shall be issued a well permit until he has filed with the Township a letter stating that he is, or intends to participate, in the well-drilling business in Northampton Township.

3. No certificate of compliance shall be issued until the applicant for said certificate has filed with the Township an application for a permit to drill well and a well record form. Said application and record shall be completely filled out and the Township may reject any application or record not completely filled out.

4. Any person willfully filing misinformation in completing of forms will be subject to prosecution under existing statutes of the Commonwealth of Pennsylvania.

(Ord. 53, 4/11/1962; as amended by Ord. 80, 12/9/1964, §1)

#### **§26-313. Fees.**

The Board of Supervisors shall, from time to time, by resolution, establish the fees to be charged for the issuance of permits required under the provisions of this Part. No permit required under the provisions of this Part shall be issued until the fees prescribed by such resolution shall be paid in full.

(Ord. 53, 4/11/1962)

#### **§26-314. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part or who

shall file to comply therewith or with any of the requirements thereof or who shall construct, drill, alter or repair any well in violation of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 53*, 4/11/1962; as amended by *Ord. 211*, 5/9/1984, §135-14; by *Ord. 285*, 2/22/1989; and by *Ord. 561*, 4/25/2012)



## **Chapter 27**

### **Zoning**

#### **Part 1 General Provisions**

- §27-101. General Intent; Community Development Objectives
- §27-102. Relationship to the Comprehensive Plan
- §27-103. Interpretation
- §27-104. Establishment of Zoning Districts
- §27-105. Zoning Maps
- §27-106. Interpretation of District Boundaries
- §27-107. Federal, State, County or Municipally Owned Property

#### **Part 2 Definitions**

- §27-201. Definitions and General Terminology

#### **Part 3 AR Agricultural-Residential District**

- §27-301. Specific Intent
- §27-302. Use Regulations
- §27-303. Area and Development Regulations

#### **Part 4 Residential Districts**

- §27-401. Specific Intent
- §27-402. EP Environmental Protection District
- §27-403. Statement of Intent and Purpose
- §27-404. CR Country Residential District
- §27-405. R-1 Single-Family District
- §27-406. R-2 Single-Family District
- §27-407. R-3 Multi-family Residential Districts
- §27-408. R-5 Mobile Home Park District

#### **Part 5 Commercial/Office Districts**

- §27-501. Specific Intent
- §27-502. General Commercial/Office District
- §27-503. C-3 Planned Commercial District
- §27-504. PO Professional Office District

**Part 6**  
**I-1 Planned Industrial/Office District**

- §27-601. Specific Intent
- §27-602. Use Regulations
- §27-603. Area and Development Regulations
- §27-604. Off-Street Parking and Loading

**Part 7**  
**FP Floodplain and Flood Hazard District**

- §27-701. Specific Purpose
- §27-702. Interpretation
- §27-703. Use Regulations
- §27-704. Special Conditional Use Procedures and Conditions of Approval
- §27-705. Warning and Disclaimer of Liability
- §27-706. Effect on Existing Easements or Deed Restrictions
- §27-707. Severability
- §27-708. Boundary Disputes

**Part 8**  
**Institutional and Recreational Districts**

- §27-801. Specific intent
- §27-802. IP District Use Regulations
- §27-803. IP District Area and Development Regulations
- §27-804. REC Recreation District

**Part 9**  
**Conditional Use and Cluster Design Regulations**

- §27-901. Conditional Use Regulations
- §27-902. Conditional Use Procedures
- §27-903. Cluster Design Regulations

**Part 10**  
**Open Space Requirements and Controls**

- §27-1001. Requirements

**Part 11**  
**Supplemental Regulations**

- §27-1101. General Intent
- §27-1102. Aircraft, Aviation Facilities
- §27-1103. Buffers and Screening
- §27-1104. Accessory Buildings, Structures and Uses
- §27-1105. Residential Accessory Buildings, Structures and Uses
- §27-1106. Nonresidential Accessory Buildings, Structures and Uses
- §27-1107. Fences



- §27-1108. Home Occupations
- §27-1109. Off-Street Loading Requirements
- §27-1110. Off-Street Parking Requirements
- §27-1111. Physical Performance Requirements
- §27-1112. Commercial Vehicles; Recreational Vehicles, Utility Trailers or Boats
- §27-1113. Removal of Topsoil
- §27-1114. Visibility at Intersections
- §27-1115. Storage of Junk Vehicles
- §27-1116. Maximum Building and Structure Heights
- §27-1117. Residential Outdoor Lighting
- §27-1118. Keeping of Livestock
- §27-1119. Flag Lots
- §27-1120. Special Restrictions in EP Environmental Protection, CR Country Residential, AR Agricultural-Residential and R-1 Single-Family Districts
- §27-1121. Municipal Uses
- §27-1122. Special Events
- §27-1123. Wireless Communications Facilities
- §27-1124. Forestry
- §27-1125. Village Overlay District
- §27-1126. Alternative and Emerging Energy Facilities

## **Part 12**

### **Nonconforming Uses, Buildings and Structures**

- §27-1201. Nonconforming Use
- §27-1202. Continuance of Nonconforming Use
- §27-1203. Discontinuance of Nonconforming Use
- §27-1204. Change of Nonconforming Use to Conforming Use
- §27-1205. Expansion or Extension of Nonconforming Use by Variance
- §27-1206. Nonconforming Buildings and Structures
- §27-1207. Nonconforming Signs
- §27-1208. Identification and Registration of Nonconforming Uses, Buildings, Structures and Signs

## **Part 13**

### **Administrative Procedures**

- §27-1301. Zoning Officer
- §27-1302. Appeals from Zoning Officer
- §27-1303. Enforcement
- §27-1304. Notification of Violation
- §27-1305. Duties of Zoning Officer
- §27-1306. Certificates of Use, Occupancy and Compliance
- §27-1307. Duration of Permits
- §27-1308. Schedule of Fees

## **Part 14**

### **Zoning Hearing Board**

- §27-1401. Administration and Procedure

- §27-1402. Functions of Board
- §27-1403. Procedures Before Board

## **Part 15**

### **Amendments and Penalties**

- §27-1501. Amendments
- §27-1502. Violations and Penalties

## **Part 16**

### **Signs**

- §27-1601. Statement of Intent and Purpose
- §27-1602. Definitions
- §27-1603. General Standards and Requirements
- §27-1604. Sign Requirements for Residential, Recreational and Institutional/Public Districts
- §27-1605. Sign Requirements for Commercial and Industrial Districts
- §27-1606. Off-Premises Advertising Signs or Billboards
- §27-1607. Prohibited Signs
- §27-1608. Summarization Chart for Categorical Sign Requirements

## **Zoning Map Amendments**

### **Zoning Map**

**Part 1****General Provisions****§27-101. General Intent; Community Development Objectives.**

The zoning regulations and districts set forth in this Chapter are made in accordance with the Comprehensive Plan of the Township and are intended to achieve the following goals:

A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.

B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, panic or other dangers.

C. To provide standards to foster the amount of open space within the Township; to control the intensity of development in areas of sensitive natural resources or natural features in order to reduce or eliminate adverse environmental impacts; to protect the people's right to clean air, pure water and the natural, scenic, historic, recreational and aesthetic values of the environment; to protect the soils, waterways, trees and other vegetation; and to protect natural and agricultural resources which are a part of the ecological system to which the residents are all bound and therefore are the common property of all the people, including generations yet to come, and which must be protected to ensure the health, safety and welfare of all the people.

D. To provide standards for various types of dwelling units so that all the people may have access to decent, sound and sanitary housing; and to encourage the most appropriate use of land throughout the Township.

(Ord. 160, 4/6/1977)

**§27-102. Relationship to the Comprehensive Plan.**

This Chapter is adopted to promote an orderly plan of development according to the Township Comprehensive Plan, including data on existing conditions, statements concerning the proposed plan and evaluation of implementation techniques, and with reasonable consideration, among other things, of the existing character of the various areas within the Township and their respective suitability to particular land uses.

(Ord. 160, 4/6/1977)

**§27-103. Interpretation.**

In the interpretation and application of this Chapter, the provisions thereof shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Where the provisions of this Chapter impose greater restrictions than those of any other ordinance or regulation, the provisions of this Chapter shall be

controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, ordinance or regulation shall be controlling.

(*Ord. 160, 4/6/1977*)

**§27-104. Establishment of Zoning Districts.**

The following zoning districts are hereby created:

AR	Agricultural-Residential District
EP	Environmental Protection District [ <i>Ord. 272</i> ]
CR	Country Residential District [ <i>Ord. 307</i> ]
R-1	Single-Family District
R-2	Single-Family District
R-3	Multi-family District
R-5	Mobile Home Park District
C-2	General Commercial/Office District
C-3	Planned Commercial District
PO	Professional Office District [ <i>Ord. 241</i> ]
I-1	Planned Industrial/Office District
IP	Institutional/Public District
REC	Recreation District [ <i>Ord. 343</i> ]
FP	Floodplain and Flood Hazard District

(*Ord. 160, 4/6/1977; as amended by Ord. 177, 8/1/1979; by Ord. 210, 5/9/1984; by Ord. 241, 9/24/1986; by Ord. 272, 5/11/1988; by Ord. 307, 6/13/1990; by Ord. 343, 12/11/1991; and by Ord. 346, 2/26/1992*)

**§27-105. Zoning Maps.**

The boundaries of districts shall be as shown on the map attached to and made a part of this Chapter, which map shall be known as the “Zoning District Map of Northampton Township.” Said map or subsequent revisions and all notations, references and data shown thereon are hereby incorporated by reference into this Chapter and shall be as much a part of this Chapter as if all were fully described herein.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; and by Ord. 441, 12/9/1998*)

**§27-106. Interpretation of District Boundaries.**

Where uncertainty exists with respect to the boundaries of a zoning district as indicated on the Zoning Map, the following rules shall apply:

A. Where district boundaries are indicated as approximately coinciding with the center lines of streets, highways, railroad rights-of-way or streams, such center lines shall be construed to be such boundaries.

B. Where district boundaries are so indicated that they approximately coincide with lot lines, they shall be construed to be said boundaries; or where district boundaries are extensions of lot lines or connect the intersections of lot lines, such lines shall be said district boundaries.

C. Where district boundaries are so indicated that they are approximately parallel to center lines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map.

D. Where district boundaries divide a lot, the location of such boundaries shall be determined by the use of the scale shown on the Zoning Map unless the boundaries are indicated by dimensions.

(*Ord. 160, 4/6/1977; as amended by Ord. 441, 12/9/1998*)

**§27-107. Federal, State, County or Municipally Owned Property.**

Wherever Federal-, State- or County-owned property is included in one or more zoning districts, it shall be subject to the provisions of this Chapter only insofar as is permitted by the Constitution and laws of the United States of America and of the Commonwealth of Pennsylvania.

(*Ord. 160, 4/6/1977; as amended by Ord. 289, 5/10/1989*)



**Part 2****Definitions****§27-201. Definitions and General Terminology.**

1. *Captions.* The captions used in this Chapter are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Chapter.

2. Whenever a defined term is used, whether with initial capitalization or not, it shall be deemed to be used as defined in this Chapter.

3. *Word Usage.* As used in this Chapter, the present tense includes the future; the singular number includes the plural, and the plural, the singular; the masculine gender includes the feminine and neuter; the word “used” includes the words “designed, arranged or intended to be used”; the word “person” includes any individual or group of individuals, partnership, firm, association, corporation or organization; the word “occupied” includes the words “designed or intended to be occupied”; and the word “shall” is always mandatory. The word “Township” means Northampton Township, Bucks County, Pennsylvania; the term “Board of Supervisors” means the Board of Supervisors of said Township; the term “Zoning Hearing Board” means the Zoning Hearing Board of said Township.

4. *Definitions.* Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Chapter to have the meanings indicated in this Part:

*Accessible parking space*—a space with a surface slope not exceeding 1 to 50 (2 percent) in all directions, not less than 8 feet wide and not less than 18½ feet long, with an adjacent access aisle not less than 5 feet wide which is part of an accessible route of travel to a building or facility entrance. [Ord. 413]

*Accessible route*—a continuous, unobstructed path connecting all exterior accessible elements and spaces of a building or facility, including parking access aisles, curb ramps, crosswalks or vehicle ways, walks, ramps and lifts. [Ord. 413]

*Accessory building or structure*—a subordinate building or structure to the principal building on a lot which is customarily incidental to the principal building and utilized as an accessory use on the lot occupied by the principal building. [Ord. 522]

*Accessory use*—a subordinate use of a portion of a lot which is customarily incidental to the main or principal use of land or of the building or structure on a lot. [Ord. 522]

*Active open space* (see also “open space”)—includes areas devoted to planned recreation uses such as ballfields, basketball courts, tennis courts, swim clubs, playgrounds, tot lots, etc., which are provided for active recreational activity. Such spaces shall be designed to be used by the various segments of the community, be located conveniently and designed to be safely used.

*Adult uses*—

(1) *Adult commercial store, establishment or shop*—any establishment having as a substantial or significant portion of its stock-in-trade obscene

matter for publication, display or exhibition or for sale, distribution, rental or viewing on premises by use of motion-picture devices or any other coin-operated means, or any establishment with a segment or section thereof devoted to the publication, display, exhibition, sale, rental, distribution or viewing on premises of obscene matter, to which access is limited to persons 18 years of age or older.

(2) *Adult entertainment cabaret*—a public or private establishment which is licensed to serve food and/or alcoholic beverages, which features live sex, topless dancers, strippers, male or female impersonators or similar entertainers, or a similar establishment, to which access is limited to persons 18 years of age or older.

(3) *Adult movie house*—an enclosed building used regularly and routinely for presenting, displaying or exhibiting obscene matter for observation by patrons therein, or a similar establishment, to which access is limited to persons 18 years of age or older.

(4) *Other adult use*—any business, activity or use similar to or of the same general nature as the uses listed above.

[Ord. 262]

*Agriculture or agricultural*—the cultivation of the soil and the raising and harvesting of the products of the soil, including but not limited to nursery, horticulture, forestry and animal husbandry in accordance with the rights and privileges established by the Commonwealth of Pennsylvania. [Ord. 523]

*Alterations*—see “structural alterations.”

*Antenna*—any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include tower-based wireless communications facilities defined below. [Ord. 565]

*Applicant*—a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

*Basement*—any story or level of a building having its floor below ground level on all sides. [Ord. 450]

*Block*—an area of land divided into lots and bounded by three or more streets.

*Boardinghouse*—a building or portion thereof containing not more than one dwelling unit, if any, where meals and lodging are provided for persons not residing in the dwelling unit. [Ord. 339]

*Buffer area*—a strip of land, a mound or berm planted and maintained in shrubs, bushes, trees, grass or other ground cover material within which no structure or building shall be authorized except a wall or fence which meets Township requirements as contained in this Chapter.

*Building*—any structure having enclosing walls and roof and permanently located on the land.

(1) *Principal building*—the main building on a lot or any building that is not an accessory building.

(2) *Accessory building*—see “accessory building.”



(3) *Building setback line*—a line parallel to the lot line a distance measured perpendicular therefrom as prescribed by this Chapter for a required yard.

(4) *Building coverage*—that percentage of the plot or lot area that can be covered by buildings and/or structures, with the exception of the following: parking areas, driveways, roads, sidewalks, swimming pools, and any areas in concrete or asphalt that are constructed on grade. [Ord. 210]

(5) *Building area*—the area of a lot within the building lines, bounded by the required front, side and rear yards.

*Building site or lot*—a single parcel of land occupied or intended to be occupied by a building or structure; a “building site” shall be synonymous with lot or parcel of land. Under certain provisions of this Chapter, a building site can be considered to contain more than one building or structure depending upon ownership and tract development.

*Cartway or pavement*—the improved portion or paved portion of a street or highway, located between the right-of-way lines and generally used for vehicles.

*Clear sight triangle*—an area of unobstructed vision at intersections defined by lines of sight between points at a given distance from the intersection of street center lines.

*Club*—a voluntary, nonprofit incorporated or unincorporated association or an organization or association of persons who meet or live together for a purpose of a social, literary, scientific or political nature or some other common object, such as the pursuit of good fellowship. [Ord. 339]

*Cluster-designed subdivision*—a method of developing land for residential use utilizing certain performance standards including, but not limited to, provision for an open space ratio, density, impervious surface ratio and other standards as set forth in this Chapter, in addition to certain dimensional requirements as set forth in this Chapter. “Cluster-designed subdivisions” allow the grouping or clustering of dwelling units, permitting more flexible designs. The subdivision as a whole must meet all prescribed standards for open space, density, impervious surfaces and other requirements of this Chapter and the Township Subdivision and Land Development Ordinance [Chapter 22].

*Co-location*—the mounting of one or more WCFs, including antennae, on an existing tower-based WCF or utility or light pole. [Ord. 565]

*Commercial vehicle*—any means of conveyance as defined as such in the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §102, as amended: bus, combination, farm vehicle, limousine, semitrailer, special mobile equipment, taxi, trailer, truck and wrecker. Commercial vehicles are classified as follows:

(1) *Type I*. Commercial vehicles that are 25 feet in length or less, possess a registered gross vehicle weight rating of 14,000 pounds or less and have two axles or fewer. Trailers having a registered gross vehicle weight rating of 10,000 pounds or less also shall be considered Type I commercial vehicles.

(2) *Type II*. Commercial vehicles that are greater than 25 feet in length, exceed a registered gross vehicle weight rating of 14,000 pounds or have more than two axles. A trailer having a registered gross vehicle weight rating of more than 10,000 pounds shall be included in this classification.

[Ord. 405]

*Comprehensive Plan*—the Comprehensive Plan of 1976 for the Township, prepared in accordance with the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

*Conditional use*—a use permitted in a particular zoning district by the Board of Supervisors, subject to specific standards and criteria established in Part 9 of this Chapter and pursuant to the provisions of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.* [Ord. 295]

*Cut*—an excavation; the difference in vertical elevation between a point on the surface of original ground and a point on the final grade; the material removed in excavation.

*Day camp*—a facility used for vacationers and/or children with organized and supervised recreational facilities such as swimming, horseback riding, etc., with no boarding of patrons. [Ord. 210]

*Deck*—a flat roofless platform used for recreational purposes, resembling the flooring of a ship, constructed of wood or similar materials, that adjoins a building; sometimes referred to as a “sun deck.” [Ord. 298]

*Density*—a measure of the intensity of use of a parcel of land. It shall be expressed in dwelling units per acre. The measure is arrived at by dividing the number of dwelling units by the net site area.

*Developer*—any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

*Development*—any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations, the subdivision of land and the storage of materials or equipment. [Ord. 450]

*Disturbance of vegetative ground cover*—the removal, destruction or damaging of plants, including trees, grasses, shrubs and flowers, by methods including, but not limited to, cutting, grading, filling, bulldozing, plowing, regrading, digging or widespread use of herbicides.

*Distributed antenna systems (DAS)*—network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure. [Ord. 565]

*Drainage facility*—any ditch, gutter, pipe, culvert, swale, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from, or carrying surface waters off, streets, public rights-of-way, parks, recreational areas or any part of any subdivision, land area or contiguous land area.

*Driveway*—an improved surface for vehicular access to a lot or parcel of land.

*Dwelling*—any building or portion thereof which is designed for and occupied in whole or in part as a residence for one or more persons. It shall not be deemed to include hotels, boarding or rooming houses, tourist homes, institutional homes, residential clubs, motor courts and the like.

(1) *Apartment*—a multiple dwelling with separate or common outside access contained in a building having no less than three or more than 20 dwelling units.

(2) *Atrium house*—a single-family attached dwelling with two or more of the building walls set on the side and rear lot lines and with walls set on the remaining side and rear lot lines to form a private outdoor enclosure.

(3) *Duplex*—a detached building containing two dwelling units, one above the other, each having a separate entrance.

(4) *Multiple dwelling*—any building designed or occupied for dwelling purposes by three or more families, without regard to the proprietorship of the building or the lot containing the building.

(5) *Multiplex*—a multiple dwelling within a building having yards on all sides and containing three to six dwelling units, with each dwelling unit being located upon and having separate outside access at ground level, with no building exceeding two stories.

(6) *Patio house*—a single-family detached or semidetached dwelling with one of the building walls set on one of the side lot lines and with additional walls or fences set on the remaining side and rear lot lines to form a private outdoor enclosure.

(7) *Single-family attached dwelling*—a single-family dwelling attached, side by side, by an unpierced party wall to another such dwelling and having separate outside access at ground level.

(8) *Single-family detached dwelling*—a single-family dwelling on an individual lot, having no party walls.

(9) *Single-family dwelling*—a building designed for and occupied exclusively as a dwelling for one family.

(10) *Single-family semidetached dwelling*—a single-family dwelling containing two dwelling units, each with separate outside access.

(11) *Townhouse*—a single-family attached or semidetached dwelling within a multiple dwelling building, with only one dwelling unit from ground to roof and no more than two walls of each dwelling unit in common with other such dwelling units.

(12) *Twin house*—a single-family semidetached dwelling within a two-family dwelling building, with only one wall in common.

(13) *Two-family dwelling*—a building designed for and occupied exclusively as a dwelling for two families.

(14) *Zero lot line house*—a single-family detached dwelling which has a wall, located on or along a side lot line, containing neither doors nor windows.

(15) *Senior citizen cottage*—a zero lot line dwelling with a height not to exceed 25 feet and which may include no more than 500 square feet of floor area within its second story and with no restrictions on the placement and/or location of doors or windows along the outside walls. [Ord. 473]

[Ord. 309]

*Dwelling unit*—any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or are intended

for living, sleeping, cooking or eating by one family.

*Easement*—a right-of-way granted for the use of private land for a public or private purpose.

*Emergency*—a condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided. [Ord. 565]

*Engineer*—a registered professional engineer licensed as such by the Commonwealth of Pennsylvania.

*Family*—a single person occupying a dwelling unit and maintaining a household; two or more persons related by blood or marriage or adoption occupying a dwelling unit, living together and maintaining a common household; or two or more persons who need not be so related, who are living together in a single household. A roomer, boarder or lodger shall not be considered a member of the family. [Ord. 564]

*Farm or agricultural retail sales*—the sale of farm products, produce, meat products, seed and similar farm production items within the Agricultural-Residential (A-R) Zoning District, provided that the following conditions apply: it is an accessory use to an existing farm or agricultural use; it is operated and maintained by the owners of the property; it has been approved as part of a conditional use application or it is has been classified as a preexisting nonconforming use; and it meets the general criteria specified under §27-302.B(1) of this Chapter. [Ord. 523]

*Farm or farm unit*—a tract or parcel of ground not less than 5 acres in size which is used for agriculture, tilling of the soil, raising of livestock, horses or poultry, for landscape nursery stock, tree farms and similar traditional farming operations.

*Farm stand*—a roadside display area utilized for farm or agricultural sales, which may include the sale of farm products, produce, meat products, seed and similar farm production items. All such facilities shall be typically utilized as a temporary or portable structure, which shall be operated and maintained by the owners of the property. [Ord. 523]

*FCC*—Federal Communications Commission. [Ord. 565]

*Fence*—a barrier constructed of materials other than shrubbery and erected for the purpose of protection, confinement, enclosure or privacy.

*Fill*—any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; the material used to make a fill.

*Floodplain or Flood Hazard Area (or District)*—that land within Northampton Township adjoining any stream or adjoining any pond or lake adopted and/or designated by the Northampton Township Board of Supervisors as derived from:

(1) The Flood Insurance Rate Map (FIRM), Township of Northampton, Pennsylvania, prepared by the Federal Insurance Administration of the

Federal Emergency Management Agency (FEMA), effective April 2, 2002, and any subsequent revisions.

(2) Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002.

(3) The Builders Association Floodplain Analysis as approved by FEMA.

[Ord. 500]

*Floodplain soil*—soil in a current floodplain that has a flooding occurrence greater than none. Floodplain soils shall be the following soils so classified by the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service; in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District dated September 2002:

- (1) Bowmansville-Knauers silt loam (Bo).
- (2) Delaware loam (DaA, DaB).
- (3) Fluvaquents (Fl).
- (4) Hatboro silt loam (Ha).
- (5) Holly silt loam (Ho).
- (6) Linden loam (Lt).
- (7) Nanticoke-Hatboro silt loam (Na).
- (8) Psamments (Ps).
- (9) Rowland silt loam (Ro).
- (10) Urban land, occasionally flooded (Ufw).
- (11) Urban land, Delaware complex (UIB).

[Ord. 500]

*Floodproofing*—any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduces or eliminates flood damage to lands, water and sanitary facilities, structures and contents of buildings. (Refer also to Floodproofing Regulations, United States Army Corps of Engineers (EP 1165 12-31) 1972.)

*Floor area*—the sum of the area(s) of a floor or the several floors of the building or structure, including areas used for human occupancy or use, basements and attics, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, attics not used for human occupancy or any floor space in an accessory building or in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this Chapter or any such floor space intended and designed for accessory heating and ventilating equipment.

*Floor area ratio*—determined by dividing the floor area(s) of a building by the building area and expressed as a decimal.

*Forest*—areas, groves or stands of 10 or more largely mature trees with a continuous canopy and covering an area of  $\frac{3}{4}$  of 1 acre or larger. Mature trees are those which are greater than 6 inches caliper, except for dogwoods and other small species which shall be considered mature when the caliper is 2 inches or more. The forest area shall be measured from the dripline of the outer trees and shall encompass the associated intermediate layers in these areas, including the understory shrubs and smaller trees, the ground layer of herbaceous plants and the forest floor. [Ord. 438]

*Forestry*—the clearing, cutting or harvesting of timber resources within forested or wooded areas, including commercial logging operations, and coordinated with a reforestation program. Forestry does not include authorized clearing in accordance with plans approved pursuant to this Chapter, the issuance of a building permit nor removal of sick or dead trees. [Ord. 438]

*Fraternity or sorority house*—a building or portion thereof containing not more than one dwelling unit, if any, where lodging is provided, with or without meals, for a student organization formed chiefly for social purposes having secret rites and a name consisting of Greek letters. [Ord. 339]

*Garage, nonresidential*—an attached or detached building or structure designed and intended for the storage or parking of vehicles or for the storage of equipment, machinery, boats, airplanes and/or other accessory components of the principal nonresidential use. [Ord. 522]

*Garage, residential*—an attached or detached building or structure for the storage or parking of vehicles or for the storage of equipment, machinery, boats and/or other accessory components of the principal residential use. [Ord. 522]

*Grade, existing*—the average grade of the ground surface prior to any disturbing of the soil.

*Grade, final*—the resulting fixed level of the finished plane of ground along any building facade or structure, habitable or otherwise. The average final grade is determined by the average finished ground level abutting the building or structure at all exterior walls. When the finished ground level slopes away from the exterior walls, the average final grade shall be established by the lowest points within the area between the building or structure and the perimeter line 6 feet from the building or structure. [Ord. 297]

*Guesthouse (bed-and-breakfast)*—a detached dwelling where, in addition to its use as a single-family residence, its use is permitted for the accommodation of transient guests. Guests are provided with a room with sleeping accommodations and may be provided with breakfast. Such an establishment is not a motel, motor hotel or rooming house as enumerated in §27-502.2.B(3) of this Chapter. [Ord. 289]

*Height of building*—the vertical distance from the average final grade to the top of the highest roof beams of a flat roof or the mean level of the highest gable or slope of a hip roof on a building. Any additional nonhabitable structure placed, constructed or erected on top of a building or attached thereto shall be subject to the height of structure limitation of this Chapter. Farm silos, farm grain elevators, church spires, chimneys, skylights, air-treatment or similar equipment, elevator shafts, belfries and cupolas are not subject to the height limitations of a building, but shall be subject to the height limitations of a structure. [Ord. 297]

*Height of structure*—freestanding or otherwise, shall be measured from the lowest, final exterior grade immediately abutting said structure to the highest vertical point of said structure. [Ord. 210]

*Heliport*—any landing area used exclusively for the takeoff and landing, storage, maintenance and general operation of rotary-winged aircraft, but excluding all fixed-wing aircraft and all lightweight aircraft, such as ultralights. A heliport is permitted only when approved as a conditional use within the I-1 Planned Industrial/Office District. [Ord. 221]

*Historic structure*—any structure that is:

(1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

(3) Individually listed on the Commonwealth of Pennsylvania inventory of historic places, pursuant to an historic preservation program which has been approved by the Secretary of the Interior.

(4) Individually listed on the Township of Northampton inventory of historic places, pursuant to an historic preservation program which has been certified by either:

(a) An approved program of the Commonwealth of Pennsylvania as determined by the Secretary of the Interior.

(b) The Secretary of the Interior directly.

[Ord. 450]

*Home occupation*—an occupation conducted within a room or rooms of a single family detached dwelling which is clearly secondary and customarily incidental to the residential use. Such occupation shall be limited to attorneys, accountants, architects, engineers, physicians, psychologists, psychiatrists, dentists, teachers, artists, musicians, telephone calling services, residential day-care home. [Ord. 534]

*House trailer*—a vehicle designed for human habitation, not equipped with running water or bath facilities or flush toilet or appropriate sanitary connections.

*Impervious surface*—a surface that does not absorb rain. All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces. The surface area of pools shall not be considered for the purpose of impervious surface calculation. [Ord. 210]

*Impervious surface ratio*—a measure of the intensity of use of a parcel of land. It is measured by dividing the total area of all impervious surfaces within the site by the net site area.

*Improvement*—those physical additions, installations and changes required, such as streets, curbs, sidewalks, parking areas, water mains, streetlights, sewers,

drainage facilities, public utilities, recreational areas and any other physical changes deemed appropriate by the Township, to render land suitable for the use proposed.

*Junkyard*—an area of land, less than 5 acres, with or without buildings, used for the storage outside of a completely enclosed building of used, salvaged or discarded materials, house furnishings, machinery, vehicles or parts thereof, with or without dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage of two or more motor vehicles not having valid inspection stickers issued by the Pennsylvania Department of Transportation or of two or more wrecked or broken vehicles or the major parts of two or more such vehicles shall be deemed to make the lot a junkyard. [Ord. 210]

*Lakes and ponds*—natural or artificial bodies of water  $\frac{1}{4}$  acre or larger which retain water year-round. Artificial ponds may be created by dams or result from excavation. The shoreline of such water bodies shall be measured from the spillway crest elevation, rather than permanent pool, if there is any difference. [Ord. 438]

*Land development*—any of the following activities:

(1) The improvement of one or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure. Said group shall not include the addition of a residential accessory building or a farm building on a lot or lots subordinate to an existing principal building.

(b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

[Ord. 371]

*Landowner*—the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in land.

*Livestock*—one or more animals commonly raised on farms in this area, such as horses, fowl, poultry, fur-bearing animals, cows, steers, sheep, goats and pigs and grazing animals. “Grazing animals” shall include animals such as buffalo, llamas and camels. [Ord. 210]

*Lot*—any tract or parcel of land held in single or separate ownership which is or may be occupied by a main building or buildings and its accessory uses or buildings, if any, together with the open space required by this Chapter. No part of a lot which is also a part of any public or private street, or public or private street right-of-way, shall be included in determining the area of the lot. A lot, for the purpose of this Chapter, may or may not coincide with the lot of record. For any permanent flag lot, as defined herein, the access strip of flag stem connecting the



main portion of the lot with any public or private street or right-of-way shall not be included in determining the area of the lot.

(1) *Corner lot*—a lot abutting upon two or more streets at their points of intersection or a lot with two or more connected sides which abut upon a street or streets, the interior angle being not more than 135 degrees. In all districts, for all uses, including cluster-designed subdivisions, corner lots shall have full front building setback lines from both streets and shall not be less than 120 feet along any building setback line.

(2) *Interior lot*—a lot with side lines which do not abut a street.

(3) *Flag lot*—an interior, unconventional lot for a single-family detached dwelling which has direct access to a public or private street by way of a minimum thirty-foot-wide simple access strip. No part of the flag stem or access strip shall be included in determining the area of the flag lot. No building or structure shall be permitted in any portion of the flag stem or access strip. The front building setback line of the required front line shall be measured only from the interior front line and not from the street line or right-of-way line. A flag stem or access strip providing access to a flag lot may not exceed 300 feet in length as measured from the street right-of-way to the interior front lot line.

[Ord. 237]

*Lot area*—the area contained within the property lines within the individual parcels of land shown on a subdivision plan or required by this Chapter, excluding any area required as open space under this Chapter and including the area of any easements. No portion of a flag lot stem or access strip shall be included in determining the area of any flag lot or such type of a lot as permanent. “Lot area” shall not include any area designated as right-of-way. (See definition of “flag lot.”) [Ord. 565]

*Lot area average*—the average lot area for all lots within a cluster subdivision, determined by dividing the aggregate lot areas by the total number of proposed dwelling units. (See definition of “flag lot.”) [Ord. 237]

*Lot area per dwelling unit*—the quotient obtained by dividing the total lot area by the total number of dwelling units to be located on such lot; it shall be calculated to the nearest whole number. [Ord. 237]

*Lot, buildable area of*—the portion of a lot bounded by required yards as set forth in Figure 27-2-1 of this Part. [Ord. 237]

*Lot depth*—the horizontal distance between the front lot line and the rear lot line, measured along the median of the side lot lines. [Ord. 237]

*Lot line, front*—the line abutting the street; in the case of lots abutting more than one street in any of residential districts only, dwellings shall front the minor or lesser street. Before a lot can be considered to abut a street, it must have at least 30 feet of frontage on said street as set forth in Figure 27-2-1 of this Part. The front lot line for a flag lot shall be the interior front lot line and not the street line. [Ord. 237]

*Lot line, rear*—a lot line which is opposite and most distant from the front lot line or, in the case of irregular or triangular lots, a line at least 20 feet in length

within the lot, parallel to and at the maximum distance from the front lot line. [Ord. 237]

*Lot line, side*—any lot boundary line not a front lot line or a rear lot line. [Ord. 237]

*Lot (multi-road frontage)*—for a lot which has three or more road frontages, two frontages will be considered front yards for the purposes of setback calculations, and additional frontages will be calculated as specified in the definition for “lot, reverse frontage,” below. [Ord. 237]

*Lot, reverse frontage*—any lot in which both the front lot line and rear lot line abut upon streets or State highways; a through lot. In any such case, the rear building line shall be established 75 feet from the center line of the roadway and parallel to that center line. [Ord. 237]

*Lot width*—the horizontal distance between side lot lines as set forth in Figure 27-2-1 of this Part. [Ord. 237]

*Lowest floor*—the lowest floor of the lowest fully enclosed area (including basement). An unfinished flood-resistant partially enclosed area used solely for parking of vehicles, building access and incidental storage in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this Chapter. [Ord. 450]

*Major subdivision*—see “subdivision.”

*Matter*—any book, magazine, pamphlet, newspaper, story paper, comic book or other printed or written material or any picture, drawing, photograph, film, slide, movie, motion picture, videocassette or other visual representation, image or pictorial representation, or any statue or other figure, or any record, cassette tape, reel-to-reel tape or compact disc, or any recording, transcription or mechanical, chemical or electrical reproduction, or any other articles, paraphernalia, equipment, machines or materials. [Ord. 262]

*Minor subdivision*—the division of a single lot, tract or parcel of land into two lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development, provided that the proposed lots, tracts or parcels of land thereby created have frontage on an improved public street or streets; and, provided further, that there is not created by the subdivision any new street or streets, the need for required improvements, easements of access or the need therefor.

*Mixed dwelling development*—a subdivision or land development in which mixed residential dwelling types are encouraged in order to promote sound land planning and to provide a mixture of housing choices. [Ord. 309]

*Mobile home*—a transportable, single-family dwelling, intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which has been approved and certified at the factory by the International Code Council, which arrives at a site complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. For floodplain management purposes, the term includes park trailers, travel trailers, recreational vehicles and other vehicles

which are placed on a site for more than 180 consecutive days. [Ord. 561]

*Mobile home lot*—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home dwelling. [Ord. 295]

*Mobile home park*—a parcel or contiguous parcels of land which have been so designated and improved that they contain two or more mobile home lots for the placement thereon of mobile homes. [Ord. 295]

*Monopole*—a WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennae and connecting appurtenances. [Ord. 565]

*Municipal use*—municipal Township buildings, recreation buildings, municipal use by the Township of Northampton and the Northampton, Bucks County, Municipal Authority including, but not limited to, retention basins, water and sewer systems, including wells, pump houses, standpipes, treatment plants and ancillary structures.

*Net site area*—see “site area, net.”

*No-impact home-based business*—a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling of inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25 percent of the habitable floor area.
- (8) The business may not involve any illegal activity.

[Ord. 488]

*Nonconforming structure*—a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Chapter or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior

to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs. [Ord. 295]

*Nonconforming use*—a use of land or a structure which does not comply with the applicable use provisions of this Chapter or any amendment to such Chapter hereafter enacted, where such use was in lawful existence prior to the adoption of this Chapter.

*Non-tower wireless communications facility (non-tower WCF)*—all non-tower wireless communications facilities, including, but not limited to, antennae and related equipment. Non-tower WCF shall not include support structures for antennae and related equipment. [Ord. 565]

*Obscene matter*—any matter:

(1) Which the average person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interests.

(2) Which explicitly depicts or describes patently offensive representations or descriptions of:

(a) Ultimate sexual acts, normal or perverted, actual or simulated.

(b) Masturbation, fellatio, cunnilingus, bestiality, excretory functions or lewd exhibition of the genitals or genital area.

(c) Violent or destructive sexual acts including, but not limited to, human or animal mutilation, dismemberment, rape or torture.

(3) Which, when considered as a whole, lacks serious literary, artistic, political, educational or scientific value.

[Ord. 262]

*One-hundred-year recurrence or intermediate regional flood (as defined by United States Army Corps of Engineers)*—a flood with an average occurrence in the order of once in 100 years although the flood may occur in any year. It is based on statistical analyses of stream flow records available for the watershed and analyses of rainfall and runoff characteristics in the general region of the watershed.

*Open space*—a contiguous area of land, containing at least 2 acres, used for recreation, resource protection, amenities or buffers, which is freely accessible to all residents of a particular development or subdivision or, if dedicated, is accessible to the public, as protected by the provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22], to ensure that it remains in such uses and is protected from future development. Such open space may include improvements and impervious surface coverage to the extent that such is an element of the particular open space use and serves a related function, whether as parking, tennis courts or service roads. “Open space” does not include.

(1) Nonrecreational structures, streets or street rights-of-way.

(2) Improvements or impervious surface coverage except where such specifically serves the open space used as noted.

(3) The required yards, minimum separation distances between buildings or lots of dwelling units.

(4) No more than 10 percent of the area to be used for permanent erosion,

sedimentation control and stormwater management facilities.

[Ord. 438]

*Open space ratio*—a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the site area.

*Parking*—the temporary storage of a vehicle for a continuous period of time not exceeding 72 hours. Continuity of a single period shall not be considered broken or terminated unless the vehicle shall have been removed from a lot for a period of at least 24 consecutive hours. [Ord. 340]

*Party wall*—a fire wall used or adopted for joint service between two buildings or portions thereof. [Ord. 298]

*Passive open space*—includes all open space used as buffers, parks, picnic areas, conserved woodlands, open areas or stream valley, lakes, ponds, bicycle, hiking or nature trails and areas, and site area not devoted to planned recreation, subject to the exclusions contained in the definition of “open space.” Required yard areas for any use shall not be counted as passive open space.

*Patio*—a recreation area that adjoins a building which is often paved and especially adapted for outdoor dining [Ord. 298]

*Persons*—individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided, that “person” does not include or apply to the Township or to any department or agency of the Township. [Ord. 565]

*Plan or plans*—refer to Northampton Township Subdivision and Land Development Ordinance [Chapter 22] for description of plans, including sketch, preliminary, final and record plans.

*Preserved area*—land used for one or more of the following uses in the Agricultural-Residential District:

(1) Agriculture, including tilling of the soil, raising of livestock, horses or poultry, nursery and/or tree farm.

(2) Commercial greenhouses, mushroom houses, feed lots, confinement of livestock or poultry operations taking place in structures or enclosed pens, riding academies, livery or boarding stables or kennels, subject to the limitations of the Code of Northampton Township, and provided that such uses are situated not less than 200 feet from any street line or property line.

(3) Farm and/or agricultural retail sales at roadside stands, subject to the limitations of the Code of Northampton Township.

(4) Single-family detached dwelling for the sole use of the property owner, immediate family members of the property owner and persons engaged in agricultural employment on the property. Immediate family members shall be limited to parents, grandparents, siblings, sons, daughters, grandsons and granddaughters, subject to the limitations of the Code of Northampton Township.

(5) Passive or active recreation; provided, however, that any form of active recreational use shall be on a nonprofit basis unless said preserved area is

dedicated to Northampton Township.

[Ord. 265]

*Prurient interest*—that which appeals to a shameful or morbid interest in sex.

[Ord. 262]

*Public*—of or pertaining to any building, structure, use or activity belonging to or affecting any duly authorized governmental body.

*Public notice*—a notice published once each week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of hearing. [Ord. 295]

*Quasi-public*—churches, Sunday schools, parsonages and other related functions, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.

*Recreational vehicle*—a licensed vehicular unit primarily designed as temporary living quarters for recreational, camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle including a camping trailer, travel trailer, house trailer, slid-in camper and motor home. House cars with a length of less than 20 feet shall not be included within this definition. [Ord. 340]

*Residential day-care home*—a facility licensed by the Commonwealth of Pennsylvania in which care is provided for one or more children at any one time where the child-care areas are being used as a family residence. [Ord. 189]

*Restaurant*—a place of business wherein food is prepared, processed and consumed within a structure on the premises or where food products sold within said structure are to be taken from the premises for consumption elsewhere.

*Right-of-way or ROW*—the surface of and space above and below any real property in the Township in which the Township or Commonwealth has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township or Commonwealth, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes, but excluding lands other than streets that are owned by the Township or Commonwealth. The phrase “in the right(s)-of-way” and means in, on, over, along, above and/or under the right(s)-of-way. [Ord. 565]

*Rooming house*—a building or portion thereof containing not more than one dwelling unit, if any, where lodging is provided without meals for persons not residing in the dwelling unit. [Ord. 339]

*Sanitary sewage disposal, public*—a sanitary sewage collection system managed and operated by a public authority in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

*School, private*—a privately administered institution or school whose curriculum is licensed and/or approved by the Pennsylvania Department of Education. [Ord. 210]

*School, public*—a school maintained at public expense for the education of the general citizenry of the community or district as part of the system of public education. [Ord. 210]

*Senior citizen housing*—a multiple dwelling containing units designed for independent living and occupied by families with one or more individuals who shall be at least 55 years of age. This use shall not include a convalescent or nursing home. [Ord. 370]

*Shallow bedrock*—areas where existing public records or field surveys indicate bedrock at depths of 4 feet or less below natural grade.

*Shopping center*—a group of five or more commercial establishments with an aggregate of more than 10,000 square feet of floor area that is planned, managed and operated as a single property with on-site parking. Not less than 60 percent of the total floor area shall be used for retail stores and outlets, general merchandise stores and personal service uses. [Ord. 497]

*Site*—a parcel or parcels of land being considered or to be considered for subdivision or land development purposes or for purposes of zoning, upon which one or more buildings are intended.

*Site area*—all land area within the site as defined in the deed or deeds. Actual area shall be from a survey rather than from a deed description. Site area shall not include any previously dedicated public right-of-way.

*Site area, net*—the site area less the area of any existing streets. [Ord. 438]

*Slope*—the face of an embankment, fill or cut section; any ground surface which makes an angle with the plane of the horizon. Slope is expressed as a percentage, based upon the vertical difference in feet per 100 feet of horizontal distance.

*Space between buildings*—the shortest distance between two buildings regardless of orientation, unless otherwise defined as to orientation in the regulations for specific types of structures.

*Special event*—any gathering of people, held outdoors or in a temporary building or structure; conducted by a person or other recognized legal entity for common or collective use, amusement or benefit; including, but not limited to, a carnival, sideshow, fair, flea market, exhibition, traveling show, parade, fireworks display, lecture, religious ceremony or similar educational, recreational or sporting event. The following uses and activities shall not be included under this definition:

- (1) Noncommercial recreational uses or events customarily incidental and subordinate to a permitted use, such as intramural or interscholastic sports at a school.
- (2) Garage or yard sales, or similar commercial activities for private gain.
- (3) Private social functions not exceeding 500 persons.
- (4) Activities otherwise protected under the Constitution of the United States.

[Ord. 341]

*Special exception*—see Part 14.

*Standard project flood (as defined by United States Army Corps of Engineers)*—the flood that may be expected from the most severe combination of

meteorological and hydrological conditions that are considered reasonably characteristic of the geographical area in which the drainage basin is located, excluding extremely rare combinations. Peak discharges for these floods are generally about 40 percent to 60 percent of the probable maximum floods for the same basins. As used by the Corps of Engineers, standard project floods are intended as practicable expressions of the degree of protection that should be sought in the design of flood control works, the failure of which might be disastrous.

*Stealth technology*—camouflaging methods applied to wireless communications towers, antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, flag poles and light poles. [Ord. 565]

*Steep slopes*—areas where the average ground slope exceeds 15 percent and which, because of this slope, are subject to high rates of stormwater runoff and therefore erosion.

*Storage*—the placement of a vehicle or other item on a lot for a continuous period of time exceeding 72 hours. [Ord. 340]

*Storm drainage*—see “drainage facility.”

*Street*—a public or private right-of-way, deeded or dedicated for public use, 50 feet or more in width, which provides a means of access for vehicles or pedestrians. The term street shall include “road,” “highway” and “thoroughfare.” Existing streets of less than 50 feet in width which existed prior to this Chapter shall be recognized as a legal street.

(1) *Street, major*—one of two streets on which the majority of existing buildings or existing dwellings front, designed to carry a greater amount of vehicular traffic than the other street.

(2) *Street, minor*—one of two streets on which the minority of existing buildings or existing dwellings front, designed to carry the lesser amount of vehicular traffic than the other street.

(3) *Street, major arterial*—a street or route specifically designed to accommodate high traffic flow and generally carrying a high percentage of through traffic.

(4) *Street, major collector*—a street or route which serves as a connecting facility usually between two major arterial routes and having two or more moving lanes.

(5) *Street, local minor collector*—a street which serves the function of moving locally generated traffic from the interiors of neighborhood areas to the major collector streets and arterial streets.

(6) *Street, residential*—a street designed to serve individual residential parcels and not generally carrying through traffic.

*Structural alterations*—any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls. (See Township Building Code [Chapter



5, Part 1].)

*Structure*—anything built, constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

*Structure, decorative*—a structure not regulated herein and not intended for human occupancy or use, not to be placed in the right-of-way or in easements; decorative structure shall include birdbaths, trellises, doghouses; driveway markers or property markers, not in excess of 10 feet in length in any one direction, nor higher than 5 feet. [Ord. 210]

*Subdivision*—

(1) *Major*—the division of a lot, tract or parcel of land or part thereof into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. A two-lot subdivision is a major subdivision when it does not meet the stipulations of a minor subdivision.

(2) *Minor*—the division of a single lot, tract or parcel of land or part thereof into two lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the proposed lots, tracts or parcels of land thereby created have frontage on an approved public street; and provided, further, that there is not created by the subdivision any new street or the need for required improvements, easement of access or the need therefor.

(3) *Cluster-designed*—a method of developing land for residential use utilizing certain performance standards, including but not limited to provision for an open space ratio, density, impervious surface ratio and other standards, in addition to certain dimensional requirements as set forth in this Chapter.

[Ord. 371]

*Substantial damage*—damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 20 percent or more of the market value of the structure before the damage occurred. [Ord. 450]

*Substantial improvement*—any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 20 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. This term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the code enforcement officials and which are the minimum necessary to assure living conditions.

(2) Any alteration of an historic structure, provided that the alteration will not preclude the structure's designation as an historic structure.

[Ord. 450]

*Substantially change*—(1) any increase in the height of a wireless support structure by more than 10 percent, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed wireless communications facility may exceed the size limits set forth herein if necessary to avoid interference with existing antennas; or (2) any further increase in the height of a wireless support structure which has already been extended by more than 10 percent of its originally approved height or by the height of one additional antenna array. [Ord. 565]

*Surveyor*—a registered surveyor licensed as such by the Commonwealth of Pennsylvania.

*Swale*—a low-lying stretch of land which gathers or carries surface water runoff.

*Telecommunications equipment building*—the building in which electronic receiving, relay or transmitting equipment for a telecommunications facility is housed. [Ord. 411]

*Tower-based wireless communications facility (tower-based WCF)*—any structure that is used for the purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles and light poles. DAS hub facilities are considered to be tower-based WCFs. [Ord. 565]

*Township*—Northampton Township, Bucks County, Pennsylvania. [Ord. 565]

*Undevelopable*—land or property which is not suitable for building purposes due to but not limited to flooding, a persistent high water table, steep slopes, erodible soil, floodplain soil, marsh area, shallow bedrock, poorly drained soils or for other reasons. [Ord. 500]

*Uniform Condominium Act*—an Act of the Commonwealth of Pennsylvania adopted July 2, 1980, by P.L. 286, No. 82, §1, 68 Pa.C.S.A. §3101 *et seq.* [Ord. 561]

*Utility trailer*—a trailer defined as a Type I commercial vehicle associated with the hauling of a boat or other conveyance. [Ord. 405]

*Variance*—see Part 14.

*Watercourse*—storm sewers, lakes, dammed water, ponds, springs and all other bodies or channels of conveyance of surface and underground water.

*Water distribution system, public*—a system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

*Way / lane*—a deeded or dedicated public or private right-of-way sometimes used as a secondary vehicular access to land or lot.

*Wetlands*—an area inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted to life in saturated soil conditions, including swamps, marshes, bogs and similar areas. The term includes,

but is not limited to, wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and wetland areas designated by a river basin commission. [Ord. 438]

*Wireless*—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals. [Ord. 565]

*Wireless communications facility (WCF)*—the antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services. [Ord. 565]

*Wireless communications facility applicant (WCF applicant)*—any person that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public ROW or other Township owned land or property. [Ord. 565]

*Wireless support structure*—a freestanding structure, such as a tower-based wireless communications facility or any other support structure that could support the placement or installation of a wireless communications facility if approved by the Township. [Ord. 565]

*Yard*—an open space at grade between a yard line and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. (See Figure 27-2-1 of this Part.)

(1) *Required yard*—a yard between the lot line and the building line of the dimensions required by this Chapter.

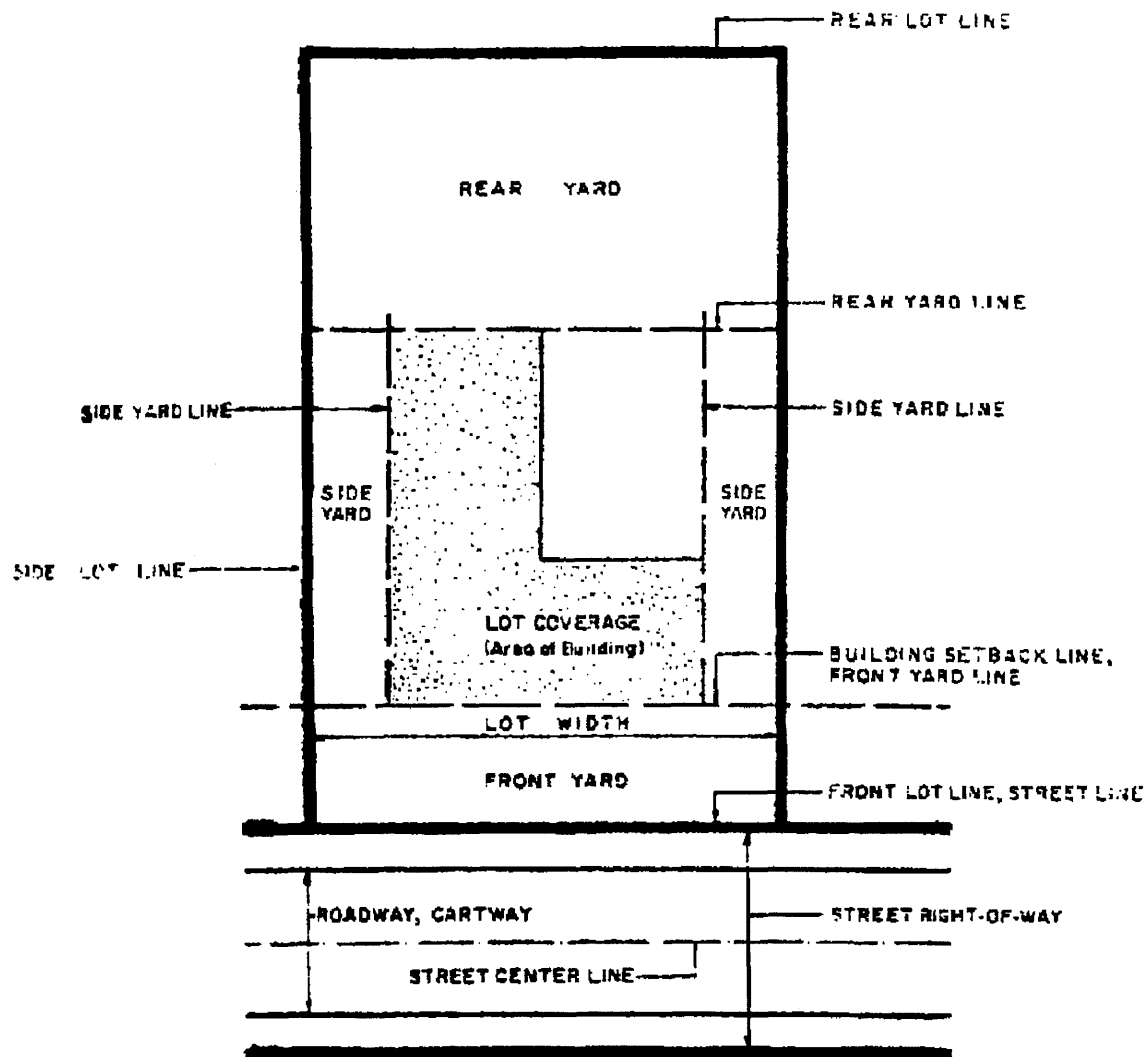
(2) *Required front yard*—a yard across the full width of the lot, extending from the front lot line to the front building line as prescribed in this Chapter.

(3) *Required side yard*—a yard between the required front and rear yards, extending from the side line of the lot to the side building lines as prescribed in this Chapter.

(4) *Required rear yard*—a yard across the full width of the lot, extending from the rear lot line to the rear building line as prescribed in this Chapter.

(Ord. 160, 4/6/1977; as amended by Ord. 177, 8/1/1979; by Ord. 179, 2/13/1980; by Ord. 189, 11/19/1980; by Ord. 201, 7/20/1983; by Ord. 210, 5/9/1984; by Ord. 221, 1/23/1985; by Ord. 237, 8/13/1986; by Ord. 262, 1/20/1988; by Ord. 265, 2/24/1988; by Ord. 295, 8/9/1989; by Ord. 297, 9/13/1989; by Ord. 298, 9/13/1989; by Ord. 300, 10/11/1989; by Ord. 309, 6/27/1990; by Ord. 339, 11/13/1991; by Ord. 340, 11/13/1991; by Ord. 341, 11/13/1991; by Ord. 362, 6/9/1993; by Ord. 370, 10/13/1993; by Ord. 371, 10/13/1993; by Ord. 405, 1/24/1996; by Ord. 411, 9/25/1996; by Ord. 413, 10/9/1996; by Ord. 438, 7/8/1998; by Ord. 441, 12/9/1998; by Ord. 450, 5/12/1999; by Ord. 473, 4/11/2001; by Ord. 481, 4/24/2002; by Ord. 488, 1/22/2003; by Ord. 497, 9/22/2004; by Ord. 500, 12/4/2004; by Ord. 522, 12/12/2007; by Ord. 523, 12/12/2007; by Ord. 534, 12/17/2008; by Ord. 561, 4/25/2012; by Ord. 564, 8/22/2012, §§1, 2; and by Ord. 565, 2/27/2013, §III)

Figure 27-2-1



SKETCH PLAN DEFINING ZONING ORDINANCE

AREA AND BULK REGULATION TERMS

NORTHAMPTON TOWNSHIP

**Part 3****AR Agricultural-Residential District****§27-301. Specific Intent.**

In accordance with the objectives of the Township Comprehensive Plan, it is desirable to preserve prime agricultural land within the Township. The Township, therefore, intends to encourage an optional form of residential development within the agricultural areas at a density not to exceed one dwelling unit per acre which will allow for increased flexibility in design in conjunction with the preservation of farmland. In addition to the goals set forth in Part 1 and this Section, it is the intent of the Township to promote and encourage this optional form of residential development which will provide for and protect large areas of open space and will further encourage the use of that preserved area for those agricultural and/or recreational uses listed in §27-903.6.B. (*Ord. 160, 4/6/1977; as amended by Ord. 265, 2/24/1988*)

**§27-302. Use Regulations.**

Use regulations in the AR District shall be as follows:

**A. Uses by Right.**

- (1) Agricultural, including tilling of soils, raising of livestock, horses or poultry, nursery, and landscape operations. [*Ord. 523*]
- (2) Kennels.
- (3) Horseboarding, riding academy.
- (4) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community. [*Ord. 488*]
- (5) Forestry, subject to the regulations of §27-1124. [*Ord. 438*]
- (6) One single-family detached dwelling. [*Ord. 277*]

**B. Conditional Uses.**

- (1) Farm or agricultural retail sales, subject to the following provisions:
  - (a) Farm or agricultural retail sales may only be permitted as an accessory use to an existing farm or agricultural use.
  - (b) Farm or agricultural retail sales shall be operated and maintained by the owners of the property on which the farm stand is located.
  - (c) At least 50 percent of the agricultural products sold at the farm stand shall have been grown, raised, produced, processed or packaged on the property accommodating the farm stand.
  - (d) No more than one farm stand shall be permitted on any individual property or lot. The total display area of the agricultural products sold at the farm stand shall be limited to 2,000 cumulative square feet of gross

floor area or display area.

(e) The farm stand shall be considered as a temporary and portable display area, which shall be located at least 50 feet from the center line of the cartway and 200 feet from a street intersection. In no case shall the farm stand be placed within the street right-of-way.

(f) The farm stand shall be designed as a portable display area, which shall be removed during seasons when agricultural products are not sold or if the farm stand becomes inactive for 30 consecutive days.

(g) If permitted by the Board of Supervisors as part of the conditional use application, the farm stand may be permitted as a permanent structure, provided that it is located in a manner to comply with the minimum and maximum dimensional requirements specified under §27-303.B of this Chapter.

(h) Sufficient off-street parking spaces shall be designed, located and constructed in a manner considering the customer vehicles entering and exiting the property. All such off-street parking spaces shall be mud free and shall not create a traffic hazard. A minimum of four off-street parking spaces shall be provided.

(i) A sign displaying the name or products for sale may be permitted, subject to the following requirements: no more than two such signs shall be erected on the lot; the area of the sign shall not exceed 12 cumulative square feet in size; the sign shall not be illuminated at any time; the sign shall be an accessory structure of the farm stand, which shall be part of the display area; and the sign shall be either fixed flat on the main wall of the display area or may be erected in the front yard, but not within 10 feet of the cartway.

(j) All lawful preexisting farm or agricultural retail sales uses or farm stands that have been in effect or recognized as a use prior to the passage of this paragraph shall be classified as a nonconforming use, provided that such uses or farm stands exceed the provisions of this subsection. All such nonconforming agricultural retail sales uses or farm stands shall be permitted to expand or increase by no more than 10 percent in terms of its total size and/or use, as it existed at the time of the passage of this paragraph.

[Ord. 523]

(2) Cluster-designed subdivisions, per Part 9. [Ord. 265]

C. *Accessory Uses.*

(1) Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

D. *Use by Special Exception.* The following uses shall be permitted as a special exception after approval by the Zoning Hearing Board:

(1) Home occupations.

(2) Municipal uses, per standards in §27-1121. [Ord. 289]

(3) Guesthouse (bed-and-breakfast), subject to the specific criteria listed

below:

(a) No more than seven guest rooms may be provided. No more than two adults and two children may occupy one guest room.

(b) The use shall be limited to an existing single-family dwelling constructed prior to 1938.

(c) The minimum lot size for such a use shall be 3 acres for the first three guest rooms and ½ additional acre for each additional guest room.

(d) Off-street parking spaces shall be located to the rear of the front building line of the principal dwelling. [Ord. 470]

(e) There shall be no use of show windows or display or advertising visible outside the premises to attract guests, other than a single sign which shall conform to all other standards of Part 16, as defined in §27-1602 and any other pertinent section or sections not listed hereto.

(f) No external alterations, additions or extensions to the exterior structure shall be permitted in excess of 25 percent of the floor area, except as required by the Pennsylvania Department of Labor and Industry or for safety reasons as required by any other governmental agency.

(g) The use shall be carried on primarily by members of the immediate family residing on the premises. Nonresident employees shall be limited to no more than two on the premises at any one time, in addition to those resident members of the family.

(h) There shall be no separate kitchen or cooking facilities in any guest room. Food served on the premises shall be for guests and resident family only, and food preparation facilities shall conform to all applicable State and/or local health regulations. Guests may be served breakfast and afternoon nonalcoholic beverages only.

(i) The maximum length of stay at a guest house shall be 14 days within any 6-month period.

(j) The use of any outdoor amenities provided by the use, such as swimming pool or tennis courts, shall be restricted to the resident family and its guests and to the guests of the guesthouse establishment and shall be limited to the hours of 9 a.m. to 9 p.m.

(k) Any outdoor amenities as referenced in paragraph .D(3)(j) above and/or any off-street parking as required under paragraph .D(3)(d) above shall be located not less than 20 feet from any property line. All such facilities are required to be screened by vegetative landscaping. Such landscaping shall consist of an evergreen hedge at least 3½ feet in height or two staggered rows of evergreen trees with no more than 10 feet separation for each row between each tree.

(l) Sewage disposal methods shall conform to the requirements of the Bucks County Department of Health. If the proposed use is to be served by public sewer, the applicant shall submit documentation from the Northampton, Bucks County, Municipal Authority that said use shall be served.

(m) Such a use shall be located on a lot having frontage on one or

more of the following streets:

**Name of Street**

Almshouse Road

Bridgetown Pike

Bristol Road

Buck Road

Bustleton Pike

East Holland Road

Hatboro Road

Holland Road

Jacksonville Road

Lower Holland Road

Middle Holland Road

New Road

Newtown-Richboro Road

Old Jacksonville Road

Sackettsford Road

Second Street Pike

Spencer Road

Tanyard Road

Temperance Lane

Twiningford Road

Twining Road

Upper Holland Road

Worthington Mill Road

[*Ord. 290*]

(4) ["Reserved"]. [*Ord. 564*]

(*Ord. 160*, 4/6/1977; as amended by *Ord. 265*, 2/24/1988; by *Ord. 277*, 8/10/1988; by *Ord. 289*, 5/10/1989; by *Ord. 290*, 5/24/1989; by *Ord. 339*, 11/13/1991; by *Ord. 343*, 12/11/1991; by *Ord. 438*, 7/8/1998; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; by *Ord. 523*, 12/12/2007; and by *Ord. 564*, 8/22/2012, §3)

**§27-303. Area and Development Regulations.**

Area and development regulations in the AR District shall be as follows:

A. Single-family detached dwelling and retail agricultural sales.

(1) Minimum lot area per dwelling: 43,560 square feet.



- (2) Minimum lot width at building line per dwelling: 150 feet.
- (3) Maximum building coverage: 10 percent of lot area.
- (4) Minimum yards.
  - (a) Front: 50 feet.
  - (b) Side, each: 30 feet.
  - (c) Rear: 50 feet.
- (5) Maximum impervious surface ratio: 18 percent of lot area.
- (6) Minimum open space required: see Part 10.

[*Ord. 564*]

B. All other uses, including residential where it is an adjunct to other uses.

- (1) Minimum lot area: 5 acres.
- (2) Minimum lot width at building line: 250 feet.
- (3) Maximum building coverage: 5 percent of lot area.
- (4) Maximum building height: 35 feet.
- (5) Minimum yards.
  - (a) Front: 50 feet.
  - (b) Side, each: 50 feet.
  - (c) Rear: 100 feet.

[*Ord. 210*]

(*Ord. 160*, 4/6/1977; as amended by *Ord. 186*, 10/22/1980; by *Ord. 210*, 5/9/1984; by *Ord. 339*, 11/13/1991; by *Ord. 415*, 1/22/1997; and by *Ord. 564*, 8/22/2012, §4)



**Part 4****Residential Districts****§27-401. Specific Intent.**

In addition to the goals set forth in Part 1, the establishment and regulation of residential zoning districts with respect to use, density, height, bulk, parking and similar provisions are intended to achieve the following goals:

- A. To provide sufficient space for a variety of housing types adequate to meet the needs of the present and projected population of the Township consistent with the policies set forth in the Comprehensive Plan.
- B. To assure adequate light, air and privacy.
- C. To protect residents of the Township against environmental hazards such as fire, excessive noise, smoke and other pollutants, offensive odors and glare.
- D. To prevent environmental blight resulting from congested housing conditions and excessive vehicular traffic in residential neighborhoods.
- E. To encourage the provision of those public and private educational, recreational, cultural and medical facilities which meet the needs of area residents and which are compatible with a residential neighborhood environment.
- F. To encourage those varieties of land uses and building development which conserve and enhance the residential character of the Township while recognizing and preserving the unusual physical characteristics of particular areas within the Township.

(Ord. 160, 4/6/1977)

**§27-402. EP Environmental Protection District.**

1. Use regulations in the EP District shall be as follows:

- A. *Uses by Right.*

- (1) One single-family detached dwelling, per environmental performance standards in §27-1120. [Ord. 307]

- (2) Agriculture, including tilling of soil and raising of livestock, horses or poultry.

- (3) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community. [Ord. 488]

- B. *Accessory Uses.*

- (1) Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

- C. *Use by Special Exception.* The following uses shall be permitted as a special exception after approval by the Zoning Hearing Board:

- (1) Home occupations.
- (2) Municipal uses, per standards in §27-1121. [*Ord. 289*]
- (3) ["Reserved"]. [*Ord. 564*]

D. *Conditional Uses.*

- (1) Forestry, subject to the regulations of §27-1124.

[*Ord. 438*]

2. Area and development regulations in the EP District shall be as follows:

A. All permitted uses.

- (1) Minimum lot area: 5 acres.
- (2) Minimum lot width at building line: 250 feet.
- (3) Maximum building coverage: 3 percent of lot area.
- (4) Minimum yards.
  - (a) Front: 50 feet.
  - (b) Side, each: 50 feet.
  - (c) Rear: 50 feet.
- (5) Maximum impervious surface ratio: 5 percent of lot area.

(*Ord. 160*, 4/6/1977; as added by *Ord. 272*, 5/11/1988; as amended by *Ord. 289*, 5/10/1989; by *Ord. 307*, 6/13/1990; by *Ord. 339*, 11/13/1991; by *Ord. 438*, 7/8/1998; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; and by *Ord. 564*, 8/22/2012, §5)

**§27-403. Statement of Intent and Purpose.**

The specific intent and purpose of this Part is as follows:

A. To designate certain land tracts for lower density development to provide a good and pleasing transition from water, wetlands and open space areas to areas of higher residential density.

B. To encourage residential development that is sensitive to environmental resources such as steep slopes, flood-prone soil areas, agriculture and woodlands.

(*Ord. 160*, 4/6/1977; as added by *Ord. 307*, 6/13/1990)

**§27-404. CR Country Residential District.**

1. Use regulations in the CR District shall be as follows:

A. *Uses by Right.*

- (1) One single-family detached dwelling, per environmental performance standards in §27-1120.
- (2) Agriculture, including the tilling of soil, the raising of livestock, horses or poultry, nurseries, landscape operations and tree farms.
- (3) Kennels.
- (4) Horse-boarding and riding academies.
- (5) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law

or other document applicable to a common-interest-ownership community.  
[Ord. 488]

B. *Accessory Uses.*

(1) On a lot having a minimum area of 5 acres or more, one single-family detached dwelling, per environmental performance standards in §27-1120, when customarily incidental to the uses by right set forth in subsection .1.A(2), (3), (4), and (5) and located on the same lot.

(2) Any other use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot.

C. *Use by Special Exception.* The following uses shall be permitted as a special exception after approval by the Zoning Hearing Board:

(1) Home occupations.

(2) Municipal uses, per standards in §27-1121.

(3) Guesthouses (bed-and-breakfast), per standards in §27-302.D(3).

D. *Conditional Uses.*

(1) Cluster-designed subdivisions, per Part 9.

[Ord. 436]

(2) Forestry, subject to the regulations of §27-1124. [Ord. 438]

2. Area and development regulations in the CR District shall be as follows:

A. Single-family detached dwelling and retail agricultural sales.

(1) Minimum lot area: 2 acres.

(2) Minimum lot width at building line: 200 feet.

(3) Maximum building coverage: 8 percent of lot area.

(4) Minimum yards.

(a) Front: 50 feet.

(b) Side, each: 50 feet.

(c) Rear: 50 feet.

(5) Maximum impervious surface ratio: 10 percent of lot area.

[Ord. 564]

B. All other uses, including a single-family detached dwelling where it is an accessory use.

(1) Minimum lot area: 5 acres.

(2) Minimum lot width at building line: 250 feet.

(3) Maximum building coverage: 5 percent of lot area.

(4) Minimum yards.

(a) Front: 50 feet.

(b) Side, each: 50 feet.

(c) Rear: 100 feet.

(5) Maximum impervious surface ratio: 8 percent of lot area.

C. In the event that two or more properties are contiguous and contain a minimum of 2 acres each and together total a minimum of 5 acres, agricultural uses such as tilling the soil, nursery, landscape operations and tree farms are permitted.

(*Ord. 160*, 4/6/1977; as added by *Ord. 307*, 6/13/1990; as amended by *Ord. 339*, 11/13/1991; by *Ord. 343*, 12/11/1991; by *Ord. 436*, 5/13/1998; by *Ord. 438*, 7/8/1998; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; and by *Ord. 564*, 8/22/2012, §§6, 7)

**§27-405. R-1 Single-Family District.**

1. Use regulations in R-1 District shall be as follows:

A. *Uses by Right.*

(1) One single-family detached dwelling. [*Ord. 277*]

(2) Agriculture, including the tilling of soil, raising of livestock, horses or poultry (5-acre minimum site).

(3) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community. [*Ord. 488*]

B. *Conditional Uses.*

(1) Forestry, subject to the regulations of §27-1124. [*Ord. 438*]

(2) Cluster-designed subdivision, per Part 9.

(3) Agricultural retail sales.

C. *Accessory Uses.*

(1) Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

D. *Uses by Special Exception.* The following uses shall be permitted as a special exception after approval by the Zoning Hearing Board:

(1) Home occupations.

(2) Municipal uses, per standards in §27-1121. [*Ord. 289*]

(3) Guesthouse (bed-and-breakfast), subject to the criteria listed in §27-302.D(3), except the minimum lot size for such a use in the R-1 District shall be 3 acres for the first three guest rooms and ½ additional acre for each additional guest room. [*Ord. 290*]

2. Area and development regulations in the R-1 District shall be as follows:

A. Single-family detached dwelling:

(1) Minimum lot area: 40,000 square feet.

(2) Minimum lot width at building line: 150 feet.

(3) Maximum building coverage: 10 percent of lot area.

(4) Minimum yards.

(a) Front: 50 feet.

- (b) Side, each: 30 feet.
    - (c) Rear: 50 feet.
  - (5) Maximum impervious surface ratio: 20 percent of lot area. [Ord. 415]
  - (6) Minimum open space required: 10 percent.
- [Ord. 564]
- B. All other permitted uses.
- (1) Minimum lot area (farms are 4 acres minimum): 80,000 square feet.
  - (2) Minimum lot width at building line: 150 feet.
  - (3) Maximum building coverage: 10 percent of lot area.
  - (4) Minimum yards.
    - (a) Front: 50 feet.
    - (b) Side, each: 30 feet.
    - (c) Rear: 50 feet.
  - (5) Maximum impervious surface ratio: 12 percent of lot area.
  - (6) Maximum building height: two stories.

(Ord. 160, 4/6/1977; as amended by Ord. 277, 8/10/1988; by Ord. 289, 5/10/1989; by Ord. 290, 5/24/1989; by Ord. 307, 6/13/1990; by Ord. 339, 11/13/1991; by Ord. 343, 12/11/1991; by Ord. 415, 1/22/1997; by Ord. 438, 7/8/1998; by Ord. 470, 12/13/2000; by Ord. 488, 1/22/2003; and by Ord. 564, 8/22/2012, §§8, 9)

**§27-406. R-2 Single-Family District.**

1. Use regulations in the R-2 District shall be as follows:

A. *Uses by Right.*

- (1) One single-family detached dwelling. [Ord. 277]
- (2) No home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community. [Ord. 488]
- (3) Agriculture, or farm or farm unit as defined in this Chapter; provided, however, that such use shall be located on a lot, parcel or tract of ground not less than 5 acres in size, and further provided that buildings, structures, stalls, barns, stables and the like used for the keeping of horses, livestock and poultry shall be located not less than 150 feet from any property line.

[Ord. 186]

B. *Conditional Uses.*

- (1) Forestry, subject to the regulations of §27-1124. [Ord. 438]
- (2) Cluster-designed subdivisions, per Part 9.

C. *Accessory Uses.*

- (1) Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

D. *Use by Special Exception.* The following uses shall be permitted as a

special exception after approval by the Zoning Hearing Board:

- (1) Home occupations.

[*Ord. 189*]

- (2) Municipal uses, per standards in §27-1121. [*Ord. 289*]

(3) Guesthouse (bed-and-breakfast), subject to the criteria listed in §27-302.D(3), except the minimum lot size for such a use in the R-2 District shall be 2 acres for the first three guest rooms and ½ additional acre for each additional guest room. [*Ord. 290*]

2. Area and development regulations (public water and sewer facilities required) in the R-2 District shall be as follows:

A. Single-family detached dwellings.

- (1) Minimum lot area per dwelling unit: 20,000 square feet.
- (2) Minimum lot width at building line: 100 feet.
- (3) Maximum building coverage: 15 percent.
- (4) Minimum yards.
  - (a) Front: 50 feet.
  - (b) Side, minimum 20 feet; total, 45 feet.
  - (c) Rear: 50 feet.
- (5) Maximum impervious surface ratio: 20 percent.
- (6) Minimum open space required: 15 percent.

[*Ord. 564*]

B. All other permitted uses.

- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum lot width at building line: 150 feet.
- (3) Maximum building coverage: 12 percent.
- (4) Minimum yards.
  - (a) Front: 50 feet.
  - (b) Side, each: 30 feet.
  - (c) Rear: 50 feet.
- (5) Maximum impervious surface ratio: 12 percent.
- (6) Minimum open space required: 15 percent.
- (7) Maximum building height: two stories.

[*Ord. 186*]

(*Ord. 160*, 4/6/1977; as amended by *Ord. 162*, 8/24/1977; by *Ord. 186*, 10/22/1980; by *Ord. 189*, 11/19/1980; by *Ord. 277*, 8/10/1988; by *Ord. 289*, 5/10/1989; by *Ord. 290*, 5/24/1989; by *Ord. 307*, 6/13/1990; by *Ord. 339*, 11/13/1991; by *Ord. 343*, 12/11/1991; by *Ord. 438*, 7/8/1998; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; and by *Ord. 564*, 8/22/2012, §§10, 11)

**§27-407. R-3 Multi-family Residential Districts.**



1. Use regulations in the R-3 District shall be as follows:

A. *Uses by Right.*

(1) Mixed dwelling development, containing any of the following dwelling unit types, subject to the regulations of subsection .2:

(a) Single-family dwelling:

- 1) Single-family detached.
- 2) Zero lot line house.
- 3) Patio house.
- 4) Mobile home.

(b) Two-family dwelling:

- 1) Twin house.
- 2) Duplex.

(c) Single-family attached dwelling:

- 1) Townhouse.
- 2) Atrium house.

(d) Multiple dwelling:

- 1) Multiplex.
- 2) Apartment.

(2) One single-family detached dwelling, subject to the regulations of subsection .4.

(3) Agriculture or farm unit as defined in this Chapter; provided, however, that such use shall be located on a lot, parcel or tract of ground not less than 5 acres in size, and further provided that buildings, structures, stalls, barns, stables and the like uses for the keeping of horses, livestock and poultry shall be located not less than 150 feet from any property line.

(4) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community. [Ord. 488]

B. *Conditional Uses.*

(1) Mobile home park, subject to the regulations of subsection .2, §§27-407.2.B and .3 through .6, 27-901 and 27-902.

(2) Senior citizen housing, subject to the regulations of subsections .2.A through .I and .3, §§27-901 and 27-902 and the following additional regulations:

(a) In addition to those dwelling unit types described in subsection .2.E, senior citizen cottages may be included within a senior citizen housing development, subject to the following area and dimensional requirements:

- 1) Minimum lot area: 6,200 square feet.

2) Minimum lot width at building setback line/right-of-way line: 60 feet/50 feet.

3) Minimum front yard: 25 feet.

4) Minimum side yard: 5 feet.

5) Minimum distance between buildings: 10 feet.

6) Minimum rear yard: 20 feet.

7) Maximum on-lot impervious surface ratio: 70 percent.

(b) The maximum on-lot impervious surface ratio for townhouse dwelling units as described in subsection .2.E shall not exceed 70 percent.

[Ord. 473]

C. *Use by Special Exception.* The following uses shall be permitted by special exceptions after approval by the Zoning Hearing Board:

(1) Home occupations within a single-family detached dwelling located on a separate lot having a minimum area of 20,000 square feet; with the exception that the separate lot for an office for a physician or dentist shall have a minimum area of 30,000 square feet.

(2) Municipal uses, per standards in §27-1121.

D. A building may be erected or used and a lot may be used or occupied for any of the following purposes in compliance with any conditional use approval granted by the Board of Supervisors for a mobile home park under §§27-901 and 27-902:

(1) Mobile home for residential use.

(2) Accessory uses and structures customarily incidental to the use, maintenance, servicing and well-being of mobile home park residents. Said accessory uses and structures shall include storage sheds and enclosed porches and those uses listed in §27-408.3.

2. Area and development regulations in the R-3 District for mixed dwelling developments and mobile home parks shall be as follows:

A. *Site Area.* Not less than 10 acres shall be provided for every site to be used in whole or in part as a mixed dwelling development or mobile home park.

B. *Maximum Density.* The total number of dwelling units in a mixed dwelling development or mobile home park site shall not exceed a maximum density of six dwelling units per acre.

C. *Minimum Open Space Ratio.* At least 30 percent of the site area of the mixed dwelling development or mobile home park shall be in common open space, no more than one-third of which may be the required setback from site boundary, pursuant to subsection .2.H.

D. *Maximum Impervious Surface Ratio.* No more than 30 percent of the area of each mixed dwelling development or mobile home park may be occupied by impervious surfaces.

E. *Area and Dimensional Requirements for Dwelling Units.* In addition to the area and dimensional requirements applicable to the site listed hereinabove, the following area and dimensional regulations shall apply to those dwelling unit types

permitted under subsection .1.A:

Dwelling Type	Minimum Yards							
	Minimum Lot Area per Dwelling Unit (square feet)	Minimum Lot Width at Building Setback Line/Right-of-Way Line (feet)	Front Side (feet)	Side Yard (feet)	Rear Yard (feet)	Maximum Height (feet)	Maximum On-Lot Impervious Surface Ratio (percent)	Minimum Distance Between Buildings (feet)
Single-family detached	9,000	70/50	30	15	30	35	22%	35
Zero lot line house	6,200	60/50	25	30 <sup>1</sup>	30	35	25%	30
Patio house <sup>2</sup>	4,500	45/40	25	10 <sup>3</sup>	—	25	35%	30
Mobile home	4,500 <sup>4</sup>	55/25	20	10	10	20 <sup>5</sup>	60%	30
Twin house	4,500	40/40	25	10 <sup>3</sup>	35	35	40%	25
Duplex	4,500	45/40	25	10	25	35	40%	25
Townhouse	2,500	22/22 <sup>6</sup>	20	10 <sup>7</sup>	30	35	60%	30
Atrium house <sup>8</sup>	2,500	40/40	20	10 <sup>7</sup>	—	35	60%	25
Multiplex	2,650	75/70	25	10	25	35	60%	25
Apartment	2,000	500/100	100 <sup>9</sup>	50 <sup>9</sup>	50 <sup>9</sup>	45 <sup>10</sup>	65%	50 <sup>9</sup>
<p>NOTES:</p> <p><sup>1</sup>Only one side yard shall be required. Unless a side yard having a minimum setback of 5 feet is provided for the second side yard, a 5-foot wide maintenance easement shall be provided along the side lot line. Minimum building spacing shall be 30 feet.</p> <p><sup>2</sup>A minimum patio area of 800 square feet, having a minimum width of 25 feet, shall be provided.</p> <p><sup>3</sup>Only one side yard shall be required.</p> <p><sup>4</sup>For mobile homes less than 61 feet in length, 5,000 square feet shall be required for mobile homes 61 feet or more in length.</p> <p><sup>5</sup>Nor more than one story.</p> <p><sup>6</sup>Provided that the average lot width for all dwellings shall be 24 feet.</p> <p><sup>7</sup>Only for end units.</p> <p><sup>8</sup>All living spaces shall face an atrium area having an area of 500 square feet and a minimum width of 20 feet.</p> <p><sup>9</sup>Provided that for every 1 foot of height in excess of 35 feet, there shall be added to the required yard or distance between buildings one corresponding foot of width or depth.</p> <p><sup>10</sup>A maximum of four stories shall be permitted.</p>								

F. *Tract Ownership.* The tract of land to be developed shall be in one ownership or shall be the subject of a single application filed jointly by the owners of the entire tract, and the tract shall be developed under single direction and in accordance with an approved plan drafted and submitted in accordance with the Northampton Township Subdivision and Land Development Ordinance [Chapter 22].

G. *Sewer and Water Facilities.* The tract of land shall be served by a public water distribution system and public sanitary sewerage disposal facilities.

H. *Setback from Site Boundary.* No principal building shall be located closer than 40 feet, and no accessory structure or paved area, except for an approved access to a street, shall be located closer than 25 feet to any boundary of a mixed dwelling development or mobile home park, regardless of whether that boundary abuts a lot, water body, street or right-of-way.

I. *Buffering.* A permanent landscaped planting area of at least 20 feet in depth shall be provided on the site, along all site boundaries, to effectively buffer adjoining properties. Said landscaping shall consist of:

- (1) At least 80 percent evergreen trees, 5 feet to 6 feet in height.
- (2) Twenty percent deciduous trees, 1½ inches to 2 inches in caliper, or

shrubs, 5 feet to 6 feet in height.

J. *Dwelling Unit Mix.* All residential development within mixed dwelling developments shall conform to the minimum standards for a mix of dwelling unit types as set forth below:

Number of Dwellings in Development	Minimum Required Number of Dwelling Unit Types	Maximum Percent Any Dwelling Unit Type	Minimum Percent Any Dwelling Unit Type
1 to 60	1	100%	10%
61 to 120	2	70%	10%
121 or more	3	40%	10%

3. *Design Standards for the R-3 Multi-family Residence District.* In addition to the requirements established for the R-3 Multi-family District, the following regulations shall be observed:

A. The maximum length of any structure or connected structures containing townhouse dwelling units or multi-family dwelling units of any type shall not exceed 200 feet.

B. The minimum distance between any permitted multi-family dwelling, two-family dwelling or townhouse dwelling and a single-family residence located in the AR, R-1 or R-2 Zoning District shall be 125 feet.

4. Area and development regulations for single-family detached dwellings shall be as follows:

A. Minimum lot area per dwelling unit: 15,000 square feet.

B. Minimum lot width at building line: 80 feet.

C. Maximum building coverage: 20 percent.

D. Minimum yards.

(1) Front: 30 feet.

(2) Side, minimum: 10 feet; total: 25 feet.

(3) Rear: 30 feet.

E. Maximum impervious surface ratio: 22 percent.

F. Minimum open space required: 30 percent.

G. Maximum building height: two stories.

[Ord. 564]

5. Area and development regulations for mobile home parks. Area and development regulations for mobile home parks in the R-3 District shall be the same as those established in the R-5 District regulations [§27-408.2.B, .3, .4, .5 and .6] for mobile home parks.

(Ord. 160, 4/6/1977; as amended by Ord. 162, 8/24/1977; by Ord. 186, 10/22/1980; by Ord. 189, 11/19/1980; by Ord. 201, 7/20/1983; by Ord. 210, 5/9/1984; by Ord. 289, 5/10/1989; by Ord. 307, 6/13/1990; by Ord. 309, 6/27/1990; by Ord. 339, 11/13/1991; by Ord. 370, 10/13/1993; by Ord. 470, 12/13/2000; by Ord. 473, 4/11/2001; by Ord. 488,

1/22/2003; and by *Ord. 564*, 8/22/2012, §§12, 13)

**§27-408. R-5 Mobile Home Park District.**

1. Use regulations in the R-5 Mobile Home Park District shall be as follows:

- A. *Uses by Right.*

- (1) A mobile home park as defined in this Chapter and meeting all requirements of the Township Subdivision and Land Development Ordinance [Chapter 22].

- (2) Single-family detached dwellings when designed and constructed in accordance with the requirements of subsection .2.A of this Section.

- (3) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community [Ord. 488]

- B. *Conditional Uses.*

- (1) Senior citizen housing, subject to the following density, area and dimensional criteria:

- (a) The following criteria shall be satisfied for any tract of land proposed to be developed for senior citizen housing:

- 1) *Site Area.* Not less than 10 acres shall be provided for every site to be used in whole or in part for senior citizen housing.

- 2) *Parking.* Unless otherwise set forth herein, parking in a senior citizen housing area shall comply with the requirements of §27-1110 of this Code. [Ord. 470]

- 3) *Maximum density.* The total number of dwelling units in a senior citizen housing site shall not exceed a maximum density of five dwelling units per acre.

- 4) *Minimum Open Space Ratio.* No site plan or conditional use permit application for senior citizen housing shall be approved without a common open space area of at least 20 percent of the site area, no more than one-third of which may be required setback from site boundary.

- 5) *Setback from Site Boundary.* The criteria of §27-407.2.H shall be applicable.

- 6) *Buffering.* The criteria set forth in §27-407.2.I shall be applicable.

- 7) *Minimum lot width (at street):* 150 feet.

- 8) *Maximum building coverage:* 35 percent of the site area.

- 9) *Maximum impervious coverage:* 65 percent of the site area.

- 10) *Minimum front yard:* 50 feet.

- 11) *Minimum rear yard:* 50 feet.

12) Minimum side yards: 20 feet.

(b) The following criteria shall apply to residential dwelling units included within the senior citizen housing development:

1) *Dwelling Unit Types*. All dwelling unit types described in §27-407.2.E of this Chapter shall be permitted in a senior citizen housing development.

2) *Area and Dimensional Requirements for Dwelling Units*. Dwelling units shall meet the area and dimensional criteria for such dwelling unit type as set forth in §27-407.2.E with the following exceptions:

a) The maximum on-lot impervious surface ratio for townhouse dwelling units shall not exceed 70 percent.

b) Maximum building coverage (lot): 50 percent.

(c) *Homeowners Association*. All open space, detention/retention basins and streets shall be maintained by a homeowners association comprised of the owners of the dwelling units.

[Ord. 445]

C. *Use by Special Exception*. The following uses shall be permitted as special exceptions after approval by the Zoning Hearing Board:

(1) Municipal uses, per standards in Part 11, §27-1121.

[Ord. 289]

(2) ["Reserved"]. [Ord. 564]

D. *Accessory Uses*. Only those accessory uses which are necessary for and which are incidental and subordinate to a mobile home park. Such permitted accessory uses are further specified in subsection .3 hereof. Any permitted accessory use shall meet all requirements of this Chapter.

2. Area and development regulations for the R-5 Mobile Home Park District shall be as follows:

A. When single-family detached dwellings are proposed within any R-5 District, the following area and development regulations will be required:

(1) The minimum lot area per dwelling unit shall be 15,000 square feet.

(2) The minimum lot width per dwelling unit shall be 80 feet. The minimum side yards shall be 15 feet, with an aggregate width of 35 feet.

(3) The minimum front and rear yards for each lot shall be 30 feet.

(4) The maximum building coverage shall be 15 percent.

(5) The maximum impervious surface coverage, including building coverage, shall be 25 percent.

(6) The minimum open space requirement for the site shall be 15 percent.

(7) Each dwelling on a lot shall be connected to both public water and public sewer facilities.

[Ord. 564]

B. For any proposed mobile home park in the R-5 District, the following area

and development controls shall be required:

(1) The minimum site area for a mobile home park shall be 10 acres. Not less than 80 percent of the site area shall be fully capable of development and shall not be encumbered by floodplain or flood hazard area; steep slope area; high water table area; marsh area; a highly erodible soil area; or area of shallow bedrock.

(2) The minimum lot area for each mobile home located in a mobile home park shall be 7,200 square feet.

(3) The minimum lot width for each mobile home located in a mobile home park shall be 60 feet as measured at the front right-of-way line and as measured at the building setback line.

(4) The minimum depth of any lot proposed within a mobile home park shall be 120 feet as measured from the front right-of-way line.

(5) Flag lots or pipestem lots (lots with narrow frontage) are not permitted within a mobile home park.

(6) The minimum front yard and the minimum rear yard for a proposed mobile home lot shall each be 30 feet.

(7) The minimum side yard shall be 15 feet, with an aggregate side yard width of 35 feet for each lot.

(8) Each proposed mobile home lot shall have full frontage on a public street, or on a private street (if approved by the Board of Township Supervisors) meeting all paving, width and other design criteria for public streets as covered in §22-403 and Part 6, "Engineering Design Standards," of the Township Subdivision and Land Development Ordinance [Chapter 22].

(9) The entire outbound or exterior perimeter of any proposed mobile home park (except entrance-exit areas) shall include a buffer area of not less than 40 feet in width, of which 20 feet shall be fully landscaped in accordance with the provisions of the Township Subdivision and Land Development Ordinance [Chapter 22]. A required buffer area shall not be included in any required lot area for a mobile home.

(10) A minimum open space area comprising 20 percent of the mobile home park site shall be required, exclusive of required buffer areas. Not less than 80 percent of the open space area shall be usable for active recreation purposes.

(11) The maximum lot coverage by a mobile home shall not exceed 20 percent of the lot area.

(12) The maximum impervious surface coverage for a mobile home park and for a mobile home lot shall not exceed 35 percent of the site area or the lot area.

(13) The maximum height of a mobile home shall not exceed 15 feet and the height of any appurtenant structures shall not exceed a total of 30 feet.

(14) Off-street parking spaces shall be located not more than 150 feet from any mobile home served. [Ord. 470]

(15) Each proposed mobile home park shall be subject to the requirements of the Township Subdivision and Land Development Ordinance [Chapter 22]

to the extent that all requirements for a land development plan shall be required, including the special requirements for mobile home parks as contained in §22-405 of Chapter 22, "Subdivision and Land Development."

3. *Special Regulations for Mobile Home Parks.* The following special regulations shall be applicable to any proposed mobile home park:

A. Each proposed mobile home located within a mobile home park shall be:

(1) Connected to a public water supply and fire hydrant system as approved by the Northampton Township Municipal Authority.

(2) Connected to a public sewer system as approved by the Northampton Township Municipal Authority.

(3) Connected to all underground electrical, telephone and, where possible, gas utilities.

B. Each mobile home park shall provide for complete, on-site stormwater management and erosion control facilities which shall be designed in accordance with the requirements of §22-403.3 and Part 6, "Engineering Design Standards," of the Subdivision and Land Development Ordinance [Chapter 22].

C. Each mobile home park shall provide for centrally located refuse disposal container areas designed to serve a maximum of 20 individual mobile homes each. Each such container space shall not be less than 200 square feet in area, shall be fenced or buffered by a landscape screen and shall be easily accessible (within 250 feet of the mobile homes served). Paved walkways shall be provided to the refuse container spaces. Containers shall be weatherproof, vermin proof and accessible to a street or driveway for vehicular loading or removal.

D. A central service building or buildings may be provided within a mobile home park, containing such accessory uses as a management office; laundry facilities; a repair and maintenance office; meeting rooms and toilets; resident mailbox facilities; indoor recreational facilities for residents only; and enclosed storage closets for residents only.

E. Each individual mobile home shall be located on a continuous concrete pad, with frost-proofed footers, which exceeds the outside dimensions of the mobile home by at least 4 inches. A minimum of six permanent eyebolt or similar tie-down anchors shall be uniformly placed within the exterior edge of the pad. Mortar-filled or reinforced concrete piers not less than 16 inches by 16 inches shall be provided between the pad and the mobile home frame. Not fewer than eight such piers shall be provided for each mobile home. Permanent tie-down straps (anchored) shall be required to withstand wind forces and uplift at wind speeds of 80 miles per hour per current standards. [Ord. 561]

F. Frost-proof, flexible water, sewer, electrical and telephone service connections shall be extended through each concrete pad, all meeting the requirements of §22-405 of the Township Subdivision and Land Development Ordinance [Chapter 22].

G. All exterior sides of each mobile home shall be provided with a permanent skirt covering the entire space between the concrete pad and the exterior siding of the unit.

H. Appropriate lighting shall be provided for all streets, public or private, and



all walkways, waiting areas and at service buildings, meeting the minimum requirements for multi-family areas as specified in §22-617 of the Township Subdivision and Land Development Ordinance [Chapter 22].

I. Individual gas or petroleum storage tanks shall meet the requirements of §22-405 of the Township Subdivision and Land Development Ordinance [Chapter 22].

J. No fences shall be permitted within a mobile home park except where required for swimming pools.

K. Permitted accessory buildings or accessory uses may not be located in a required front or side yard, and such buildings or uses shall comply with §27-1105.5 of this Chapter, as amended.

4. *Permits, Licenses, Fees and Inspection.* Prior to the construction, alteration/operation or occupancy of a mobile home park within the R-5 District, the owner, operator, manager or designated person in charge shall apply for and receive from the Northampton Township Zoning Officer:

A. A permit for the annual operation of the specified mobile home park, listing the units or lots to be occupied; annual certification by the Northampton Township Municipal Authority that approved public water and sewer services and connections by the Bucks County Health Department that all such lots or units to be occupied are in compliance with county and State laws; and a certification from the Township Treasurer that all fees, deposits, bonds or escrow accounts are fully paid.

B. An annual operating license for the mobile home park, which must be approved by the Board of Township Supervisors after certification by the Zoning Officer that a valid annual operating permit has been issued, that all fees have been paid, that a complete inspection of the premises has been completed and that other governmental agencies have approved the initial or annual renewal of the operating permit. Such license will be renewable annually on July 1 and may be revoked for cause.

C. A fee payment schedule for the required annual operating permit and annual operating license, which fees shall be set in accordance with §27-1308 of this Chapter.

D. A preoccupancy inspection and annual inspection thereafter to enable the Zoning Officer to make such determination that all Township, County and State regulations are in compliance. Upon notification to the owner, operator, manager or person in charge of the mobile home park, the Zoning Officer may inspect the premises at any time to determine compliance with this Chapter.

5. *Maintenance of Facilities.* The operator and owner shall be responsible for maintaining all common facilities including, but not limited to, roads, parking areas, sidewalks or pathways, common open space, water supply and sewage disposal systems and service buildings, in a condition of proper repair and maintenance. If upon inspection by the Zoning Officer it is determined that the mobile home park is not in compliance with this standard of maintenance, the licensee shall be considered to be in violation of this Chapter and the Zoning Officer shall notify the operator or licensee of the particulars of any such violation. The operator and licensee shall thereafter correct any such violations. If the violation is determined by the Zoning Officer to constitute

a hazard to the health or safety of the residents of the mobile home park, he shall order that the violation be corrected forthwith.

6. *Maintenance Bond.*

A. In addition to any performance bond which may be required for public facilities or utilities, the licensee of a mobile home park shall, prior to issuance of any certificate of occupancy pursuant to final approval of an application, post with the Township a maintenance bond in a form acceptable to the Township Solicitor, in an amount sufficient to cover for a period of 2 years the cost of maintenance of all common facilities, as determined by the Township Zoning Officer or Township Engineer. The bond shall remain in effect for the duration of the operation of the mobile home park.

B. In the event of noncompliance with an order pursuant to subsection .5, the Township may call the maintenance bond and use the proceeds thereof to effect correction of the violations.

(*Ord. 160*, 4/6/1977; as added by *Ord. 177*, 8/1/1979; as amended by *Ord. 289*, 5/10/1989; by *Ord. 339*, 11/13/1991; by *Ord. 349*, 5/13/1992; by *Ord. 445*, 1/27/1999; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; by *Ord. 561*, 4/25/2012; and by *Ord. 564*, 8/22/2012, §§14, 15)

**Part 5****Commercial/Office Districts****§27-501. Specific Intent.**

In addition to the goals set forth in Part 1, the establishment and regulation of commercial zoning districts with respect to use, height, bulk, parking, loading and similar provisions is intended to achieve the following goals:

- A. To provide sufficient space within the Township for a variety of commercial, office and service uses to meet the needs of Township residents as the population growth reaches specific levels.
- B. To assure that traffic congestion related to commercial and office use is minimized and that adequate off-street parking and loading is provided.
- C. To protect nearby established or projected residential areas from noise, glare, odor or any other obnoxious condition which might result from commercially oriented uses.
- D. To reduce shopping travel time and vehicle trips for Township residents by providing for future neighborhood shopping areas where required and in convenient locations.

(Ord. 160, 4/6/1977)

**§27-502. General Commercial/Office District.**

1. *Specific Purpose.* The C-2 General Commercial/Office District is intended to provide convenient pedestrian-oriented facilities and personal service needs of local residents. It is the specific intention of the Township to limit the locations of such district and to prevent unwarranted expansion of strip-type commercial development along the Township's major streets and highways. [Ord. 497]

2. Use regulations in the C-2 District shall be as follows:

A. *Uses by Right.*

(1) Any use by right permitted in the R-3 Multi-family Residential District, provided that such residential uses exist in conjunction with the commercial uses by right specified under paragraph .A(2), (3), (4) and (5). [Ord. 210]

(2) Retail stores or outlets for the sale of baked goods, beverages, flowers, food products, drugs, pharmaceuticals, sundries, paints, dry goods, notions, wearing apparel, footwear, appliances, hardware, plumbing supplies, paper products, books (excluding adult uses), photography equipment, professional supplies and equipment, office supplies, precut lumber supplies, furniture, jewelry, house furnishings, antiques, stationery, newspapers and magazines, tobacco products, gifts and novelties, optical supplies, sporting goods and similar retail uses.

(3) Business, personal service or professional offices related to doctors, lawyers, dentists, architects, engineers, real estate, banking, finance and credit agencies, insurance, photography shops or studios, advertising, employment

agencies, accounting, business management, printing, interior decorating, governmental offices, utility company offices and similar types of office use.

(4) Other personal service uses such as hair styling, clothing repair, tailor shops, appliance repair, shoe repair, pickup and delivery shops for cleaning and dry cleaning, electrical repair shops, plumbing shops, bicycle repair, trade schools, personal recreation facilities such as bowling alleys, theaters or similar indoor recreation uses, and similar uses for personal services.

(5) Restaurant, tavern, mortuary or funeral establishment, private clubs or lodges (nonprofit, member only), automated telephone and utility substation.

(6) Branch postal services. [Ord. 346]

**B. Conditional Uses** (see Part 9).

(1) Automotive and farm equipment sales requiring a showroom and office with repair or service facilities fully enclosed and meeting the physical performance requirements in Part 11. Such use or uses shall require a minimum lot area of 30,000 square feet and a minimum lot width of 150 feet at the street line.

(2) Gasoline service stations limited to the sale of gasoline, oil products, tires, batteries, automotive service products, lubrication, engine repair, State inspection, interior washing. Such use shall require a minimum lot area of 40,000 square feet and a minimum lot width of 150 feet at the street line.

(3) Motel, motor hotel and rooming house.

(4) Shopping center, on a lot of at least 5 acres, subject to the regulations of §27-503.3.C through .E, .I and .J. The foregoing regulations shall apply in addition to all other applicable standards set forth in this Chapter. [Ord. 497]

**C. Use by Special Exception.**

(1) Commercial dry-cleaning and laundry plant, in accordance with the following criteria:

(a) The facility or use shall not occupy a gross area larger than 2,500 square feet.

(b) The facility shall be designed, used and occupied only when physically connected to a pickup and delivery store and shall be limited to the cleaning of garments, fabrics, etc., which are picked up and delivered from a store or outlet located within the confines of Northampton Township.

(c) Outdoor venting of solvent vapors shall be prohibited except for the normal machine vent cycle.

(d) The facility shall have an off-street loading area in accordance with §27-1109.

(e) Cleaning solvents must be of the nonflammable type and must be restricted to perchloroethylene or an equivalent nonpetroleum-based solvent. All toxic or hazardous chemicals used must be contained within the machinery equipment and/or storage tanks (a totally closed system).

(f) Any applicant shall be required to submit the following:

1) A complete description of the business operation, including a list of the raw material utilized, materials identified as hazardous materials by either the United States Environmental Protection Agency or the Pennsylvania Department of Environmental Protection, and the quantities of each such material stored before and during use and stored on site awaiting shipment.

2) A letter certifying the applicant's understanding that any alteration or change in the use and/or storage of the above-referenced materials, by-products or waste products must be approved by the granting of a special exception.

3) A description of the method used for on-site disposal of waste generated by the applicant, including any pretreatment and any waste product other than normal domestic sewage.

4) An environmental impact analysis for any hazardous material or waste product identified in 40 CFR §261, the United States Code, published by the Environmental Protection Agency, or in regulations published in 25 Pa.Code Chapter 261a of the Rules and Regulations for the Pennsylvania Department of Environmental Protection, which shall include, but not be limited to, the exact method of receiving, handling, storage, use and disposal of such product or products, the impact of such use upon the employees, nearby employees, the neighborhood and the physical area which might be affected including, but not limited to, odors and odor thresholds, air, groundwater pollution potential, fire and safety hazards, and accidental discharge remedies, all of which shall be prepared by persons with expertise related to the process. [Ord. 561]

(g) Written records shall be kept on premises of the inventory of on-site chemicals and the stored quantity of hazardous waste and shall be available for inspection by Township officials during business hours.

[Ord. 207]

(2) Municipal uses, per standards in §27-1121. [Ord. 289]

D. *Accessory Uses.* Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

3. Area and development regulations in the C-2 District shall be as follows:

- A. Minimum lot area: 15,000 square feet.
- B. Minimum lot width (at street): 75 feet.
- C. Maximum building coverage: 35 percent of lot area.
- D. Minimum front yard: 50 feet.
- E. Minimum rear yard: 50 feet.
- F. Minimum side yards, each/aggregate: 15/30 feet.

G. Buffer area (see Part 11) for side and rear yards abutting any residential district: 20 feet.

H. Public sewer and public water connections shall be required, if available within 150 feet of the site. [Ord. 210]

4. Off-street loading for all developments shall be provided in accordance with §27-1109. [Ord. 470]

5. *Additional Design Standards for the C-2 District.*

A. *Lighting for parking, driveways and loading areas.* All parking areas, driveways and loading areas shall be provided with a lighting system meeting the requirements of §22-617 of the Township Subdivision and Land Development Ordinance [Chapter 22]. All lighting shall be shielded from traffic on any public right-of-way and from any residential district.

B. *Outdoor Storage.* No permanent storage or display for sale of merchandise, articles or equipment shall be permitted outside a building. All garbage, trash and rubbish shall be stored in airtight, vermin-proof containers and also shall be screened from public view. Any commercial use furnishing carts or mobile baskets as a service to shoppers shall provide areas within the required parking space areas for storage of said carts or mobile baskets. Such a defined storage area shall be clearly marked for storage of carts or mobile baskets.

C. *Freestanding Structures.* If a freestanding structure (such as a drive-in bank, photo pickup stand, etc.) is proposed and approved for use, such use or structure shall conform to all other requirements of this Chapter as if such were a principal structure. Such use must be designed or located to be free from traffic hazards related to interior circulation and parking facilities required for other uses.

[Ord. 210]

6. *Village Overlay District.*

A. Uses permitted by right within the underlying C-2 District shall be permitted by right within the Village Overlay District.

B. Uses permitted by conditional use or by special exception within the underlying C-2 District shall be permitted by conditional use within the Village Overlay District.

C. Uses not permitted by right, conditional use or special exception within the underlying C-2 District, but are permitted as a use by right, conditional use or special exception within the C-3, PO or IP Districts, shall be permitted by conditional use within the Village Overlay District.

D. Subdivision and land development activity utilizing the design criteria specified by the Village Overlay District shall comply with the provisions that are specified under §27-1125 of this Chapter as well as §22-502 of the Subdivision and Land Development Ordinance [Chapter 22].

E. Where conflicts between the provisions of the C-2 Zoning District and Village Overlay District exist, the provisions of the Village Overlay District shall apply.

[Ord. 535]

(Ord. 160, 4/6/1977; as amended by Ord. 207, 4/25/1984; by Ord. 210, 5/9/1984; by Ord. 238, 8/13/1986; by Ord. 289, 5/10/1989; by Ord. 307, 6/13/1990; by Ord. 346, 2/26/1992; by Ord. 470, 12/13/2000; by Ord. 497, 9/22/2004; and by Ord. 535, 12/17/2008, §1; and by Ord. 561, 4/25/2012)

**§27-503. C-3 Planned Commercial District.**

1. *Specific Purpose.* The Planned Commercial District is intended to provide for a carefully designed community shopping center meeting the commercial needs of the residents of Northampton Township, as described in the Township Comprehensive Plan. Prerequisites for consideration of such a shopping center include the availability of both public water and sewer connections; adequate traffic capacity on all abutting and affected streets and highways; a proven or demonstrated need for such additional commercial uses by way of an economic feasibility study; and an environmental impact analysis showing conclusively that such use will be suited for location in Northampton Township.

2. *Use Regulations.*

A. *Uses by Right.* Shopping centers, containing any of the following uses, are permitted within the C-3 Planned Commercial District under an integrated design for the entire site being considered, provided that all such uses are within an enclosed structure:

(1) Retail stores or outlets for the sale of baked goods, beverages, food products, drugs, pharmaceuticals, flowers, sundries, paints, dry goods, notions, wearing apparel, footwear, appliances, hardware, plumbing supplies, paper products, books (excluding adult bookstores and outlets for sales or viewing of pornographic literature or film strips), photography equipment, professional supplies and equipment, office supplies, precut lumber supplies, furniture, jewelry, house furnishings, antiques, stationery, newspapers and magazines, tobacco products, gifts and novelties, optical supplies, sporting goods and similar retail uses.

(2) General merchandise stores, including department stores, specialty clothing shops, supermarkets, lunch counters, delicatessens or restaurants (each meeting the definition of “restaurant”).

(3) Business, personal service or professional offices related to doctors, lawyers, dentists, architects, engineers, real estate, banking, finance and credit agencies, insurance, photography shops or studios, advertising, employment agencies, accounting, business management, printing, interior decorating, governmental offices, utility company offices and similar types of office use.

(4) Other personal service uses such as hair styling, clothing repair, tailor shops, appliance repair, shoe repair, pickup and delivery shops for cleaning and dry cleaning, electrical repair shops, bicycle repair, trade schools, personal recreation facilities, such as bowling alleys, theaters or similar indoor recreation uses, and similar uses for personal services.

(5) Branch or satellite library facilities, community center meeting rooms, automatic postal equipment and mail-order facilities.

[Ord. 497]

B. *Use by Special Exception.* The following uses shall be permitted as special exceptions after approval by the Zoning Hearing Board:

(1) Municipal uses, per standards in §27-1121.

[Ord. 289]

(2) Commercial dry-cleaning and laundry plants shall be allowed as

special exceptions, subject to the criteria, restrictions and requirements of §27-502.2.C(1) of this Chapter. [Ord. 460]

C. *Accessory Uses.* Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot or parcel.

3. Area and development regulations in the C-3 District shall be as follows:

A. Minimum site area: 10 acres.

B. Maximum site area: 15 acres.

C. Maximum principal and accessory building coverage: 20 percent of lot area.

D. Floor area ratio maximum: 0.40.

E. Maximum impervious surface ratio: 70 percent. [Ord. 415]

F. Minimum buffer from an AR District or Residential District along all property lines (no building or structure permitted): 100 feet. Service or access drives may be permitted in the minimum buffer area, provided that such service or access drives are located no closer than 50 feet from the nearest property line. [Ord. 428]

G. Minimum distance of any principal or freestanding building from any street or property line shall be:

(1) For a principal or freestanding building 3,000 square feet or less of gross floor area: 30 feet.

(2) For a principal or freestanding building with greater than 3,000 square feet of gross floor area: 100 feet.

[Ord. 428]

H. Minimum parking area set back from any street or property line is determined by the square footage of the structure used to calculate off-street parking requirements pursuant to §27-503.4.H, as follows:

(1) For structures with less than 3,000 square feet of gross floor area: 10 feet.

(2) For structures with greater than 20,000 square feet of gross floor area: 50 feet.

[Ord. 428]

I. Minimum major street frontage: 500 feet.

J. Minimum distance between any building faces: 50 feet.

4. *Additional Design Requirements.* In addition to those requirements specified in §27-502.5, the following regulations for the C-3 Planned Commercial District shall apply:

A. Plans shall be submitted for full development at the time of completion (no phasing of plans even though construction may be phased).

B. All points of ingress and egress (two minimum) shall be fully curbed and channelized to a minimum depth of 100 feet inside the property line.

C. Interior drives shall be a minimum of 24 feet in width for two-way traffic movement and a minimum traffic lane of 18 feet for one-way traffic and shall have curbs, where required, for safe interior circulation. [Ord. 389]



D. All off-street loading (see Part 11) shall be located separately from parking areas.

E. Adequate capacity for public water and public sewer connections shall be available.

F. Fire safety lanes shall be provided around 100 percent of the perimeter of all buildings.

G. All area not used for buildings, parking or loading shall be fully landscaped. (See Part 11.)

H. A complete traffic impact study is required, including recommendations for traffic control, acceleration-deceleration lanes, complete peripheral curbing and street widening.

I. Additional requirements are contained in Part 11 for planned commercial uses. In addition to all of the above, the Board of Supervisors and the Planning Commission may require such other design criteria to assure safety, compatibility of the site and harmony with the character of the neighborhood.

[Ord. 210]

5. *Village Overlay District.*

A. Uses permitted by right within the underlying C-3 District shall be permitted by right within the Village Overlay District.

B. Uses permitted by conditional use or by special exception within the underlying C-3 District shall be permitted by conditional use within the Village Overlay District.

C. Uses not permitted by right, conditional use or special exception within the underlying C-3 District, but are permitted as a use by right, conditional use or special exception within the C-2, PO or IP Districts, shall be permitted by conditional use within the Village Overlay District.

D. Where conflicts between the provisions of the C-3 Zoning District and Village Overlay District exist, the provisions of the Village Overlay District shall apply.

[Ord. 535]

(Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 289, 5/10/1989; by Ord. 307, 6/13/1990; by Ord. 389, 12/13/2000; by Ord. 415, 1/22/1997; by Ord. 428, 9/10/1997; by Ord. 460, 3/8/2000; by Ord. 470, 12/13/2000; and by Ord. 497, 9/22/2004; and by Ord. 535, 12/17/2008, §2)

#### **§27-504. PO Professional Office District.**

1. *Specific Purpose.* The Professional Office District is intended to provide sufficient space within the Township for professional office use and is specifically designed to exclude other retail and commercial uses. Another specific purpose for this district is to provide a buffer or buffers between the existing General Commercial/Office Districts and any existing residential district. Prerequisites for consideration of such a Professional Office District include the availability of both public water and sewer connections and facilities; adequate and available existing highway traffic capacity on all abutting and affected streets and highways; and a demonstration by the occupants

of this district that the impact on surrounding residential areas will be minimized by intended construction and use.

2. *Use Regulations.*

A. *Uses by Right.* The following uses are permitted as uses by right within the PO Professional Office District, and a building or buildings may be erected and/or used and a lot may be used or occupied for the following purposes and no others:

(1) Business offices and professional offices, including but not limited to offices of a medical doctor and such uses as are customarily related thereto; offices for a dentist, chiropractor, optometrist, physical therapist and uses customarily related thereto; and offices related to other professions, such as lawyers, architects, engineers, real estate, banking, financial agencies, insurance, advertising, accounting, business management, personal professional services, governmental offices and similar types of office use.

(2) Any related use of the same general character as any of the above permitted uses, provided that there shall be no retail sales uses except those which are incidental and accessory to, and customarily associated with, one of the above professional uses; and, further provided, that no display of merchandise is maintained in the main waiting room or is visible from the outside of the premises. Other commercial uses are specifically prohibited within this district.

(3) No-impact home-based business, where such business is located in a dwelling and provided such use shall not supersede any deed restriction, covenant or agreement restricting the use of land, or any master deed, by-law or other document applicable to a common-interest-ownership community [Ord. 488]

B. *Use by Special Exception.* The following uses shall be permitted as special exceptions after approval by the Zoning Hearing Board:

(1) Municipal uses, per standards in §27-1121.

[Ord. 289]

C. *Conditional Uses.*

(1) Senior citizen housing, subject to the regulations of §§27-407.2.E, .H and .I, subsection .3.C through .H and .K through .M, §§27-901 and 27-902.

(a) The minimum area and development regulations for senior citizen housing shall be as follows:

1) *Site Area.* Not less than 10 acres shall be provided for every site to be used in whole or in part for senior citizen housing.

2) *Parking.* Unless otherwise set forth herein, parking in a senior citizen housing area shall comply with the requirements of §27-1110 of this Code. [Ord. 470]

3) *Maximum Density.* The total number of dwelling units in a senior citizen housing site shall not exceed a maximum density of five dwelling units per acre.

4) *Minimum Open Space Ratio.* No site plan or conditional use permit application for senior citizen housing shall be approved

without a common open space area of at least 20 percent of the site area, no more than  $\frac{1}{3}$  of which may be the required setback from site boundary.

[Ord. 370]

3. *Area and Development Regulations.* Area and development regulations within the PO Professional Office District shall be as follows:

- A. Minimum site area: 2 acres.
- B. Minimum individual lot area: 30,000 square feet.
- C. Minimum lot width (at street): 150 feet.
- D. Maximum building coverage: 35 percent of the individual lot area and 35 percent of the site area.
- E. Maximum impervious coverage: 65 percent of the individual lot area and 65 percent of the site area.
- F. Minimum front yard: 50 feet.
- G. Minimum rear yard: 50 feet.
- H. Minimum side yards: 20 feet for each side yard.
- I. Buffer area: For any side yard or rear yard abutting any residential district, a buffer area 20 feet wide shall be provided which shall not be used for any required parking or for any other purpose and which shall be adequately screened and buffered from said residential districts and/or properties in accordance with a plan approved by the Board of Supervisors. However, said 20-foot buffer area may be measured so as to include a required yard or other setback requirement which shall not be in addition to the dimensional requirement for this buffer area.
- J. Off-street loading requirements may be waived where appropriate. [Ord. 470]
- K. On-site lighting: On-site lighting shall be provided in accordance with §22-617 of the Township Subdivision and Land Development Ordinance [Chapter 22]. All such lighting shall be properly shielded from existing streets or highways and from any abutting residential district.
- L. Outside storage and refuse storage: No temporary or permanent storage or display shall be permitted outside of any permitted office building. All refuse, garbage, trash and the like shall be stored in commercial containers which shall be located within a three-walled structure and fully screened from public view.
- M. Internal access/ingress and egress: All internal driveways shall meet the requirements of this Chapter and the Township Subdivision and Land Development Ordinance [Chapter 22] and shall in no case be permitted for use as a through street. If the morning or evening peak hour traffic generated by a permitted use exceeds 100 vehicle trips, the Board of Supervisors may require more than one means of permanent ingress and egress to a public street.

4. *Village Overlay District.*

- A. Uses permitted by right within the underlying PO District shall be permitted by right within the Village Overlay District.
- B. Uses permitted by conditional use or by special exception within the

underlying PO District shall be permitted by conditional use within the Village Overlay District.

C. Uses not permitted by right, conditional use or special exception within the underlying PO District, but are permitted as a use by right, conditional use or special exception within the C-2, C-3 or IP Districts, shall be permitted by conditional use within the Village Overlay District.

D. Where conflicts between the provisions of the PO Zoning District and Village Overlay District exist, the provisions of the Village Overlay District shall apply.

[*Ord. 535*]

(*Ord. 160*, 4/6/1977; as added by *Ord. 241*, 9/24/1986; as amended by *Ord. 289*, 5/10/1989; by *Ord. 307*, 6/13/1990; by *Ord. 370*, 10/13/1993; by *Ord. 470*, 12/13/2000; by *Ord. 488*, 1/22/2003; and by *Ord. 535*, 12/17/2008, §3)

**Part 6****I-1 Planned Industrial/Office District****§27-601. Specific Intent.**

In accordance with the goals and objectives established in the Township Comprehensive Plan, it is the intention of Northampton Township to provide for adequate sites for selected industrial uses which will not cause environmental problems. Further, the Township seeks to encourage the industrial office campus concept wherein corporate and industrial offices are grouped in a unified design with distribution and processing facilities.

(*Ord. 160, 4/6/1977*)

**§27-602. Use Regulations.**

Use regulations in the I-1 District shall be as follows:

A. *Uses by Right.* The following uses are permitted by right:

(1) Administrative and business offices for wholesale, manufacturing and research-oriented enterprises.

(2) Scientific or industrial research, engineering, laboratories, product testing laboratories and design centers.

(3) Printing plants, commercial laundry plants, commercial bakery, electrical appliance, electronic and motor repair and assembly, business machine and computer-related product repair and assembly. [*Ord. 221*]

(4) Wholesale storage and distribution, provided all products are contained in a fully enclosed structure.

(5) Packaging or final assembly of premanufactured products, including bottled beverages; dairy products; fruits and vegetables; mill-built lumber products; paper products (no manufacturing process permitted); printed products; communication equipment; professional, optical, scientific and engineering equipment; photographic equipment; jewelry; signs; lightweight metal products (no manufacturing process permitted); and products similar to the above, provided that manufacture of new products from raw materials is not involved.

(6) The manufacture or production related to finished clothing products (textile manufacture not permitted); food products; pharmaceutical compounds; electrical equipment; scientific equipment; metal treatment or fabrication; commercial or industrial painting; jewelry; and the cutting and assembly of wood products. [*Ord. 221*]

(7) Construction trade shops, including builders, plumbers, electricians, earthmovers, utility contractors and other similar types of uses not specifically noted herein. [*Ord. 210*]

(8) Agricultural uses. [*Ord. 558*]

B. *Conditional Uses.* The following conditional uses may be permitted or may be denied by the Board of Supervisors, subject to the provisions of §§27-901, 27-902

and 27-903 of this Code and subject to each specific conditional use requirement listed herein:

(1) Adult uses. [*Ord. 262*]

(2) Any storage of fireworks, explosives and the like, provided that such use shall be located in a freestanding building having no other occupants on a lot of not less than 6 acres, with minimum front, side and rear yard distances of 250 feet each. Such use shall also meet the requirements of §27-1103.3.A of this Chapter and all applicable State and Federal regulations. Applicable approved permits shall be submitted to the Township at the time the applicant files for a conditional use application.

(3) A heliport, public or private, shall be located on a lot with minimum front, side and rear yards of 300 feet each for any landing pads. Approach zone studies, an analysis of operational hours and environmental noise impact studies shall be required. In addition, all State and Federal requirements shall be satisfied, and proof of Federal Aviation Administration regulation conformance shall be submitted to the Township at the time the applicant files for a conditional use application.

[*Ord. 221*]

(4) Telecommunications facility, subject to the provisions of §§27-1116, 27-1123 and the specific criteria listed below:

(a) ["Reserved"]. [*Ord. 565*]

(b) ["Reserved"]. [*Ord. 565*]

(c) The applicant shall present a site plan showing the following items:

1) Locations of all existing uses and proposed telecommunications facilities.

2) Elevations of any existing uses and proposed telecommunications facilities.

3) Vehicular access, fencing and any easements for access and utilities.

(d) ["Reserved"]. [*Ord. 565*]

(e) The telecommunications facility shall comply with all State and Federal laws and regulations concerning aviation safety.

(f) ["Reserved"]. [*Ord. 565*]

(g) ["Reserved"]. [*Ord. 565*]

(h) ["Reserved"]. [*Ord. 565*]

(i) ["Reserved"]. [*Ord. 565*]

(j) ["Reserved"]. [*Ord. 565*]

C. *Uses by Special Exception.*

(1) The following uses shall be permitted as special exceptions when approved by the Zoning Hearing Board:

Abattoir  
Dry-cleaning plant  
Fat rendering  
Incineration or reduction of garbage except by municipal agencies  
Leather processing  
Manufacture of asphalt, cement, cork, explosives, fertilizer, illuminating gas, glue, ink, iron or steel (including rubber and synthetic processing), soap and petroleum refining  
Manufacture, processing or storage of chemicals  
Municipal uses, per standards in §27-1121  
Quarry; stone processing  
Storage of crude oil or any of its volatile products or other flammable liquids  
Textile manufacturing  
Wood or wood pulp processing  
Other similar type of uses not specifically noted herein

[Ord. 289]

(2) These uses are subject to the specific criteria listed below:

(a) Such use shall be located in a separate freestanding building having no other occupants on a lot having not less than 5 acres in area and a lot width of not less than 400 feet, with front, side and rear yards of not less than 100 feet each and with total impervious coverage not to exceed 40 percent of the lot.

(b) An environmental impact study will be required for any use involving the handling of raw materials which appear on the Environmental Protection Agency's or Department of Environmental Protection hazardous and toxic materials list.

(c) Specific air pollution and/or groundwater pollution control devices shall be in accordance with Environmental Protection Agency and Pennsylvania Department of Environmental Protection's requirements. The applicant shall submit device plans and the approved permit to the Township with his special exception application.

(d) Copies of Environmental Protection Agency or Department of Environmental Protection's permits or evidence of application for Environmental Protection Agency and Department of Environmental Protection's permits shall be required for specific uses.

[Ord. 221]

D. *Accessory Uses.* Any use which is customarily incidental and subordinate to the above permitted uses and is located on the same lot or parcel; provided, that:

(1) Storage and dispensing of any volatile oil product or any possible

and/or highly flammable liquid where such storage is in minor quantities and it is required as an incidental use for any use by right noted above shall be stored in a manner approved by the Fire Marshal.

(2) Any outdoor storage, including temporary storage of materials and equipment, must be fully fenced with a solid-type fencing and other material, which fully screens such storage from adjacent properties at a distance of at least 30 feet from the principal building.

(3) Temporary storage of materials and equipment in truck trailers, not to exceed a period of 90 days, where such truck trailers are located at least 30 feet from any principal building and 10 feet from any property line.

[*Ord. 210*]

(*Ord. 160*, 4/6/1977; as amended by *Ord. 210*, 5/9/1984; by *Ord. 221*, 1/23/1985; by *Ord. 262*, 1/20/1988; by *Ord. 289*, 5/10/1989; by *Ord. 411*, 9/25/1996; by *Ord. 558*, 4/27/2011, §1; and by *Ord. 565*, 2/27/2013, §IV)

### **§27-603. Area and Development Regulations.**

1. Any use allowed in the Planned Industrial/Office District will be permitted only after an adequate water supply and a satisfactory method of sewage and wastewater treatment have both been approved by the Pennsylvania Department of Environmental Protection and the Bucks County Department of Health.

2. The following development regulations shall apply:

A. Minimum overall site area for planned industrial office use: 10 acres.

B. Minimum lot area for individual principal buildings within the above site: 2 acres. [*Ord. 210*]

C. Minimum lot width at building setback line: 200 feet.

D. Minimum lot width at the street right-of-way line (for culs-de-sac only): 75 feet.

E. Maximum building coverage: 30 percent of lot area.

F. Maximum impervious surface ratio: 70 percent of lot area. [*Ord. 415*]

G. Minimum setback for principal or accessory structure from any street: 100 feet.

H. Minimum yard required (side or rear) abutting any agricultural or residence district: 75 feet.

I. Minimum side or rear yard not abutting any agricultural or residence district: 40 feet.

3. A buffer area (see Part 11) shall be required along any property line abutting any other zoning district.

4. Other supplemental regulations (Part 11) shall apply to all uses in this district.

5. A land development plan shall be required in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 160*, 4/6/1977; as amended by *Ord. 210*, 5/9/1984; and by *Ord. 415*, 1/22/1997)

### **§27-604. Off-Street Parking and Loading.**



1. Separate off-street storage spaces shall be provided for each delivery vehicle or other vehicle routinely stored on the site (where permitted). Such spaces shall not qualify as off-street parking spaces otherwise required by §27-1110 of this Code.

2. Off-street loading shall be in accordance with Part 11.

(*Ord. 160, 4/6/1977; as amended by Ord. 470, 12/13/2000*)



**Part 7****FP Floodplain and Flood Hazard District****§27-701. Specific Purpose.**

1. It is the purpose of this district to promote the public health, safety and general welfare by recognizing that:

A. The flood hazard areas of Northampton Township are subject to periodic inundation which results in loss of property, loss of life, damage to structures, injury to people, disruption of public and private activities and services, burdensome public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are caused by:

(1) The cumulative effect of obstructions in flood hazard areas, causing increases in flood heights and velocities.

(2) The occupancy of flood hazard areas by uses vulnerable to floods.

(3) Continued construction in areas of potential flood hazard which should be free and clear.

2. In recognition of the above, this Chapter contains provisions for this district to:

A. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or cause increased flood heights or velocities.

B. Protect the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas.

C. Provide areas for the deposition of floodborne sediment.

D. Require uses vulnerable to floods, including public facilities, to be constructed so as to be protected against flood damage.

E. Place the burden of proof upon those persons proposing to occupy property subject to these controls, to establish that occupancy of such property will not violate the spirit, intent and regulations contained herein.

*(Ord. 160, 4/6/1977)*

**§27-702. Interpretation.**

The provisions of this Part are to be interpreted, wherever possible, as being compatible with all other provisions of this Chapter. However, any provision of this Part with regard to permitted uses, conditional uses, design standards, dimensional requirements or setbacks or other provisions which is incompatible with any other provisions of this Chapter is to be interpreted and construed as controlling and superseding over any conflicting section or provisions of this Chapter and Zoning District Map of Northampton Township.

*(Ord. 160, 4/6/1977)*

**§27-703. Use Regulations.**

1. *Uses by Right.* In addition to existing uses, the following uses shall be permitted in the Floodplain and Flood Hazard District, provided that such uses do not require a new structure except for the permissible accessory uses specified below and such uses do not require the cutting or filling of land, and provided that such uses do not require the open storage of materials or equipment:

A. Agricultural uses such as general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming, forestry and wild crop harvesting.

B. Recreation uses such as park, camp, picnic grounds, golf course, golf driving range, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game fish, fish hatchery, wildlife sanctuary, nature preserve, swimming areas and boat launching sites (limited to ramps only).

C. Open space required for the development of any lot or tract in any zoning district as required in other provisions of this Chapter.

D. Permeable parking areas and road to serve other permitted uses in the Flood Hazard District or where required by the regulations for any contiguous district.

E. Accessory uses to any above permitted uses within those portions of the Floodplain and Flood Hazard District denoted as having alluvial soils in the Soil Survey of Bucks County Pennsylvania (September 2002), but not within the area delineated on the Flood Insurance Rate Map of the Northampton Township Flood Insurance Study, subject to the following standards:

(1) The following structures or accessory buildings shall be permitted: split rail or post and rail fences, provided that wire mesh or similar screening is not placed on the fence; accessory building (i.e., sheds, barns, gazebos, playhouses, doghouses, patios provided with wire or solid screening) with a maximum floor area of 150 square feet; decks and treehouses elevated at least 4 feet above the ground, provided that no screening or latticework is extended between the supporting columns; patios not enclosed by wire or solid screening with a maximum floor area of 500 square feet; fireplaces and barbecues with a maximum area of 100 square feet; stormwater and sanitary sewer lines, which shall take the shortest route across the district to the point of discharge. [Ord. 331]

(2) Except for those recreational facilities permitted as conditional uses in subsection .2.J below, the following structures or accessory buildings are expressly prohibited: solid, chain link or similar-type fences which will impede the flow of floodwater; swimming pools; garages; additions to a principal building; any similar structure or accessory building not listed above which will impede the flow of floodwater and would cover a floor area in excess of 100 square feet. [Ord. 331]

(3) The structure or accessory building cannot be reasonably located out of the Floodplain and Flood Hazard District.

(4) The structure or accessory building shall be dependably and permanently anchored to the ground to prevent overturning, sliding and flotation.

(5) The structure or accessory building shall not be used for human

habitation.

(6) Where there is an identifiable watercourse, the structure or accessory building shall be constructed and oriented so as to offer the minimum resistance to the flow of floodwater.

(7) No materials shall be stored in the accessory building that are explosive or toxic to humans, animals or vegetation.

(8) No earthen cut and/or fill shall be permitted for use in the construction of the structure or accessory building.

[Ord. 500]

[Ord. 184]

2. *Conditional Uses.* The following new uses are permitted in the Floodplain and Flood Hazard District only upon the granting of a conditional use permit by the Northampton Township Board of Supervisors. No use shall be permitted in any floodway that would cause any increase in the 100-year flood elevation.

A. Circuses, festivals and similar transient amusement enterprises.

B. Marinas, boat rentals, docks and piers.

C. Railroads, impervious hard-surface roads, bridges, utility transmission lines.

D. Sealed water supply wells and water pipelines.

E. Storm and sanitary sewer facilities, including storm and sanitary sewer lines, which shall take the shortest route across the district to the point of discharge. [Ord. 184]

F. Storage yards for equipment, machinery or materials, except that no materials that can float or that are explosive or that are toxic to humans, animals or vegetation shall be permitted in the area.

G. Kennels and stables.

H. Dams and basins where approved by the appropriate public agencies.

I. Accessory uses customarily incidental to any one of the above permitted uses.

[Ord. 179]

J. Recreation facilities including, but not limited to, goal posts, bleacher structures and ballfield backstops of chain link Said backstops shall be limited in size to avoid any increase in the 100-year-flood elevation. [Ord. 331]

3. *Additional Technical Requirements.*

A. No lowest floor, basement floor or cellar floor of any building or structure shall be constructed at an elevation of less than 1 foot above the 100-year floodplain line within any zone district of the Township which is in, abuts or is contiguous to the Floodplain and Flood Hazard Zone. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement. Fully enclosed space below the lowest floor (including a basement) is prohibited. Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access or incidental storage in an area other than a basement shall be designed and

constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term “partially enclosed space” also includes crawl spaces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a net total area of not less than 1 square inch for every square foot of enclosed space.
- (2) The bottom of all openings shall be no higher than 1 foot above grade.
- (3) Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

[Ord. 450]

B. No structure shall be located, extended, converted, structurally altered, nor shall there be any substantial improvements, without full compliance with the terms of this Chapter and other applicable regulations. No cuts or fills are permitted. [Ord. 179]

C. No use, development and/or activity of any kind shall be located in any area designated as a floodway on the Flood Insurance Rate Map of the Flood Insurance Study for Northampton Township unless it can be proven that the use, development or activity will cause no rise in the 100-year-flood elevation. The burden of proof shall be on the applicant for permit and such proof shall be based on computations by a registered professional engineer. [Ord. 450]

D. Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. [Ord. 450]

E. In accordance with the Pennsylvania Flood Plain Management Act, 32 P.S. §679.101 *et seq.*, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises or will involve the production, storage or use of any amount of radioactive substances shall be subject to the provisions of this Section, in addition to all other applicable provisions.

(1) The following materials and substances are considered dangerous to human life:

- (a) Acetone.
- (b) Ammonia.
- (c) Benzene.
- (d) Calcium carbide.
- (e) Carbon disulfide.
- (f) Celluloid.

- (g) Chlorine.
- (h) Hydrochloric acid.
- (i) Hydrocyanic acid.
- (j) Magnesium.
- (k) Nitric acid and oxides of nitrogen.
- (l) Petroleum products (gasoline, fuel oil, etc.).
- (m) Phosphorus.
- (n) Potassium.
- (o) Sodium.
- (p) Sulfur and sulfur products.
- (q) Pesticides (including insecticides, fungicides and rodenticides).
- (r) Radioactive substances, insofar as such substances are not otherwise regulated.

(2) Any structure of the type described in this subsection .3.E is prohibited in any floodway area. Where permitted within any floodplain area, any new or substantially improved structure of the kind described in subsection .1 above shall be:

(a) Elevated or designed and constructed to remain completely dry up to at least 1½ feet above the 100-year flood.

(b) Designed to prevent pollution from the structure or activity during the course of a 100-year flood.

(3) Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication Flood-Proofing Regulations (United States Army Corps of Engineers, June 1972, as amended March 1992) or with some other equivalent watertight standard.

[Ord. 450]

#### 4. *Additional Administrative Requirements.*

A. Building permits; certificates of use, occupancy and compliance. Within the Flood Hazard District, all development shall be subject to the requirements of §27-1306.

B. All applications for building permits or certificates of use, occupancy or compliance shall contain all information necessary for the Zoning Officer to determine compliance with this Chapter, including 100-year-flood elevation contours and lowest floor elevations of any proposed structures. In addition, all applications shall contain proof that all other necessary governmental permits, such as those required by State and Federal laws, have been obtained, including those required by Act 537, the Pennsylvania Sewage Facilities Act, 32 P.S. §750.1 *et seq.*, the Dam Safety and Encroachments Act, 32 P.S. §692.1 *et seq.*, and the Federal Water Pollution Control Act Amendments of 1972, §404, 33 U.S.C. §1334. No permit shall be issued until this determination has been made. [Ord. 561]

C. All applications for building permits shall contain a document, certified by

a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the 100-year-flood elevations, pressures, velocities, impact and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the 100-year flood. Such statements shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure.

D. No encroachment, alteration or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality and until all required permits or approvals have been first obtained from the Department of Environmental Protection, Bureau of Waterways Engineering. In addition, the Federal Insurance Administrator and Pennsylvania Department of Community and Economic Development, Strategic Planning and Program Operations Office, shall be notified by the municipality prior to any alteration or relocation of any watercourse.

E. Requests for variances and special exceptions shall be considered by the Township in accordance with the procedures contained in §27-1402.3 and .4 and the following procedures:

(1) No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100-year-flood elevation.

(2) Whenever a variance is granted, the Township shall notify the applicant in writing that the granting of the variance may result in increased premium rates for flood insurance and that such variance may increase the risks to life and property.

[Ord. 179]

F. The identified floodplain area may be revised or modified by the Board of Supervisors when:

(1) The need for the revision or modification has been documented with studies or information received from a qualified agency or person.

(2) The revision or modification has been approved by the Federal Insurance Administration.

[Ord. 450]

5. The following activities shall be prohibited within any identified floodplain area:

A. The commencement of any of the following activities or the construction, enlargement or expansion of any structure used, or intended to be used, for any of the following activities:

(1) Hospitals.

(2) Nursing homes.

(3) Jails or prisons.

B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision or substantial improvement to an existing manufactured home park or manufactured home subdivision.



[Ord. 450]

(Ord. 160, 4/6/1977; as amended by Ord. 164, 3/15/1978; by Ord. 179, 2/13/1980; by Ord. 184, 5/28/1980; by Ord. 331, 6/12/1991; by Ord. 450, 5/12/1999; by Ord. 500, 12/8/2004; and by Ord. 561, 4/25/2012)

**§27-704. Special Conditional Use Procedures and Conditions of Approval.**

In addition to the general conditional use requirements, procedures and conditions listed in Part 9 of this Chapter, the following shall apply to the Floodplain and Flood Hazard District:

A. *Conditional Use Procedure.* Upon receiving an application for a conditional use permit, the Board of Supervisors shall, prior to rendering a decision thereon, require the applicant to furnish such of the following materials as are deemed necessary by the Board:

(1) Plans in triplicate, drawn to scale, showing the nature, location, dimensions and elevation of the lot and existing and proposed uses; photographs showing existing uses and vegetation; soil types and other pertinent information.

(2) A series of cross sections at 25-foot intervals along the lot shoreline, showing the stream channel or the lake or pond bottom, elevation of adjoining land areas to be occupied by the proposed uses and high-water information.

(3) Profile showing the slope of the bottom of the channel, lake or pond.

(4) Specifications for building materials and construction, floodproofing, filling, dredging, grading, storage, water supply and sanitary facilities.

(5) Computation (by a registered professional engineer) of the increase, if any, in the height of flood stages which would be attributable to any proposed uses.

B. *Consultation by Board of Supervisors.* In considering any application for a conditional use, the Board of Supervisors shall consult with the Northampton Township Planning Commission, Bucks County Planning Commission, the Township Engineer and other technical experts to determine the extent to which the proposed use would:

(1) Diminish the capacity of the flood hazard area to store and absorb floodwaters, to moderate flood velocities and to accommodate sediment.

(2) Be subject to flood damage.

(3) Cause erosion and impair the amenity of the flood hazard area.

C. *Factors to be considered by the Board of Supervisors.* In passing upon each application, the Board shall consider:

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments.

(2) The danger that materials may be swept onto other lands or downstream to the injury of others.

(3) The proposed water supply and sanitation systems and the ability of these systems to avoid causing disease, contamination and unsanitary

conditions.

(4) The susceptibility of the proposed use to flood damage and the effect of such damage on the owner.

(5) The importance of the proposed use to the community.

(6) The requirements of the use for a waterfront location.

(7) The availability of alternative locations not subjected to flooding for the proposed use.

(8) The compatibility of the proposed use with existing and foreseeable nearby uses.

(9) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for the area.

(10) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.

(12) Such other factors as are relevant to the purposes of this Chapter.

D. *Conditions of Approval.* Upon consideration of this Chapter, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, and this Chapter. Among such conditions, without limitation because of specific enumeration, may be included:

(1) Modification of waste disposal and water supply facilities.

(2) Limitations on periods of use and operation.

(3) Imposition of operational controls, sureties and deed restrictions.

(4) Floodproofing measures.

(a) Floodproofing measures such as the following, without limitations because of specific enumeration:

1) Anchorage to resist flotation and lateral movement.

2) Installation of watertight doors, bulkheads and shutters.

3) Reinforcement of walls to resist water pressure.

4) Use of points, membranes or mortars to reduce seepage of water through walls.

5) Addition of mass or weight to structures to resist flotation.

6) Installation of pumps to lower water levels in structures.

7) Construction of water supply and waste treatment systems so as to prevent the entrance of floodwaters.

8) Pumping facilities for subsurface external foundation wall and basement floor pressures.

9) Construction to resist rupture or collapse caused by water pressure or floating debris.

10) Cutoff valves on sewer lines or the elimination of gravity flow basement drains.

11) Elevation of structures to reduce likelihood of flood damage.

(b) The floodproofing measures as outlined in the Corps of Engineers, June 1972 publication, "Flood-Proofing Regulations," shall be the minimum guidelines which must be adhered to, as such publication shall be amended from time to time.

[*Ord. 295*]

(*Ord. 160, 4/6/1977; as amended by Ord. 295, 8/9/1989*)

**§27-705. Warning and Disclaimer of Liability.**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams or bridge openings constricted by debris. In such instances, areas outside the Floodplain and Flood Hazard District or land uses permitted within the district may be subject to flooding or flood damages. This Chapter shall not create liability on the part of Northampton Township or any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

(*Ord. 160, 4/6/1977*)

**§27-706. Effect on Existing Easements or Deed Restrictions.**

It is not intended by this Part or by this Chapter to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Chapter imposes greater restrictions, the provisions of this Chapter shall prevail.

(*Ord. 160, 4/6/1977*)

**§27-707. Severability.**

To the extent that any final decision of a court that provisions of this Part are unconstitutional, invalid or illegal makes the Chapter no longer applicable to any or all property within the Floodplain and Flood Hazard District, the zoning classification of that land shall revert to the district in which it was located under this Chapter in force prior to enactment of this Chapter.

(*Ord. 160, 4/6/1977*)

**§27-708. Boundary Disputes.**

1. The boundaries of the Floodplain and Flood Hazard District shall be determined by scaling distance of the Flood Hazard Map. Where interpretation is needed as to the exact location of the boundaries of the district as shown on the Flood Hazard Map, as, for example, where there appears to be a conflict between a mapped boundary and actual field conditions, the Board of Supervisors shall, on appeal to it, make the necessary interpretation. The person contesting the location of the district shall have the burden of establishing that land does not lie within the district, as defined above. The Board of Supervisors shall establish procedures for such appeal.

2. When an appeal of the boundaries of the Floodplain and Flood Hazard District is approved by the Board of Supervisors, the revised boundary shall automatically become the official boundary until such time as the Floodplain and Flood Hazard District Map is accordingly amended.

*(Ord. 160, 4/6/1977)*

**Part 8****Institutional and Recreational Districts****§27-801. Specific intent.**

1. In accordance with the goals and objectives of the Township Comprehensive Plan, it is both necessary and imperative that the use of land and property for public and quasi-public purposes be compatible with and in harmony with other uses. A substantial portion of Northampton Township is owned, leased or occupied by numerous levels of government, including the Township, the Municipal Authority, the Council Rock School District, several agencies of the County of Bucks, the Commonwealth of Pennsylvania and, to some extent, the United States government.

2. All too frequently, public land or land which is to become public land is utilized to fit the instant need and not according to any plan. Higher levels of government tend to purchase and occupy municipal property with immune responsibility for conformance to local standards.

3. Institutions are frequently large landholders and are frequently subject to minimal controls related to zoning. It is the specific intent of Northampton Township to regulate and to provide controls for the use of public, quasi-public and institutional properties in accordance with sound planning principles.

(Ord. 160, 4/6/1977)

**§27-802. IP District Use Regulations.**

The following uses shall be recognized as being subject to the regulations and provisions of the Institutional/Public District:

A. *Uses by Right.* Existing uses by right and future uses which may occur by right shall include:

(1) Municipal or Township governmental offices, including libraries, civic centers, police administration facilities, police and/or fire training facilities and recreation facility administrative offices.

(2) Municipal Authority administrative offices.

(3) Council Rock School District administrative facilities and offices and satellite facilities related to administration.

(4) Dedicated public open space (exclusive of land controlled by the FP Floodplain and Flood Hazard District) controlled by fee simple ownership or similar land use controlled by open space easement or covenant within the legal jurisdiction of Northampton Township.

(5) Public open space controlled by any agency of Bucks County, the Commonwealth of Pennsylvania, the Federal government or nonprofit organizations, provided such land or use is permanently committed to such public use.

B. *Conditional Uses.* The following uses are permitted as conditional uses, subject to approval and issuance of a conditional use permit in accordance with

## Part 9:

- (1) Federal postal service facilities and distribution centers.
- (2) Federal military installations (operating facilities) and storage of Federal vehicles.
- (3) State military facilities (National Guard) and storage of vehicles.
- (4) Federal or State medical facilities, hospitals, clinics, out-patient care facilities, sanatoriums or similar facilities.
- (5) Exterior and interior storage of cinders, salt, calcium chloride and similar road surface treatment materials related to Township or State agencies.
- (6) Nonprofit public or private hospitals, clinics, health care facilities, sanatoriums, convalescent homes and extended care facilities.
- (7) Public schools, parochial schools, nonprofit schools and special large-scale facilities (a stadium, major meeting room facility, etc.) operated by a public or nonprofit school but not on property related to such schools.
- (8) Special structures or uses related to the provision of public water supply (such as filter treatment plant, major pumping facility, storage tank, reservoir) and public sewer facilities.
- (9) Any use which is public, quasi-public or institutional in nature, which is controlled by an institution, philanthropic organization, nonprofit corporation or religious organization and which requires structures or related facilities.
- (10) Public or quasi-public cemeteries not in existence at the time of passage of this Chapter.
- (11) Any structure, facility or use related to military or municipal airfields, airports, runways, hangars or related facilities.
- (12) Any use proposed to be conducted by an applicant which is regulated by the Pennsylvania Public Utilities Commission which requires a new structure (other than administrative offices) including, but not limited to, major electrical transformer stations; high-pressure pump stations for oil and gas transmission; and similar but related uses. [Ord. 411]
- (13) Telecommunications facility subject to the provisions of §§27-1116, 27-1123 and the specific criteria listed in §27-602.B(4). [Ord. 411]

C. *Uses by Special Exception.* None.

D. *Accessory Uses.* Any use which is entirely incidental and subordinate to the above permitted uses and is located on the same lot, parcel, tract or reservation.

E. *Village Overlay District.*

(1) Uses permitted by right within the underlying IP District shall be permitted by right within the Village Overlay District

(2) Uses permitted by conditional use or by special exception within the underlying IP District shall be permitted by conditional use within the Village Overlay District.

(3) Uses not permitted by right, conditional use or special exception

within the underlying IP District, but are permitted as a use by right, conditional use or special exception within the C-2, C-3 or PO Districts, shall be permitted by conditional use within the Village Overlay District.

(4) Where conflicts between the provisions of the IP Zoning District and Village Overlay District exist, the provisions of the Village Overlay District shall apply.

(Ord. 160, 4/6/1977; as amended by Ord. 411, 2/25/1996; and by Ord. 535, 12/17/2008, §4)

### **§27-803. IP District Area and Development Regulations.**

1. *General.* It is not intended that each separate use covered in §27-802 have prescribed lot areas, lot widths, building bulk controls and similar regulatory controls. It is intended, however, that when a permitted use by right or conditional use requires a structure within the IP Institutional/Public District, restrictive controls on such structure conform to the most restrictive controls for such use as required for the nearest adjacent and abutting zoning district. For example, a building or structure proposed to house a National Guard armory on a parcel abutting the I-1 Planned Industrial/Office District would be required to conform to the area and development controls of the abutting district. As another example, a satellite volunteer fire company station located adjacent to an R-2 Single-Family District would provide lot, yard and coverage requirements not less restrictive than the equivalent controls for all other permitted uses as prescribed in §27-406.2.B.

2. *Area and Development Regulations for Conditional Uses.* If an unusual use is proposed which is not specifically mentioned by this Part but which falls in the category of conditional uses, and if there is discretion as to area and development regulations, such regulations shall be specified with the conditional use permit by the Board of Township Supervisors, if approved.

3. *Minimum Conditions for Certain Conditional Uses.* As minimums, the following controls shall apply to certain conditional uses:

A. Large-scale storage areas for vehicles by any public, quasi-public or institutional agency shall be located at least 100 feet from any property line.

B. Cemeteries must provide a complete peripheral landscaped buffer as specified in Part 11.

C. The external or outside storage of road treatment materials or chemicals and related equipment must provide a complete peripheral landscaped buffer as specified in Part 11.

D. Elevated water tanks and towers for communication equipment must be located 100 feet from a property line or 200 feet from any residence district.

E. Special recreational facilities such as a stadium or assembly building for large meetings, etc., must be located at least 200 feet from any residence district.

F. Pump facilities for medium- to high-pressure gas and oil transmission facilities must be located 150 feet from any potential residence.

4. *Off-Street Parking and Loading.* The required off-street parking and loading facilities, if not governed by requirements of the abutting district, shall be as specified

in Part 11.

5. *Unconstitutionality.* To the extent that the final decision of any court should hold that this Part is unconstitutional, invalid or illegal as applied to any property or portion thereof in restricting its use or development, then such property shall thereupon be included in the R-1 District and its development shall conform to the requirements of that district.

(Ord. 160, 4/6/1977)

#### **§27-804. REC Recreation District.**

1. *Purpose and Intent; Interpretation.* It is the general purpose and intent of this district to provide for suitable areas within the Township to accommodate spacious recreational uses and to provide appropriate design standards for the same. In doing so, it is hereby recognized that active and passive recreation are equal in importance. Both forms of recreation serve legitimate municipal health, safety and public welfare purposes.

2. Use regulations in the REC District shall be as follows:

A. *Uses by Right.*

(1) Dedicated public open space (exclusive of land controlled by the FP Floodplain and Flood Hazard District) controlled by open space easement or covenant within the legal jurisdiction of Northampton Township.

(2) Public open space controlled by any agency of Bucks County, the Commonwealth of Pennsylvania, the Federal government or nonprofit organizations, provided that such land or use is permanently committed to such public use.

(3) Municipal uses, per standards in §27-1121. [Ord. 409]

B. *Conditional Uses.* The following uses are permitted as conditional uses, subject to approval and issuance of a conditional use permit in accordance with Part 9:

(1) Country clubs including, but not limited to, a golf course, swimming pool, clubhouse, restaurant and other accessory uses, provided that these are clearly accessory to the country club, subject to the following provisions:

(a) A lot area of not less than 60 acres shall be required.

(b) No buildings shall be closer than 100 feet to any lot line.

(2) Any use permitted in R-1 Single-Family Districts, provided that no more than one single-family detached dwelling shall be permitted on a lot. Any application for more than one single-family detached dwelling shall require the filing, by the property owner or a group of property owners, of:

(a) A subdivision plan pursuant to Chapter 22, "Subdivision and Land Development."

(b) A petition to amend the Zoning Map, for all or any portion of the subject property, to R-1 Single-Family District pursuant to §27-1501 herein. Should the subdivision plan be otherwise approvable by the Board of Supervisors, the approval of the accompanying petition to amend the Zoning Map shall not be unduly withheld by the Board of Supervisors.



(3) Telecommunications facility subject to the provisions of §§27-1116 and 27-1123, and the specific criteria listed in §27-602.B(4). [*Ord. 487*]

3. Area and development regulations in the REC District shall be as follows:

A. Minimum lot area: 10 acres.

B. Minimum lot width at building line: 250 feet.

C. Minimum yards.

(1) Front: 100 feet.

(2) Side, each: 50 feet.

(3) Rear: 100 feet.

D. Maximum impervious surface ratio:

(1) Dedicated public open space within the legal jurisdiction of Northampton Township and municipal uses: 25 percent.

(2) All other permitted uses: 3 percent of lot area.

[*Ord. 415*]

(*Ord. 160*, 4/6/1977; as added by *Ord. 343*, 12/11/1991; as amended by *Ord. 409*, 8/14/1996; by *Ord. 415*, 1/22/1997; and by *Ord. 487*, 12/11/2002)



**Part 9****Conditional Use and Cluster Design Regulations****§27-901. Conditional Use Regulations.**

1. A conditional use is distinguished from a use by right in that all such uses can be allowed or denied by the Board of Supervisors of Northampton Township after consultation with the Northampton Township Planning Commission and pursuant to specific standards and criteria set forth in this Chapter.

2. Certain conditional uses have been incorporated in the zoning districts established by this Chapter.

3. The following factors and criteria shall apply to all conditional uses permitted within any zoning district:

A. The importance of the proposed conditional use to the Township or the region.

B. The availability of alternative sites or location for the proposed use.

C. The compatibility of the proposed use with existing and foreseeable nearby uses.

D. The relationship of the proposed use to the goals and objectives of the Township Comprehensive Plan.

E. The potential physical impact of the proposed use upon the neighborhood and upon nearby streets, roads and highways in terms of vehicular traffic and pedestrian safety.

F. The safety of personal property if a proposed use is allowed (for example, storage in a Floodplain and Flood Hazard District).

G. The absolute need for a proposed use if viable alternative locations exist and such use, in its proposed location, has identified detriments.

H. The effect of the proposed use upon the public water and public sewerage systems or, alternatively, the lack of availability of connection to such systems.

I. The overall environmental impact of the proposed use upon the proposed site, the watershed and, particularly, the surface water drainage effects on all downstream properties.

4. *Conditions of Approval.* In allowing a conditional use, where such use is permitted, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, and this Chapter. Among such conditions, without limitation because of specific enumeration, which may be included:

A. Specific modifications to area and development regulations as might be otherwise required.

B. Specific studies prior to or subsequent to approval of the use or uses including, but not limited to, traffic impact analyses, special storm drainage studies, preliminary architectural renderings, economic feasibility analyses and similar factual reports or drawings related to the proposed use.

C. Agreements for the provision of additional utility requirements or traffic safety facilities which might be required to support the proposed use.

D. The securing of additional easements or property for access or utilities to assure proper site design.

[*Ord. 295*]

5. *Cluster-designed Subdivisions*. In allowing a conditional use for a cluster-designed subdivision, the Board of Supervisors shall verify that the density, as proposed, has been properly determined and is in conformance with the methods and procedures contained in §27-903.4.A. [*Ord. 436*]

(*Ord. 160, 4/6/1977; as amended by Ord. 295, 8/9/1989; and by Ord. 436, 5/13/1998*)

### **§27-902. Conditional Use Procedures.**

Procedures for conditional uses shall be as follows:

A. The applicant shall file an application for a conditional use permit with the Board of Supervisors. The application shall contain the following materials:

(1) Appropriate design plans and/or specifications, in conformance with the requirements for a preliminary land development plan.

(2) Photographs depicting the site.

(3) Appropriate engineering responses to any identified or suspected site development problem.

(4) Other related information required to support the application.

B. The Board of Supervisors shall conduct a public hearing pursuant to public notice. The public hearing shall commence within 60 days from the date the Township receives the request for a conditional use permit application. Written notice of the decision of the Board of Supervisors shall be given within 45 days after the date of the last hearing. [*Ord. 423*]

C. In considering any conditional use application, the Board of Supervisors shall consult with the Township Planning Commission, the Township Engineer and other technical experts to determine the feasibility of such proposed use. [*Ord. 367*]

D. If the conditional use permit is granted, the applicant shall proceed to meet the other requirements of this Chapter and the requirements of the Subdivision and Land Development Ordinance [Chapter 22], if applicable.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 295, 8/9/1989; by Ord. 367, 8/11/1993; and by Ord. 423, 8/13/1997*)

### **§27-903. Cluster Design Regulations.**

1. Cluster-designed subdivisions, as defined in this Chapter, are permitted as conditional uses in the following zoning districts:

A. CR Country Residential District.

B. AR Agricultural-Residential District.

C. R-1 Single-Family District.

D. R-2 Single-Family District.

[Ord. 436]

2. *Purpose for Cluster Design.* The purpose for cluster design is to:

A. Provide standards to foster the amount of open space and to control impervious surfaces within a development; to control the intensity of development in areas of sensitive natural resources or natural features in order to reduce or eliminate adverse environmental impacts; to protect the people's right to clean air, pure water and the natural, scenic, historic, recreation and aesthetic values of the environment; and to protect natural and agricultural resources which are a part of the ecological system to which the residents are all bound and therefore are the common property of all people, including generations yet to come, and which must be protected to ensure the health, safety and welfare of all the people.

B. Provide incentives to meet housing and environmental goals or to provide public or special facilities.

C. Provide standards of performance which make the unique characteristics of the land or site the determinants of its capacity for residential use.

3. *Cluster Development Conditional Use Requirements.* Planned development of single-family detached dwellings shall be permitted as a conditional use in the CR Country Residential District, AR Agricultural-Residential District, R-1 Single-Family District and R-2 Single-Family District, on lots with modified dimensional requirements; provided, that:

A. Dimensional requirements and performance standards shall be in accordance with the provisions of this Part.

B. An amount of open land shall be set aside as permanent usable open space or preserved area(s) in accordance with the open space preservation, maintenance and ownership requirements of this Part.

C. Ownership, maintenance and use of open space and preserved area(s) shall be in accordance with the provisions of this Part and Part 10. [Ord. 441]

D. Existing natural features, such as brooks, creeks, streams, drainage channels, woodlands and steep slopes, shall be retained wherever possible. In addition thereto, prime agricultural land shall be protected in the AR District wherever possible. No more than 25 percent of the lot area of a building lot shall contain steep slopes, floodplains and wetlands.

E. The maximum number of single-family detached dwelling units which will be permitted for any tract or site in a cluster-designed subdivision shall be computed in accordance with the requirements described in subsection 4.

F. All dwelling units within any cluster-designed subdivision in the AR, R-1 and R-2 Districts shall be provided with public water and public sewer facilities. All dwelling units within any cluster-designed subdivision in the CR District shall be provided with water and sewer facilities as approved by the Board of Supervisors.

[Ord. 436]

4. *Area and Development Controls; Dimensional Requirements.* The purpose of this subsection is to specify the area and development controls and dimensional requirements applicable to all cluster-designed subdivisions, where permitted, within

Northampton Township. The regulations pertaining to maximum overall density, minimum open space ratio, maximum impervious surface ratio, maximum building coverage, minimum site area, minimum average lot area per dwelling unit, minimum building setback line and setback from right-of-way per lot, minimum front, side and rear yard, individually and in the aggregate, and the maximum height in feet and in stories shall be as specified in the performance standards and dimensional requirements shown in this subsection.

A. In computing the maximum number of single-family detached lots which are permitted for a tract or site under the cluster design regulations, the following method shall be utilized:

(1) The maximum number of lots shall be determined by submitting a standard subdivision plan, showing the number of building lots permitted under the area and development regulations of the applicable zoning district. The subdivision plan shall meet all other applicable provisions of this Chapter and shall be drafted in accordance with the requirements for sketch plans and shall meet the design standards of Chapter 22, "Subdivision and Land Development."

(2) The Township Engineer shall review the standard subdivision plan and shall verify the maximum number of dwelling units attainable under a standard subdivision.

(3) When the maximum density for the entire tract under a standard subdivision has been verified in accordance with the foregoing procedure, the tract shall become eligible for development as a cluster-designed subdivision at the same maximum density.

(4) For any cluster-designed subdivision in the AR District, the maximum number of lots allowed on any parcel within the site shall not be more than 150 percent of what could have been developed on that parcel under a standard subdivision plan as certified by the Township Engineer, and the maximum number of lots allowed on the entire site shall not exceed the number which could be developed under a standard subdivision plan. [Ord. 446]

B. *Performance Standards.* The performance standards required for a cluster-designed subdivision site shall meet the following requirements:

District	Minimum Site Area (acres)	Minimum Open Space Preserved Area(s) for Gross Site	Maximum Impervious Surface Ratio for Net Site	Maximum Building Coverage for Net Site
CR	40	40 percent	12 percent	8 percent
AR	150	30 percent <sup>1</sup>	20 percent	10 percent
R-1	25	50 percent	22 percent	12 percent
R-2	25	35 percent	25 percent	12 percent
NOTES: <sup>1</sup> May be comprised of open space/preserved area(s) and/or uses permitted in subsection .5.B below.				

[Ord. 446]

## C. Dimensional requirements for single-family dwelling lots.

**Schedule of Dimensional Requirements for  
Single-Family Dwelling Lots in Cluster-Designed Subdivisions**

<b>Zoning District</b>	<b>Minimum Open Space/Preserved Area for Site (percent)</b>	<b>Average Lot Area Per Dwelling Unit (square feet)</b>	<b>Minimum Lot Area Per Dwelling Unit (square feet)</b>	<b>Minimum Lot Width at Building Setback Line/ Right-of-Way Line (feet)</b>	<b>Maximum Building Coverage/ Impervious Surface Ratios Per Lot (percent)</b>	<b>Minimum Side Yard; Aggregate/Each (feet)</b>	<b>Minimum Rear Yard (feet)</b>	<b>Minimum Front Yard (feet)</b>
CR	40	43,560	40,000	150/30	10/18	55/25	50	50
CR	50	35,000 <sup>1</sup>	30,000 <sup>1</sup>	125/30	12/18	45/20	50	50
AR	30	30,000	30,000	125/30	12/15	45/20	50	50
AR	35	25,000	25,000	115/30	15/20	35/15	50	50
AR	40	20,000	20,000	100/30	15/20	35/15	50	50
R-1	50	15,000	12,000	100/30 <sup>2</sup>	20/22	-35/15 <sup>2</sup>	35 <sup>2</sup>	35 <sup>2</sup>
R-2	35	12,000	10,000	80/30 <sup>2</sup>	25/30	25/10 <sup>2</sup>	35 <sup>2</sup>	30 <sup>2</sup>

## NOTES:

<sup>1</sup> Connection to a public water distribution system of the Northampton, Bucks County, Municipal Authority shall be required.<sup>2</sup> See §27-903.4.D.

[Ord. 436]

D. *Lot Averaging*. In order to allow flexibility to treat unusual site conditions and irregularly shaped parcels and to preserve trees, watercourses and other natural features, the minimum and average lot area requirements may be employed. The minimum individual lot area for any dwelling unit shall be as shown below, provided that the average lot area for all dwelling units meets the requirements of subsection .4.C above. The lot width at building setback line and yard requirements for any individual lot for a dwelling unit which is less than the required average may be reduced by no more than 20 percent.

Zoning District	Minimum Lot (square feet)
CR	40,000 or 30,000 <sup>1</sup>
R-1	12,000
R-2	10,000
NOTE: <sup>1</sup> In accordance with respective average lot area per dwelling unit options of 43,560 and 35,000 square feet, as required in subsection .4.C above.	

[Ord. 436]

E. The lot area and yards required for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this Chapter. No required lot area and yard shall include any property, the ownership of which has been transferred subsequent to the effective date of this Chapter, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

5. *Open Space and Preserved Areas; Agricultural-residential District*. Open space and preserved areas shall be provided as follows:

A. The minimum requirement of 30 percent required open space and preserved area shall be provided as follows:

(1) A minimum of 25 percent of the total open space and preserved area as may be required under subsection .4.C shall be provided as open space. Said open space shall be designed to serve and be contiguous to lots within the cluster-designed subdivision. (Example: A site of 220 acres, when multiplied by the minimum open space ratio of 30 percent, produces a total open space and preserved area requirement of 66 acres. Twenty-five percent of the total open space and preserved area requirement (16.50 acres) must be provided as open space for the lots within the cluster-designed subdivision.)

(2) Upon the deduction of the minimum required open space under subsection .5.A(1) above, the balance of the total required open space and preserved area shall be provided as open space or preserved area. Said open space and preserved area may, but shall not be required to, serve or be contiguous to lots within the cluster-designed subdivision.

(3) Any preserved area shall be in one parcel and shall not be separated by any street.

(4) Additional preserved area or open space in excess of the minimum requirement of 30 percent may be in parcels not contiguous with the first 30



percent of the open space and preserved area provided.

B. Preserved area(s) may be used for the following:

(1) Agriculture, including tilling of the soil, raising of livestock, horses or poultry, nursery and/or tree farm, subject to limitations listed herein, and provided that buildings and structures for such uses, except for fences, are situated not less than 100 feet from any street line or property line.

(2) Commercial greenhouses, mushroom houses, feedlots, confinement livestock or poultry operations taking place in structures or enclosed pens, riding academies; livery or boarding stables or kennels, subject to limitations listed herein, and provided that such uses are situated not less than 200 feet from any street line or property line.

(3) Farm (agricultural) retail sales at roadside stands, subject to limitations listed herein, and provided that:

(a) At least 75 percent of all products sold, by dollar volume, are grown or produced on the property.

(b) The maximum gross floor area devoted to retail sales shall be limited to 2,000 square feet.

(c) Vehicle access shall be limited to the following streets:

Almshouse Road

Bristol Road

Hatboro Road

Jacksonville Road (between Almshouse Road and Bristol Road)

Sackettsford Road

(4) Single-family detached dwelling for the sole use of the property owner, immediate family members of the property owner and persons engaged in agricultural employment on the property. Immediate family members shall be limited to parents, grandparents, siblings, sons, daughters, grandsons and granddaughters, subject to limitations listed herein; and, provided that:

(a) The dwelling is an accessory use to uses listed in subsection .5.B(1) and (2) herein.

(b) There is no more than one dwelling per 30 acres of preserved area.

(5) Passive or active recreation; provided, however, that any form of active recreation shall be on a nonprofit basis unless said preserved area is dedicated to Northampton Township.

C. So as to minimize the number of entities controlling different parcels of open space and preserved area necessary to provide the minimum requirement of preserved area/open space in any one cluster-designed subdivision:

(1) All open space shall be owned in accordance with the requirements described in subsection .6 and shall be designed as follows:

(a) Open space shall be contiguous to lots within the cluster-designed subdivision.

(b) The open space shall be readily accessible to all residents of the

cluster-designed subdivision or, in the case of open space dedicated to the Township or other legal entity deemed appropriate by the Board of Supervisors, shall be easily and safely accessible to the general public.

(2) Any preserved area shall be held in common ownership by a single landowner or other legal entity approved by the Board of Supervisors, including different members of one family; provided, that all such family members are recited in each deed for each parcel of the preserved area, subject to a restrictive covenant which would run with the land. Said restrictive covenant shall be written in a manner and form approved by the Board of Supervisors and the heritage conservancy, if deemed appropriate by the Board of Supervisors, wherein the property owner shall agree to the extent applicable to:

(a) Restrict the property to those uses listed in subsection .5.B above, as may be amended from time to time.

(b) Include the heritage conservancy or other similar agency as a third-party arbitrator between the Township and the owners of said preserved area to determine any disputes in the continued maintenance or use of said preserved area(s) consistent with this Part or with this Section and to further act as a manager of said preserved area in the event that it is determined that the owners of the same fail to continue its use and operation consistent with this Part. In the event that the conservancy is requested to act as an arbitrator or manager hereunder, the administrative and management costs incurred by the conservancy in so acting shall be paid by the disputing parties in any arbitration or by the owner of the preserved area in the case of management costs. Upon completion of an arbitration, the losing party shall reimburse the winning party for administrative and management costs that it paid to the conservancy.

(c) Obtain the approval of the Township for any subdivision or development of the property or construction on said property as limited by subsection .5.B above.

(d) Provide the Township with at least 30 days written notice of any transfer or sale of the property, with the Township having the right of first refusal.

(e) Revert, transfer or retransfer the property to Northampton Township in the event that the landowner, conservation organization or other legal entity becomes unwilling or unable to continue carrying out its function.

D. In order to assure the conservancy that its administrative and management costs will be paid by the disputing parties during the course of an arbitration, said parties will deposit with a bank an amount to be held in escrow in accordance with the terms of a written escrow agreement prepared by the Township Solicitor, and approved by the conservancy, which shall be entered into by the disputing parties and the escrow agent. Such escrow agreement shall provide that, as the arbitration process continues, the escrow agent holding said funds will release from the funds deposited sums for the services rendered by the conservancy as arbitrator. The amount initially deposited with the escrow agent shall be an

amount sufficient to cover costs of the conservancy in the arbitration process. Said amount shall be set up by the conservancy based on an estimate of the time and the amount of work that will be performed during the arbitration process. In the case where the conservancy is requested to take over as a manager of a preserved area, then the owner of said preserved area shall be required to post an escrow sum with a bank in accordance with the terms of a written escrow agreement prepared by the Township Solicitor, which shall be entered into by the owner, the conservancy and the escrow agent. Such escrow agreement shall provide that, as the conservancy's management and maintenance of the preserved area continues, the escrow agent holding said funds will release from the funds deposited sums for the services rendered by the conservancy as manager. The amount initially deposited with the escrow agent shall be an amount sufficient to cover costs of the conservancy that will be incurred in the management process. Said amount shall be set by the conservancy based on an estimate of the amount of work that will be performing during the management process.

E. Landowners utilizing open space or preserved area pursuant to the provisions set forth in subsection .5.B herein shall also grant to Northampton Township a conservation easement over the subject open space or preserved area. The documentation pertaining to said conservation easement must be reviewed and approved by the Board of Supervisors and the Township Solicitor.

[Ord. 441]

6. *Open Space.*

A. *Ownership of Open Space.* The following forms of ownership, at the discretion of the Board of Supervisors, shall be used to preserve, own or maintain open space:

(1) *Condominium.* The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Uniform Condominium Act of 1980, as amended, 68 Pa.C.S.A. §3101 *et seq.*, and any other relevant statute. All open space land shall be held as a common element. Such land shall not be eligible for sale to another party except for transfer to another method of ownership permitted under this subsection and then only when there is no change in the open space ratio.

(2) *Homeowners Association.* The open space may be held in common ownership by a homeowners association. This method shall be subject to all the provisions of the homeowners association set forth in Article VII of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10701 *et seq.*

(3) *Fee-simple Dedication.* The Township may but shall not be required to accept any portion or portions of the open space, provided that such land is freely accessible to the public, there is no cost involved and the Township agrees to and has access to maintain such lands. Such open space accepted by the Township in dedication may potentially be developed and used for any active or passive recreation, as the Township deems appropriate.

B. *Homeowners Association Ownership of Open Space.*

(1) *Homeowners Association.* A homeowners association will be required if other satisfactory arrangements have not been made for improving,

operating and maintaining common facilities of the open space, including streets, drives, service and parking areas and recreation areas. When required, the homeowners association must be established by the developer, and all property owners must be members of said association in accordance with the requirements and procedures outlined in the Pennsylvania Municipalities Planning Code or Uniform Condominium Act, as amended, 53 P.S. §10101 *et seq.*, and 68 Pa.C.S.A. §3101 *et seq.*, respectively, or any other relevant statute.

(2) In the event that the County or Township refuses the offer of dedication of all or parts of such land prior to the issuance of any permits, arrangements shall be made to convey the same to the Bucks County conservancy or a duly constituted association of property owners under terms approved by the Township Solicitor and the Bucks County conservancy, if deemed appropriate by the Board of Supervisors. The property owners association responsible for any open space within the development shall be regulated by articles of association or incorporation, which shall include, as a minimum, provisions legally binding the members of the association, owners or occupants of the development to the payment of appropriate amounts to the association to assure the continued maintenance and improvement of all common property and to provide for adequate recourse for the Township in the event of nonpayment. Such land shall be used as one or more of the following:

- (a) Golf course or country club.
- (b) Private swimming pool or swimming club.
- (c) Game and play area.
- (d) Tennis courts.
- (e) Children's nursery or day-care center.
- (f) Any other use deemed appropriate by the Township for orderly development of the area.

(3) The improvement of any open space shall conform to the pertinent standards of Chapter 22, "Subdivision and Land Development," and shall be in accordance with approved subdivision and land development plans.

(4) In order to ensure the continued protection of natural features, open space shall be subject to a conservation easement granted to Northampton Township. The documentation pertaining to said conservation easement shall be reviewed and approved by the Board of Supervisors and the Township Solicitor.

[Ord. 441]

7. *Procedures.* The use of cluster design principles for a cluster-designed subdivision requires approval of a conditional use and the issuance of a conditional use permit, which can be approved only by the Board of Township Supervisors of Northampton Township. The procedures established in §§27-901 and 27-902 of this Chapter shall be used for such conditional use application for cluster developments, and further provided that the following requirements are met:

A. No conditional use for cluster development shall be recommended by the Planning Commission or approved by the Board of Supervisors unless, or except to the extent that, the standards and criteria set forth below are met and appropriate

conditions and restrictions are attached to the approval to ensure continuing compliance therewith:

(1) The site shall be adequate and appropriate for the proposed use in terms of size, topography, surface water drainage, sewage disposal and water supply accessibility.

(2) Taking into consideration the character and type of development in the area surrounding the proposed cluster-designed subdivision, such use, as permitted, shall constitute an appropriate use in the area which will not substantially injure or detract from the use of surrounding property or from the character of the neighborhood. Single-family detached dwellings shall not be located directly abutting single-family detached dwellings of significantly higher unit value or lower density than the proposed dwellings, except where extensive natural buffering exists and will be retained, or can be created, so as to functionally and visually separate the two sites. In the alternative, any necessary transition between differing dwelling unit values and densities may be provided within the cluster-designed subdivision.

(3) Existing public roads shall be adequate to serve additional traffic reasonably likely to be generated by the proposed use.

(4) Development of the property for the proposed use shall promote or be consistent with the coordinated and practical community development, proper density of population, the provision of adequate public and community services and the public health, safety, morals and general welfare.

(5) The proposed use shall be reasonable in terms of the logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection.

(6) If the proposed site would be created by subdivision of a larger tract or parcel, the balance of such tract or parcel remaining shall be adequate and appropriate for its existing and continuing use in accordance with the foregoing standards.

(7) Development of the site for the proposed use shall be susceptible of regulation by appropriate conditions and restrictions to:

(a) Ensure compatibility of any building to be erected or altered with the surrounding area in terms of size, shape, materials and placement of structures.

(b) Control traffic, noise, signs, lights, parking and other anticipated activity upon the premises to avoid or minimize any adverse effect upon the peace, quiet, privacy and the character of the surrounding area.

(c) Provide adequate on-site parking for any reasonably anticipated volume of use, considering the standards set forth in Part 11 of this Chapter as minimal.

(d) Provide such landscaping as may be appropriate for protective buffering of and the promotion of harmony with adjoining residential or other permitted uses.

B. The application for the conditional use shall be referred to the Township Planning Commission by the Board of Supervisors. After a full review of the

application, the Planning Commission shall transmit to the Board of Supervisors a written or oral report of its findings and recommendations, including all recommended conditions.

C. The Board of Supervisors shall consider the application and the report of the Planning Commission at a regular meeting. Upon request, the applicant and others affected by the application shall be afforded reasonable opportunity to be heard.

D. The Board of Supervisors shall approve or disapprove the application by resolution. In case of approval, it shall affirm, modify and/or supplement the conditions and requirements recommended by the Planning Commission, as the Board may find proper pursuant to the standards and criteria set forth herein. Unless otherwise provided in the resolution of approval, any subsequent extension of the approved conditional use shall require a reapplication.

E. All procedures for application and for the issuance of zoning and building permits under this Chapter shall be applicable to developments under this Part and Section.

(*Ord. 160*, 4/6/1977; as amended by *Ord. 210*, 5/9/1984; by *Ord. 265*, 2/24/1988; by *Ord. 436*, 5/13/1998; by *Ord. 441*, 12/9/1998; and by *Ord. 446*, 3/10/1999)

**Part 10****Open Space Requirements and Controls****§27-1001. Requirements.**

The need for open space and/or the preservation of agricultural land, as defined in this Chapter, has been specified in the description of purpose and specific intent for each zoning district. It is the purpose of this Part to specify the mandatory requirements for such open space (and/or the preservation of agricultural land) for each applicable district and to prescribe a payment in lieu of open space provision.

A. *Mandatory Open Space Requirements.* It shall be hereafter required that mandatory open space provisions shall be made for all residential uses in accordance with the following requirements for each district wherein cluster development is not utilized:

<b>District</b>	<b>Minimum Percent of Site Area To Be Reserved for Open Space/Agricultural Use</b>
AR Agricultural-Residential	10 percent
R-1 Single-Family	10 percent
R-2 Single-Family	15 percent
R-3 Multi-family	30 percent

B. *Ownership of Open Space.* All required open space shall be owned or maintained in accordance with the provisions of §27-903.5 and/or .6 of this Chapter.

C. Not more than 60 percent of required open space shall be comprised of floodplain area, and/or flood hazard area, detention basin area, steep slope area (not to exceed 8 percent or greater), areas with high water tables, marsh areas, areas with shallow bedrock or areas of erodible or poorly drained soils. [Ord. 210]

D. *Criteria for Location.* The following criteria shall be applicable for required open space:

(1) Site or sites should be easily and safely accessible from all areas of the development to be served, have good ingress and egress and have access to a public road; however, no public road shall traverse the site or sites.

(2) Site or sites should have suitable topography and soil conditions for use and development as a recreation area.

(3) Size and shape for the site or sites should be suitable for development as a particular type of park. Sites will be categorized by the Township, using the standards established by the National Recreation and Parks Association (Publication No. 10005, 1970 Edition).

(4) When designing and developing these recreation areas, it shall be done according to the standards established by the National Recreation and Parks Association, copies of which may be obtained from the Township office.

(5) Site or sites should, to the greatest extent practical, be easily

accessible to essential utilities, water, sewer and power.

(6) Site or sites should meet minimum size in respect to usable acreage with respect to National Recreation and Parks Association standards, with 75 percent of such area having a maximum slope of 7 percent.

(7) Site or sites should be in accordance with the objectives, guidelines and locational recommendations as set forth in the Northampton Township Comprehensive Plan and recreation plan. [Ord. 295]

(8) Unless otherwise required by the Northampton Township Board of Supervisors, a minimum of 0.03 acres of undeveloped land shall be dedicated and improved with park and recreation facilities for each new individual housing unit within the development. The size, type, location, ownership and maintenance of the improved park and recreation facilities shall be subject to the approval of the Board of Supervisors. [Ord. 555]

E. *Fee in Lieu of Dedication / Reservation.*

(1) The Board of Supervisors may, at its sole discretion, determine that because of the size, shape, location, access, topography, soils or other features of the land, it is impractical to dedicate open space land to the Township or to set aside land for such purposes within a subdivision. In such cases, the Board of Supervisors shall require the payment of a fee in lieu of dedication (or reservation) of such open space land.

(2) The required impact fee or the fee in lieu of mandatory land dedication for parks and recreation facilities shall be specified on the fee schedule adopted by Board of Supervisors, which may be amended from time to time by resolution. The fees shall be utilized to implement the park, recreation and open space plans that have been adopted by Northampton Township in accordance with the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* [Ord. 555]

(3) All moneys paid to the Township pursuant to this Section shall be used only for the purpose of providing park and recreational facilities accessible to the development. Fees shall be deposited and administered in accordance with the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.* [Ord. 295]

[Ord. 186]

(Ord. 160, 4/6/1977; as amended by Ord. 186, 10/2/1980; by Ord. 210, 5/9/1984; by Ord. 295, 8/9/1989; and by Ord. 555, 10/27/2010, §§1, 2)



**Part 11****Supplemental Regulations****§27-1101. General Intent.**

The supplemental regulations contained in this Part are intended to apply to all zoning districts, uses, structures, lots or other articles of this Chapter, except as otherwise stated. Every building, or structure hereafter erected, altered, enlarged or maintained, and every building, structure or parcel of land hereafter used, shall be in complete conformity with the requirements of the district in which the building is located and in conformity with the following supplemental regulations.

(Ord. 160, 4/6/1977)

**§27-1102. Aircraft, Aviation Facilities.**

Any facility connected with military, municipal or private aviation facilities must be approved as a conditional use within the IP Institutional/Public District (see §27-802.B). There are no such existing facilities within Northampton Township. If such facilities were considered within the Township, it is most likely that such would be an extension of or be related to the Naval Air Development Center (NADC) which abuts the Township boundaries. It is the intention of the Township to acknowledge the recommendations of the Compatible Use Zone Study and the Air Installation Compatible Use Zones contained in such study, dated February 1976, by giving due consideration to such recommendations at the time of review of any habitable use or subdivision located within CNR Zone 3 and CNR Zone 2 (Composite Noise Rating Zones), as shown on Figure IV-1 of said study.

(Ord. 160, 4/6/1977)

**§27-1103. Buffers and Screening.**

1. Buffer spaces are required for permitted uses in the R-3 Multi-family District, each of the commercial zoning districts, the PO Professional Office District, the I-1 Planned Industrial District and for certain uses in the IP Institutional/Public District. [Ord. 276]

2. Required buffers shall not be less than 20 feet in depth or as specified for each respective use or district. Buffer spaces shall not be used for parking, main or accessory buildings or any other use.

3. All required buffer spaces shall be landscaped as follows:

A. Required screening and buffer areas shall consist of at least 80 percent evergreen material and must, through layout and content, provide design solutions which solve all visual and noise problems related to residential, industrial or commercial uses whether on the same lot or not.

B. In addition to required tree and shrub buffer, earthen berms, fences or masonry walls may be acceptable or desirable when it is determined to be not feasible to achieve desired buffering with plant material.

C. Spacing, density and material selection shall be based on intensity or

degree of problem in area of required screening or buffer planting.

D. A naturalized arrangement of plant material and earthen berms shall be used wherever possible.

E. In all screening and buffer plantings, deciduous trees and shrubs shall be used with required evergreen material to provide accent and color to the overall planting.

[*Ord. 210*]

4. In addition to the above, landscaping shall be required for any multi-family use and for any nonresidential use as follows:

A. Any part or portion of any site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with natural surroundings. A replacement program for nonsurviving plants should be included.

B. Any single parking area with 20 or more spaces shall utilize at least 5 percent of its area in landscaping, which shall be in addition to open area requirements of the district.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; and by Ord. 276, 7/13/1988*)

#### **§27-1104. Accessory Buildings, Structures and Uses.**

1. Residential lots containing accessory buildings, structures and uses, including any garages, carports, decks, patios, terraces, gazebos, greenhouses, utility sheds, storage sheds, tennis courts, domestic animal shelters, or other similar accessory buildings, structures and uses, shall comply with the provisions specified under §27-1105 of this Chapter.

2. Nonresidential lots containing accessory buildings, structures and uses, including any garages, storage facilities, pole barns, farm buildings, greenhouses, supplemental uses, recreation facilities, or other similar accessory buildings, structures and uses, shall comply with the provisions specified under §27-1106 of this Chapter.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 298, 9/13/1989; by Ord. 300, 10/11/1989; by Ord. 414, 11/27/1996; by Ord. 522, 12/12/2007; and by Ord. 525, 12/12/2007*)

#### **§27-1105. Residential Accessory Buildings, Structures and Uses.**

1. Residential lots containing a permitted residential dwelling unit shall comply with the following general provisions:

A. The accessory building, structure or use shall be subordinate and customarily incidental to the principal building and utilized as an accessory use on the lot occupied by the principal building.

B. The accessory building, structure or use shall not be located in the front yard.

C. Unless otherwise specified by this Chapter, the accessory building, structure or use shall not be located within the side yard setback or within 7 feet to the rear lot line.

D. The land area occupied by the accessory building or structure shall account towards the building coverage calculations for the lot and zoning district to which it is located.

E. The land area occupied by the residential accessory building or structure shall account towards the impervious surface ratio calculations for the lot and zoning district to which it is located.

F. The maximum height of any accessory building or structure shall be 15 feet.

G. No permanent residential accessory building or structure shall be constructed on any lot prior to the commencement of construction of the principal building to which it is an accessory component.

2. The following provisions shall apply to attached residential garages, detached residential garages or carports:

A. Attached residential garages shall not have a floor area exceeding 900 square feet. The depth of an attached garage shall not exceed 32 feet.

B. Detached residential garages shall not have a floor area exceeding 1,000 square feet. The depth of a detached garage shall not exceed 32 feet. No more than one detached or freestanding residential garage shall be permitted per lot.

C. For lots containing a combination of attached residential garages, detached residential garages, and/or carports, the total combined floor area shall not exceed 1,200 square feet.

D. Attached residential garages, detached residential garages, and/or carports located on a lot occupied by a single-family detached dwelling unit shall comply with the building setback requirements of the underlying zoning district to which they are located.

E. Attached residential garages or detached residential garages on a lot occupied by a single-family attached dwelling, single-family semidetached dwelling, townhouse, or other dwelling having a common lot line may be located along the common lot line, provided that they do not project onto the adjacent property and they are located at least 5 feet from the rear lot line.

3. The following provisions shall apply to decks, patios and terraces:

A. Decks, patios and terraces located on a lot occupied by a single-family detached dwelling unit shall comply with the building setback requirements of the underlying zoning district to which they are located.

B. Decks, patios and terraces located on a lot occupied by a single-family attached dwelling unit or semidetached dwelling unit may be located along the common lot line, provided that they do not project onto another property and comply with the remaining setback requirements.

C. Decks, patios and terraces located on a lot occupied by a single-family detached dwelling unit, single-family attached dwelling, or single-family semidetached dwelling may be covered, provided that it is in accordance with all building code requirements.

D. Decks, patios and terraces located on a lot occupied by a townhouse unit may only be located in the rear yard and subject to the following provisions:

(1) It shall be located at least 1 foot from a side lot line or, in the case where a townhouse dwelling unit is not located on a fee-simple lot, an imaginary line extending from the common wall of any contiguous townhouse dwelling units.

(2) It shall be located at least 30 feet from a rear lot line; provided, however, that in instances where the existing rear yard setback was less than 42 feet, a patio, deck or similar structure may be attached to the rear of a dwelling unit and may extend into the rear yard provided that the deck is no closer than 7 feet from the rear property line. In the case of developments where the yard area is common space, decks, patios, and terraces can be constructed in accordance with Homeowner's Association requirements and/or as specified on the approved plan.

[Ord. 558]

4. The following provisions shall apply to noncommercial greenhouses:

A. Noncommercial greenhouses located on a lot occupied by a single-family detached dwelling unit shall comply with the building setback requirements of the underlying zoning district.

B. All noncommercial greenhouses shall not exceed 500 square feet per acre of land and shall not exceed 10,000 cumulative square feet in total gross covered floor area occupied by all of the noncommercial greenhouses located on the property.

5. The following provisions shall apply to utility sheds, storage sheds and gazebos:

A. Utility sheds or storage sheds located on a lot occupied by a single-family detached dwelling unit may be erected in the rear yard and shall be located at least 7 feet from the property line. All such utility sheds or storage sheds shall not exceed 180 square feet in floor area and shall not exceed 12 feet in height. Sheds larger than 180 square feet are subject to the requirements of subsection .2, related to detached residential garages. [Ord. 558]

B. Unless otherwise specified by this Chapter, utility sheds, storage sheds, gazebos, and all other accessory buildings or structures that are located on a lot occupied by a single-family attached dwelling or semidetached dwelling may be erected in the rear yard and shall be located at least 5 feet from the property line. All such accessory buildings or structures shall not exceed 80 square feet in floor area and shall not exceed 12 feet in height. Sheds larger than 80 square feet are subject to the requirements of subsection .2 related to detached residential garages. [Ord. 558]

C. No more than one utility shed or storage shed shall be permitted per lot.

D. No utility sheds or storage sheds shall be permitted within a multi-family development consisting of townhouses, condominiums or apartments, unless they have been designed as a uniform feature within the development.

E. All utility sheds or storage sheds shall be located, designed, constructed and installed in accordance with the manufacturer's specifications and the building codes of Northampton Township.

F. Gazebos may be permitted on a lot occupied by a single-family detached dwelling unit, single-family attached dwelling, or single-family semidetached

dwelling, provided it is located in a manner to comply with the building setback requirements of the underlying zoning district to which the gazebo is located.

6. Domestic animal shelters or housing units may be permitted, provided that the structure is located at least 7 feet from the side or rear property line.

7. Permanent noncommercial recreation facilities, structures and uses including, but not limited to, tennis courts, hockey rinks, skateboard facilities, basketball courts, and other similar accessory facilities, structures or uses, exceeding a cumulative playing surface area of 1,000 square feet shall be located at least 15 feet from the rear or side property lines. The exterior lighting facilities for all such noncommercial recreation facilities, structures or uses shall be located at least 15 feet from all property lines, which shall be directed downward to the playing surface area and shielded to prevent light spillage onto adjacent properties.

(*Ord. 160*, 4/6/1977; as added by *Ord. 522*, 12/12/2007; as amended by *Ord. 551*, 7/28/2010, §2; and by *Ord. 558*, 4/27/2011, §§2, 3)

**§27-1106. Nonresidential Accessory Buildings, Structures and Uses.**

1. Nonresidential lots containing a permitted nonresidential use shall comply with the following general provisions:

A. The accessory building, structure or use shall be subordinate and customarily incidental to the principal building and utilized as an accessory use on the lot occupied by the principal building.

B. Unless otherwise specified by this Chapter, all accessory buildings, structures or uses shall comply with all building setback requirements for the underlying zoning district to which it is located.

C. The land area occupied by the accessory building or structure shall account towards the building coverage calculations for the lot and zoning district to which it is located.

D. The land area occupied by the accessory building or structure shall account towards the impervious surface ratio calculations for the lot and zoning district to which it is located.

E. Unless otherwise specified by this Chapter, the maximum height of any nonresidential accessory building or structure shall be 30 feet.

F. No permanent residential accessory building or structure shall be constructed on any lot prior to the commencement of construction of the principal building to which it is an accessory component.

2. Storage facilities are permitted, provided that such facilities are located in areas which have direct access to a public street or driveway. The outdoor storage of materials shall be screened from the view of adjacent properties with a berm, trees, landscaping materials and/or fence.

3. Temporary living quarters for proprietors, watchmen, caretakers or similar-type employees may be permitted by special exception for nonresidential uses located within the C-2, C-3, PO and I-1 Zoning Districts.

4. Restaurants, cafeterias and/or recreational facilities are permitted, provided they are intended for the use of employees only, unless they are permitted as principal

uses in the district in which they are constructed.

5. Primary or alternative energy systems shall be permitted as external accessory structures, provided they are located in a manner to comply with the building setback lines for the underlying zoning district to which they are located.

(*Ord. 160, 4/6/1977; as added by Ord. 522, 12/12/2007*)

#### **§27-1107. Fences.**

1. Authorized fences shall be erected only in side yards, rear yards or other portions of a lot behind the front building setback line. [*Ord. 216*]

2. In all districts, fences up to 6 feet in height from grade level may be erected as noted above. In addition, the following requirements shall apply:

A. Fence enclosures for swimming pools are required to meet the requirements of the Pennsylvania Uniform Construction Code, as amended. [*Ord. 558*]

B. [Reserved]. [*Ord. 558*]

C. Conventional fences required for farm use, agricultural use and related facilities on properties in excess of 5 acres shall be exempt from the fence regulation of this Chapter, except for the height regulation.

D. Required fences for tennis, baseball or softball backstops and similar fences for similar recreational facilities shall be exempt from the regulations of this Chapter, provided that such recreational fences are not located closer than 50 feet to any abutting residential property in all residential zoning districts. [*Ord. 375*]

E. Any appeals from a decision or other action of the Zoning Officer with respect to fences as covered in this Section or other provisions of this Chapter may be made to the Zoning Hearing Board under the provisions for variances as covered under §27-1402.3 of this Chapter.

[*Ord. 236*]

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 216, 8/8/1984; by Ord. 236, 3/26/1986; by Ord. 375, 12/15/1993; and by Ord. 558, 4/27/2011, §4*)

#### **§27-1108. Home Occupations.**

Home occupations, as defined in this Chapter, are permitted as special exceptions (see Part 14) in the AR, EP, CR, R-1, R-2 and R-3 Zoning Districts, provided that such use may be permitted only within a single-family detached dwelling which is located on a lot containing not less than 20,000 square feet in area, with the exception that the lot for an office for a physician or dentist shall contain not less than 30,000 square feet.

(*Ord. 160, 4/6/1977; as amended by Ord. 189, 11/19/1980; by Ord. 210, 5/9/1984; by Ord. 272, 5/11/1988; and by Ord. 307, 6/13/1990*)

#### **§27-1109. Off-Street Loading Requirements.**

1. Off-street loading and unloading space(s) with proper and safe access from street or alley shall be provided on each lot where it is required that such facilities are necessary to adequately serve the uses within the district. All such loading and unloading spaces shall be located to the side or the rear of the building. Each loading and unloading space:

- A. Shall be at least 12 feet wide, 55 feet long and shall have at least a 15-foot vertical clearance. [Ord. 470]
  - B. Shall have an additional 60-foot maneuvering area.
  - C. Shall have an all-weather surface to provide safe and convenient access during all seasons.
  - D. Shall not be constructed in any required yard or required parking area.
- 2. Required off-street parking space, including aisles, shall not be used for loading and unloading purposes except during hours when business operations are suspended.
  - 3. Loading and unloading facilities shall be designed so that trucks need not back into or out of, or park in, any public right-of-way.
  - 4. All commercial and industrial buildings shall have adequate loading and unloading facilities in accordance with the following standards:
    - A. Any combination of uses on a lot having an aggregate floor area of 8,000 square feet or more shall require one off-street loading space.
    - B. In addition to the above, one additional off-street loading space shall be provided for each 25,000 square feet of floor area up to a maximum of three total off-street loading spaces; provided, however, that a planned shopping center may require additional loading spaces due to design and building location requirements.
    - C. Warehouse uses shall be designed for an appropriate number of off-street loading spaces to meet the needs of the specific use.
- (Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; and by Ord. 470, 12/13/2000)

**§27-1110. Off-Street Parking Requirements.**

1. Off-street parking spaces shall be required for all uses related to residential, commercial, industrial and public purposes. Where such spaces are so noted in the requirements for each district, such requirements shall be provided. If a use is proposed and approved for which parking requirements are not specified, the requirements herein shall be utilized. If a use is approved for which no parking requirement is specified, the Township Board of Supervisors, upon recommendation by the Planning Commission, shall prescribe such standards.

2. *General Parking Regulations.* The following parking regulations under this subsection apply in all zoning districts unless otherwise provided herein:

A. *Off-Street Parking.*

(1) Off-street parking as set forth below is required for any building or other structure erected, altered or used and any lot used or occupied for any of the following purposes:

Use	Number of Parking Spaces
Athletic field	20 per diamond or athletic field, or 1 per 4 seats, whichever is greater (1 seat is equal to 2 feet of bench length)
Auto sales	1 per 350 square feet of gross floor area
Auto service	3 per bay
Banks or similar financial institution	1 per 250 square feet of gross floor area

<b>Use</b>	<b>Number of Parking Spaces</b>
Bar or tavern	1 per 50 square feet of gross floor area
Barbershop or beauty parlor	3 per beauty or barber chair
Bed-and-breakfast	1 per guest room and 1 per dwelling unit and 1 per nonresident employee
Beverage or liquor store	1 per 150 square feet of gross floor area
Boardinghouse	1 per each lodging unit
Car wash, full serve	1 per 1,000 square feet of gross floor area
Convenience store	1 per 150 square feet of gross floor area
Day-care center	1 per 4 persons of maximum licensed capacity
Dry cleaning	1 per 300 square feet of gross floor area
Fraternity or sorority	1 per lodging resident member
Funeral home or mortuary	1 per 4 persons of maximum licensed capacity
Furniture store	1 per 500 square feet of gross floor area
Gas station, self-serve	1.5 per fuel dispensing unit
Golf course	100 per 9 holes plus any spaces required for each accessory use such as restaurant, bar, etc.
Golf course, miniature	3 per hole
Golf driving range	1.5 per tee
Health club	1 per 100 square feet of gross floor area
Home occupation	1 per 200 square feet of gross floor area and 2 per dwelling unit
Hospital	2 per bed
Hotel, motel or tourist home	1 per rental unit and 1 per 100 square feet of ancillary floor area
Indoor recreational facility	
Bowling alley	3 per lane, plus any spaces required for each accessory use such as restaurant, bar, etc.
Pool/billiards	2 per table, plus any spaces required for each accessory use such as restaurant, bar, etc.
Rifle range	1 per 3 persons, plus any spaces required for each accessory use such as restaurant, bar, etc.
Skating rink	1 per 150 square feet of skating area, plus any spaces required for each accessory use such as restaurant, bar, etc.
Swimming club	1 per 4 persons of total capacity, plus any spaces required for each accessory use such as restaurant, bar, etc.
Tennis and racquet courts	5 per court, plus any spaces required for each accessory use such as restaurant, bar, etc.



Use	Number of Parking Spaces
Industrial	1 per 400 square feet of gross floor area
Laundromat	1 per 3 washing or drying machines
Library, museum or community center	1 per 300 square feet of gross floor area
Lumberyard	4.5 per 1,000 square feet of gross floor area
Manufacturing	1 per 300 square feet of gross floor area
Monastery or convent	1 per 2 residents
Movie theater	1 per 4 seats or 1 per 100 square feet of gross floor area, whichever is greater
Municipal building	1 per 200 square feet of gross floor area used by the public and 1 per 600 square feet of gross floor area not used by the public
Night club	1 per 2 occupants of maximum licensed capacity
Nonspecified or outdoor retail	1 per 200 square feet of gross floor area
Nursing home, convalescent home, sanitarium or like institutional home	3 per 5 patient beds, plus 1 space for each 2 employees on the largest shift
Nursery or greenhouse	
Retail store sales	1 per 100 square feet of retail area for the first 5,000 square feet and 1 per 200 square feet of retail sales above 5,000 square feet
Greenhouse sales area	1 per 1,000 square feet and 1 per 500 square feet above 1,000 square feet
Outdoor sales area	1 per 5,000 square feet
Office	
General floor feet	1 per 150 square feet of gross area for the first 50,000 square and 1 per 250 square feet of gross floor area above 50,000 square feet
Medical/Dental	1 per 150 square feet of gross floor area
Park	2 per acre
Personal services and repairing of household items or appliances	1 per 200 square feet of gross floor area
Place of worship per	1 per 3 seats in sanctuary and 1 150 square feet of meeting room and educational floor area
Plumbing and heating	1 per 300 square feet of gross floor area
Post office	4 per 1,000 square feet of gross floor area
Printing and publishing	1 per 300 square feet of gross floor area
Private social club or country club clubhouse	1 per 2 occupants of maximum licensed capacity
Rental of equipment	1 per 200 square feet of gross floor area
Research and development or laboratory	1 per 300 square feet of gross floor area for the first 50,000 square feet and 1 per 400 square feet of gross floor area above 50,000 square feet

Use	Number of Parking Spaces
Residential	2 per dwelling unit
Elderly housing	1.5 per dwelling unit
Restaurant	
Carry-out	1 per 50 square feet of accessible floor area
Fast-food	3 per 100 square feet of gross floor area
Sit-down	1 per 50 square feet of gross floor area
Retail agricultural	1 per 100 square feet of gross floor area, but not less than 5 spaces
Retail store or shop	1 per 100 square feet of gross floor area
School	
Day nursery and kindergarten	1 per faculty member and employee plus 2 per classroom
Elementary or junior high school	1 per faculty member and employee plus 1 per 2 classrooms
Senior high school	1 per faculty member and employee plus 1 per 10 students of projected building capacity
College and junior college	1 per faculty member and employee plus 1 per 10 classroom seats or 10 auditorium seats, whichever requires the greater number of off-street parking spaces
Commercial or trade school	1 per faculty member and employee plus 1 per 3 students of projected building capacity
Self-storage facility	1 per 40 storage cubicles, plus 1 per employee to be located at the business office
Shopping center	
Less than 10,000 square feet of gross floor area	6.0 per 1,000 square feet of gross floor area
10,001 to 100,000 square feet of gross floor area	5.5 per 1,000 square feet of gross floor area
More than 100,000 square feet of gross floor area	5.0 per 1,000 square feet of gross floor area
Stadium, theater, auditorium, assembly or meeting room or similar place of public or private assembly	1 for every 3 seats of maximum licensed capacity
Studio	1 per 300 square feet of gross floor area
Supermarket	1 per 250 square feet of gross floor area
Truck terminal	1 per 1,000 square feet of gross floor area or 1 per employee, whichever is greater
Veterinarian	1 per 500 square feet of gross floor area
Warehouse [Ord. 471]	1 per 500 square feet of gross floor area or 1 per 1.5 employees, whichever is greater

(2) Uses not specifically provided for above shall have one parking space

for each 250 square feet of floor space devoted to the use or one space per employee on the largest shift, whichever is greater.

(3) *Mixed or Multiple Uses.* In the case of mixed or multiple uses within a single building or structure, or on a single lot, the amount of off-street parking required shall be determined by the sum of the requirements of the various uses computed separately in accordance with subsection .2.A(1) herein.

3. *Reduction of Nonresidential Parking Requirements.* The Board of Supervisors, upon the receipt of an off-street parking study prepared by a qualified traffic engineer or transportation planner and the review and recommendations of the Planning Commission and Township Engineer, may grant a conditional reduction of up to 25 percent of the total number of required off-street parking spaces if the following conditions are satisfied:

A. The off-street parking study demonstrates that:

(1) The minimum number of off-street parking spaces required for the proposed land use is in excess of actual parking needs.

(2) The operating schedules of two or more proposed nonresidential uses are such that a parking lot may be shared by such uses; and that the minimum number of off-street parking spaces required for each such use is in excess of actual parking needs.

B. The off-street parking lot, as indicated on the plan accompanying the application, shall designate an area or areas sufficient to accommodate the total number of required off-street parking spaces. The plan shall illustrate the layout for the total number of off-street parking spaces and the layout with the proposed reserved off-street parking spaces.

C. All off-street parking spaces (permanent and reserved) shall be in compliance with the other requirements of this Chapter including, but not limited to, impervious surface ratio, buffer yards and setbacks. Areas which would otherwise be unsuitable for off-street parking spaces due to the physical characteristics of the land shall not be utilized for off-street parking spaces.

D. The parking area or areas proposed to be reserved shall be located and have characteristics so as to provide amenable open space and appropriate landscaping should it be determined that additional off-street parking spaces are not required.

E. If required by the Board of Supervisors, the applicant or owner shall post a performance bond or other securities to cover the expense of a parking study to be undertaken by a registered transportation engineer of the Board's choosing who shall determine the advisability of providing additional off-street parking spaces up to the full off-street parking requirement.

F. Subsequent to the issuance of all occupancy permits, and upon the recommendation of the Zoning Officer or Township Engineer, the Board of Supervisors may request the preparation of a new parking study to determine whether additional off-street parking spaces shall be provided by the applicant or owner. Upon the receipt of recommendations from the transportation engineer, the Township Engineer and the Planning Commission, the Board of Supervisors shall determine whether any additional off-street parking spaces should be provided or

if any areas should remain as open space.

G. Land which has been determined and designated by the Board of Supervisors to remain as open space rather than as required off-street parking shall not be used to provide off-street parking spaces for any addition or expansion, but shall remain as open space.

4. *Design Standards.* In the event that a project does not require subdivision or land development approval, the standards of the Subdivision and Land Development Ordinance [Chapter 22] shall apply. [Ord. 558]

5. *Townhouse Development.* An additional off-street parking area may be permitted on a lot on which a townhouse dwelling unit/structure is located as the principal building and shall be excluded from the calculations required under the various maximum-impervious-surface-ratio provisions for the applicable residential zoning classifications, provided that:

A. The total area of the lot is no more than 6,000 square feet.

B. The total area of the parking space shall not exceed 200 square feet.

C. No common parking area owned and/or maintained publicly or by a homeowners association exists within 300 feet of the affected lot.

(Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 218, 11/24/1984; by Ord. 264, 2/10/1988; by Ord. 413, 10/9/1996; by Ord. 470, 12/13/2000; by Ord. 471, 2/28/2001; by Ord. 558, 4/27/2011, §5; and by Ord. 564, 8/22/2012, §16)

#### **§27-1111. Physical Performance Requirements.**

No land, building, structure or premises in any commercial or industrial district shall be used, altered or occupied in a manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; conditions conducive to the breeding of rodents or insects, or other substance, condition or element in any manner or amount as to adversely affect the surrounding area. The following shall be applicable to such districts:

A. *Fire and Explosive Hazards.* All activities and all storage of flammable and explosive material at any point shall be provided with adequate safety devices against the hazards of fire and explosion and adequate firefighting and fire-suppression equipment and devices as detailed and specified by the Department of Labor and Industry and the laws of the Commonwealth of Pennsylvania. All buildings and structures and activities within such buildings and structures shall conform to the Building Code, the Fire Prevention Code and other applicable ordinances adopted by the Township. Any explosive material shall conform to the requirements of 25 Pa.Code, Chapter 211, Rules and Regulations, Pennsylvania Department of Environmental Protection, for storage, handling and use of explosives.

B. *Radioactivity or Electrical Disturbances.* There shall be no activities which emit dangerous radioactivity at any point. There shall be no radio or electrical disturbance adversely affecting the operation of equipment belonging to someone other than the creator of the disturbance. If any use is proposed which incorporates

the use of radioactive material, equipment or supplies, such use shall be in strict conformity with 25 Pa.Code, Chapters 221, 223, 225, and 227, Pennsylvania Department of Environmental Protection, rules and regulations. [Ord. 561]

C. *Smoke, Ash, Dust, Fumes, Vapors and Gases.* There shall be no emission of smoke, ash, dust, fumes, vapors or gases which violate the Pennsylvania Air Pollution Control Laws, including the standards set forth in 25 Pa.Code, Chapter 123, "Standards for Contaminants," and Chapter 131, "Ambient Air Quality Standards," Pennsylvania Department of Environmental Protection, Rules and Regulations.

D. *Liquid and Solid Wastes.* There shall be no discharge at any point into any public or private sewerage system or watercourse or into the ground of any materials in such a way or of such a nature as will contaminate or otherwise cause the emission of hazardous materials in violation of the laws of the Commonwealth of Pennsylvania, and specifically Chapters 73, and 95, Title 25, Pennsylvania Department of Environmental Protection, rules and regulations. [Ord. 561]

E. *Light and Glare.*

(1) *Illumination Levels.* Any outdoor lighting shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of America (IESNA), as contained in the IESNA Lighting Handbook, from which typical uses and tasks are herein presented:

Use/Task	Maintained Footcandles	Uniformity Avg.:Min.
Streets, residential districts	0.4 avg.	6:1
Streets, nonresidential districts	0.9 avg.	6:1
Off-street parking, residential districts	0.6 min.	4:1
Off-street parking, nonresidential districts	0.9 min.	4:1
Sidewalks	0.5 avg.	5:1
Building entrances, nonresidential	5.0 avg.	
Service station pump islands	10.0 avg.	
Auto sales	20.0 max.	5:1 max.:min.
NOTES: Illumination levels are maintained horizontal footcandles on the use/task, e.g., pavement or area surface. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio; e.g., for off-street parking in nonresidential districts, the average footcandles shall not be in excess of 3.6 (0.9 x 4).		

(2) The incident spill light level off of a given property shall not exceed 0.3 footcandles in off-street areas and shall not exceed 0.5 footcandles on surrounding roadways. All lights shall be shielded from surrounding areas and shall be shielded at angles above 72 degrees from the vertical. When building mounted lighting is utilized, said lighting shall provide shielding so that all lights sources are shielded at angles above 72 degrees from the vertical. In no

case, however, shall any lighting be permitted along the outline of buildings or along rooflines.

(3) *Lighting Fixture Design.*

(a) Lighting fixtures shall be equipped with or be modified to incorporate light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or reduce direct or reflective glare.

(b) NEMA-head fixtures, a.k.a. “barn lights” or “dusk-to-dawn lights,” shall not be permitted where they are visible from streets or other properties, unless fitted with a reflector to render them full cutoff.

(c) Lighting fixtures meeting IESNA “full-cutoff” criteria shall not be mounted in excess of 20 feet above finished grade and fixtures not meeting IESNA “cutoff” criteria shall not be mounted in excess of 16 feet above grade.

(4) *Control of Nuisance and Disabling Glare.*

(a) No direct or sky-reflected glare, from any source, shall be visible from adjoining public streets or adjacent lots when viewed by a person standing on ground level.

(b) All outdoor lighting fixtures shall be aimed, located, designed, filled and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.

(c) No luminaire shall emit any blinking, flashing or fluttering light or otherwise changing light intensity, brightness or color, except those required for fire alarm and/or emergency systems.

(d) Vegetation screens shall not be employed as the primary means for controlling glare.

(e) All outdoor lighting fixtures, including fixtures that illuminate the area under outdoor canopies, shall be shielded in such a manner that no direct light is emitted above a horizontal plane passing through the lowest point of the light emitting element.

(f) Canopy lighting shall utilize flat-lens full cutoff downlighting fixtures, shielded in such a manner that the edge of the fixture shield shall be level with or below the light source envelope.

(g) Except for those lighting fixtures authorized for safety, security or all-night operations, outdoor lighting fixtures for nonresidential uses shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells. Such lighting fixtures shall be extinguished between 11 p.m. and dawn.

(h) Lighting standards in off-street parking areas shall be placed a minimum of 5 feet outside the paved area, 5 feet behind tire stop locations, or by other protective means acceptable to the Township Engineer.

[Ord. 465]

F. *Odor.* No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond its lot lines. The guide for determining such quantities of offensive odors shall be the 50 percent response level of Table I (Odor Thresholds in Air), Research on Chemical Odors: Part I—Odor Thresholds for 53 Commercial Chemicals, October 1968, Manufacturing Chemists Association, Inc., Washington, D.C.

G. *Noise.*

(1) The sound level of any operation (other than the operation of motor vehicles or other transportation facilities, operations involved in the construction or demolition of structures, emergency alarm signals or time signals) shall not exceed the decibel levels in the designated octave bands as stated below. The sound-pressure level shall be measured from a sound-level meter and an octave band analyzer that conform to specifications published by the American Standards Association. (American National Standard Specification for Sound Level Meters, S1.4-1971, American National Standards Institute, Inc., New York, New York, and the American Standard Specification for an Octave, Half Octave and Third Octave Band Filter Sets, S1.11-1966, or 1971, American Standards Association, Inc., New York, New York, shall be used.)

(2) Sound-pressure levels shall be measured at the property line upon which the emission occurs. The maximum permissible sound-pressure levels for smooth and continuous noise shall be as follows:

Frequency Band (cycles per second)	Maximum Permitted Sound-Pressure Level (decibels)
0 to 150	67
150 to 300	59
300 to 600	52
600 to 1,200	46
1,200 to 2,400	40
2,400 to 4,800	34
Above 4,800	32

(3) If the noise is not smooth and continuous or is radiated during sleeping hours, one or more of the corrections below shall be added to or subtracted from each of the decibel levels given above:

Type of Operation or Character of Noise	Correction in Decibels
Noise occurs between the hours of 10 p.m. and 7 a.m.	3
Noise occurs less than 5 percent of any 1-hour period	+5
Noise is of periodic character (hum, screams, etc.) or is of impulsive character (hammering, etc.) (In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse, and impulse peaks shall not exceed the basic standards given above)	-5

(Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 465, 10/11/2000; and by

*Ord. 561, 4/25/2012)*

**§27-1112. Commercial Vehicles; Recreational Vehicles, Utility Trailers or Boats.**

*1. General Regulations.*

A. Type I commercial vehicles, recreational vehicles or boats may be parked or stored outside in the CR, EP, AR, R-1 or R-2 Districts, subject to the following provisions:

(1) Such parking or storage shall be limited to commercial vehicles, recreational vehicles, trailers or boats owned or operated by an occupant of the lot.

(2) Parking or storage shall be permitted within any building designed for such occupancy, unless such occupancy is prohibited by any other regulation or ordinance.

(3) Outdoor parking or storage shall be permitted only within a side yard or rear yard and only if the commercial vehicle, recreational vehicle or boat is located at least 10 feet from any side yard or rear yard lot line in the EP, CR, AR or R-1 Districts, or 7 feet from any side yard or rear yard lot line in the R-2 District.

(a) The Zoning Hearing Board may authorize as a special exception the parking or storage of a Type I commercial vehicle, recreational vehicle or boat which cannot be parked or stored in accordance with the requirements of this paragraph in side yards or rear yards at a lesser distance from the lot line than those required.

(b) Where a special exception is authorized for the parking or storage of a Type I commercial vehicle, recreational vehicle or boat which cannot be parked or stored in accordance with the requirements of this paragraph, a buffer area shall be provided between the Type I commercial vehicle, recreational vehicle or boat and the lot line to afford adequate buffer and vegetative screening in accordance with a plan approved by the Zoning Hearing Board.

(4) Parking of a commercial vehicle, recreational vehicle, trailer or boat shall be permitted anywhere on a lot for the purposes of loading or unloading or the preparation of such vehicle for immediate use.

(5) The wheels of a commercial vehicle, recreational vehicle or trailer shall be blocked or otherwise rendered immobile so as to prevent accidental movement during storage.

B. Type II commercial vehicles shall not be parked in any residential zoning district unless authorized as a special exception by the Zoning Hearing Board.

*2. Prohibitions.*

A. No commercial vehicle, recreation vehicle or boat shall be permitted to be parked or stored in any residential district other than those districts referenced in subsection .1 above.

B. No more than one commercial vehicle or recreational vehicle shall be



parked or stored outdoors on any lot. No more than one boat shall be parked or stored outdoors on any lot. In the case of utility trailers, no more than one such trailer shall be parked or stored on any lot.

C. No commercial vehicle, recreational vehicle or boat, while parked or stored on a lot, shall:

(1) Be used for purposes of habitation.

(2) Be used for the storage of goods, materials or equipment other than those items considered to be part of the commercial vehicle, recreational vehicle or boat, or essential for its immediate use.

(3) Be connected to sewer lines, water lines or any power source, except for a temporary connection to a power source for recharging batteries or other use preparation purposes.

(4) Be extended into the right-of-way.

(5) Be within 13 feet of the cartway of the street.

3. *Exceptions.* The foregoing regulations of this Section shall not apply to farm vehicles used for agricultural purposes on the lot where the agricultural use is occurring.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 272, 5/11/1988; by Ord. 307, 6/13/1990; by Ord. 340, 11/13/1991; and by Ord. 405, 1/24/1996*)

#### **§27-1113. Removal of Topsoil.**

The continuation of adequate topsoil on the land within the Township is considered necessary for the general welfare of the Township. The permanent removal of topsoil from the land within the Township shall, therefore, be prohibited. This prohibition shall not be construed to render unlawful the temporary removal of topsoil for the purpose of construction of a building or buildings and the regrading of the land following construction.

(*Ord. 160, 4/6/1977*)

#### **§27-1114. Visibility at Intersections.**

A minimum clear sight triangle of 75 feet, as measured from the center-line intersections of two streets, shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of 2 feet in such triangle. Each leg of such triangle shall be increased by 1 foot for each foot of right-of-way greater than 50 feet for either intersecting street.

(*Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984*)

#### **§27-1115. Storage of Junk Vehicles.**

The exterior storage of automotive vehicles, trucks, and motorcycles is prohibited in all residential districts; provided, however, that not more than one temporarily immobilized vehicle may be stored on any residential property at any time, not to exceed 3 months from the time of receipt of notification by the Zoning Officer. Temporarily immobilized shall constitute vehicles that are not currently registered and/or inspected.

(*Ord. 160*, 4/6/1977; as amended by *Ord. 210*, 5/9/1984; and by *Ord. 558*, 4/27/2011, §6)

**§27-1116. Maximum Building and Structure Heights.**

1. The maximum building, structure and tower heights permissible for the specified zoning districts are as follows:

A. *Buildings and Structures.*

Zoning District	Maximum Building Height (feet)	Maximum Structure Height (feet)
AR	35	70
EP	35	70
CR	35	70
R-1	35	50
R-2	35	50
R-3	40	50
R-5	35	50
C-2	45	60
C-3	45	60
PO	35	60
I-1	45	70
IP	45	70
REC	40	40

B. *Towers.*

Zoning District	Maximum Telecommunications Tower Height (feet)
I-1	150
IP	150
REC [ <i>Ord. 487</i> ]	150

[*Ord. 411*]

2. For each foot of structure height above the specified maximum building height, front, side and rear yards must equal or exceed the normal required yards to the extent that the structure, if collapsed, would not fall upon or touch an adjacent property line.

3. Guy wire ground anchors required to support any such structure or tower must not be located in any required side, rear or front yard. [*Ord. 411*]

(*Ord. 160*, 4/6/1977; as added by *Ord. 210*, 5/9/1984; as mended by *Ord. 272*, 5/11/1988; by *Ord. 307*, 6/13/1990; by *Ord. 343*, 12/11/1991; by *Ord. 346*, 2/26/1992; by *Ord. 349*, 5/13/1992; by *Ord. 411*, 9/25/1996; and by *Ord. 487*, 12/11/2002)

**§27-1117. Residential Outdoor Lighting.**

Outdoor lighting emanating from a residential source shall be installed in such a way as to be shielded and not reflect toward adjacent properties.

(*Ord. 160, 4/6/1977; as added by Ord. 210, 5/9/1984*)

**§27-1118. Keeping of Livestock.**

Keeping of livestock for either personal or commercial uses shall be restricted to a farm unit or open space in the AR District. (Note that a “farm unit” is defined as 5 acres.)

(*Ord. 160, 4/6/1977; as added by Ord. 210, 5/9/1984; and as amended by Ord. 265, 2/24/1988*)

**§27-1119. Flag Lots.**

1. Flag lots, as defined herein, may be permitted within the Agricultural-Residential (AR), Environmental Protection (EP), Country Residential (CR) and Single-Family Residential (R-1 and R-2) Zoning Districts, subject to the conditions specified by this Chapter.

2. Prior to a formal submission of a subdivision containing a flag lot, the applicant shall submit a sketch plan for review by the Planning Commission. In all cases, the applicant must demonstrate that the following site conditions exist:

A. No more than two flag lots shall be permitted as a result of the overall subdivision.

B. A flag lot design shall only be permitted if the Board of Supervisors determines that the proposed design is in the best interest of the community, considering health, safety and/or general welfare issues.

C. The tract of land represents the total contiguous land area owned by the applicant.

D. The tract of land cannot be properly subdivided due to the presence of certain physical or environmental development constraints associated with the site.

E. The configuration of the proposed lots will not limit the potential for development on adjacent tracts of land in the future.

F. Single-family detached dwellings are the only type of dwelling unit which can be located on a flag lot.

G. The proposed flag lot shall be designed to comply with the provisions specified under subsection .4.

3. As part of the review of the sketch plan, the Planning Commission shall issue a recommendation to the Board of Supervisors who shall render a decision to either deny the sketch plan or permit the application to advance as a preliminary plan. If the sketch plan is denied, the flag lot design option shall not be permitted for the parcel of land being considered. If the sketch plan is approved, the applicant may proceed to prepare a preliminary plan in accordance with all pertinent design requirements specified by the Northampton Township Code.

4. Where the use of the flag lot design has been approved by the Board of Supervisors, the subdivision shall be designed in accordance with the following requirements:

A. The access strip or stem of the flag lot shall be owned fee simple and extended from an existing public street to the interior front lot line.

B. The width of the access strip or stem shall be a minimum of 30 feet. Additional width may be required by Northampton Township in order to overcome problems associated with slope, drainage and/or sedimentation.

C. The maximum length of the access strip or stem shall not exceed 300 linear feet, as measured from the street right-of-way to the interior front lot line.

D. The minimum net lot area requirement for each flag lot shall be calculated utilizing a multiplier of 1.25 that shall be applied to the standard lot area requirement for the zoning district in which the flag lot is located. The area of the access strip or stem shall not be calculated as part of the required lot area for the flag lot.

E. The maximum building coverage requirement and the maximum impervious surface ratio requirement shall be calculated utilizing the lot area excluding the area of the access strip or stem. The impervious surface area of the access strip or stem, however, shall count when calculating impervious surface for the lot. [Ord. 558]

F. The building setback line for the flag lot shall meet the minimum required setback dimensions for the zoning district in which the flag lot is located. The setback lines shall be established at the flag portion of the lot. The front yard depth or building setback shall be measured from the access strip or stem (extended through the lot) and from the rear property line of any adjacent property. All other setback requirements shall comply with the rear yard setback provisions.

G. The driveway serving one flag lot shall be at least 12 feet in width. All such driveways shall be paved for the entire length.

H. Where permitted, a common driveway serving two flag lots shall comply with the following design requirements:

(1) The common driveway shall be at least 16 feet in width, which shall be equally divided along the lot line separating the flag lots. Where the common driveway divides to serve the individual flag lots, the width of the driveway may be reduced to 12 feet.

(2) All such driveways shall be paved for the entire length.

(3) An ownership and maintenance agreement shall be prepared and recorded as a condition of municipal approval for the subdivision plan. The agreement shall be referenced on the proposed deeds for each residential lot. The contents of the ownership and maintenance agreement shall be subject to the approval of Northampton Township.

(4) A release of responsibility holding Northampton Township harmless for the provision of all municipal services shall be included on the subdivision plan and referenced on the proposed deeds for each residential lot. The notes on the plan and the references contained within the deed shall be subject to the review and approval of Northampton Township.

I. No more than two access strips serving such lots may be located adjacent to each other, and any additional access strip to another such lot shall be separated

by a full lot width, as required by the district in which the land is located.

J. All other pertinent design standards and specifications for driveways shall be applied to the design of a driveway serving a flag lot or common driveway serving flag lots, as determined appropriate by Northampton Township.

5. Unless the site conditions change as a result of improved roads and/or the reestablishment of lot frontages, flag lots may not be further subdivided or developed for any other purpose.

(*Ord. 160, 4/6/1977; as added by Ord. 237, 8/13/1986; as amended by Ord. 272, 5/11/1988; by Ord. 307, 6/13/1990; by Ord. 415, 1/22/1997; by Ord. 527, 3/22/2008; and by Ord. 558, 4/27/2011, §7*)

**§27-1120. Special Restrictions in EP Environmental Protection, CR Country Residential, AR Agricultural-Residential and R-1 Single-Family Districts.**

No development shall occur in any of the following areas:

A. Steep slopes, provided that:

(1) No more than 30 percent of areas containing slopes above 15 percent and below 25 percent shall be developed and/or regraded or stripped of vegetation.

(2) No more than 15 percent of areas containing slopes of 25 percent or more shall be developed and/or regraded or stripped of vegetation.

B. Within any area of the Floodplain and Flood Hazard District or within 50 feet of the center line of any stream, creek, river or other watercourse, whichever is greater, except as permitted in Part 7.

C. Within any wetlands.

D. Within 100 feet of any wetlands, vegetation (or to the limit of wet or hydric soils, whichever is shorter), lake shoreline or pond shoreline, provided that no more than 20 percent of such areas may be developed and/or regraded or stripped of vegetation.

E. Within any forest area, provided that no more than 20 percent of such areas may be developed and/or regraded or stripped of vegetation.

(*Ord. 160, 4/6/1977; as added by Ord. 272, 5/11/1988; as amended by Ord. 307, 6/13/1990; and by Ord. 438, 7/8/1998*)

**§27-1121. Municipal Uses.**

The minimum area and development regulations for municipal uses shall be as follows:

A. Water and sewer systems, including wells, pump houses, standpipes and ancillary structures.

(1) Minimum lot area: 20,000 square feet.

(2) Minimum lot width at building line: 100 feet.

(3) Maximum building coverage: 15 percent.

(4) Minimum yards.

(a) Front: 50 feet.

- (b) Side, minimum: 20 feet; total: 45 feet.
- (c) Rear: 50 feet.

(5) Maximum impervious surface ratio: 20 percent.

B. Township buildings, recreation buildings, sewer treatment plants, emergency services facilities or other municipal uses not specified herein shall comply with the following minimum area and development regulations:

(1) *REC Recreation District*.

- (a) Minimum lot area: 80,000 square feet.
- (b) Minimum lot width at building line: 200 feet.
- (c) Maximum building coverage: 10 percent.
- (d) Minimum yards.
  - 1) Front: 50 feet.
  - 2) Side, each: 30 feet.
  - 3) Rear: 50 feet.

(2) In all other districts, the above uses shall comply with the minimum area and development regulations of the applicable zoning district.

[*Ord. 409*]

C. There shall be no minimum area and development regulations for detention basins or retention basins.

(*Ord. 160, 4/6/1977; as added by Ord. 289, 5/10/1989; and as amended by Ord. 409, 8/14/1996*)

### **§27-1122. Special Events.**

Special events may be permitted in any zoning district and, notwithstanding the certification exemption in paragraph .A herein, shall be subject to the area and development regulations of the applicable zoning district as well as the following conditions:

A. No special event with an anticipated number of participants, including staff persons, volunteers and security personnel, in excess of 500 persons shall be conducted without first having made application for and received a certificate of use, occupancy and compliance as set forth in §27-1306.

B. Special events may operate during the following hours:

- (1) Sunday through Thursday: 10 a.m. to 10 p.m.
- (2) Friday and Saturday: 10 a.m. to 11 p.m.

C. Each special event with an anticipated number of participants, including staff persons, volunteers and security personnel, in excess of 500 persons shall be provided with a policy of insurance, insuring the applicant and the Township from bodily injury and property damage liability in an amount to be determined by the Zoning Officer of not less than \$1,000,000 per occurrence and aggregate, nor more than \$5,000,000 per occurrence and aggregate, and such insurance policy shall include the products and completed operations coverage, and the Township shall be an additional insured.

D. Temporary lighting shall be directed away from abutting streets and properties.

E. Excessive loud noises shall not issue from the subject premises.

(Ord. 160, 4/6/1977; as added by Ord. 341, 11/13/1991)

**§27-1123. Wireless Communications Facilities.**

1. *General Requirements for All Tower-Based Wireless Communications Facilities.*

The following regulations shall apply to all tower-based wireless communications facilities:

A. *Standard of Care.* Any tower-based WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Any tower-based WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.

B. *Wind.* Any tower-based WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).

C. *Height.* Any tower-based WCF shall be designed at the minimum functional height and shall not exceed a maximum total height of 150 feet, which height shall include all subsequent additions or alterations. All tower-based WCF applicants must submit documentation to the Township justifying the total height of the structure.

D. *Public Safety Communications.* No tower-based WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

E. *Maintenance.* The following maintenance requirements shall apply:

(1) Any tower-based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

(2) Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.

(3) All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.

F. *Radio Frequency Emissions.* No tower-based WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

G. *Historic Buildings or Districts.* No tower-based WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts list maintained by the Township, or has been designated by the Township as being of historic significance.

H. *Identification.* All tower-based WCFs shall post a notice in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency, subject to approval by the Township.

I. *Lighting.* Tower-based WCF shall not be artificially lighted, except as required by law and as may be approved by the Township. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations.

J. *Appearance.* Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings.

K. *Noise.* Tower-based WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under State law and the Township Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.

L. *Aviation Safety.* Tower-based WCFs shall comply with all Federal and State laws and regulations concerning aviation safety.

M. *Retention of Experts.* The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the tower-based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Chapter. The applicant and/or owner of the WCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.

N. *Timing of Approval.* Within 30 calendar days of the date that an application for a tower-based WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. All applications for tower-based WCFs shall be acted upon within 150 days of the receipt of a fully completed application for the approval of such tower-based WCF and the Township shall advise the applicant in writing of its decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the 150-day review period.

O. *Nonconforming Uses.* Nonconforming tower-based WCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Chapter.

P. *Removal.* In the event that use of a tower-based WCF is planned to be discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:



(1) All unused or abandoned tower-based WCFs and accessory facilities shall be removed within 6 months of the cessation of operations at the site unless a time extension is approved by the Township.

(2) If the WCF and/or accessory facility is not removed within 6 months of the cessation of operations at a site, or within any longer period approved by the Township, the WCF and accessory facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.

(3) Any unused portions of tower-based WCFs, including antennas, shall be removed within 6 months of the time of cessation of operations. The Township must approve all replacements of portions of a tower-based WCF previously removed.

Q. *Permit Fees.* The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a tower-based WCF, as well as related inspection, monitoring and related costs.

2. *Tower-Based Facilities Outside the Rights-of-Way.* The following regulations shall apply to tower-based wireless communications facilities located outside the rights-of-way:

A. *Development Regulations.*

(1) *Prohibited in Residential Zones.* No tower-based WCF shall be located in a district zoned residential or within 500 feet of a lot in residential use or a residential district boundary. Tower-based WCFs are permitted only in such districts as specified in §§27-602 and 27-1116.

(2) *Gap in Coverage.* An applicant for a tower-based WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or nonexistence of a gap in wireless coverage shall be a factor in the Township's decision on an application for approval of tower-based WCF's.

(3) *Sole Use on a Lot.* A tower-based WCF is permitted as a sole use on a lot subject to the minimum lot area and yards complying with the requirements for the applicable zoning district.

(4) *Combined with Another Use.* A tower-based WCF may be permitted on a property with an existing use or on a vacant parcel in combination with another industrial, commercial, institutional or municipal use, subject to the following conditions:

(a) The existing use on the property may be any permitted use in the applicable district, and need not be affiliated with the communications facility.

(b) *Minimum Lot Area.* The minimum lot shall comply with the requirements for the applicable district and shall be the area needed to accommodate the tower-based WCF and guy wires, the equipment building, security fence, and buffer planting.

(c) *Minimum Setbacks.* The tower-based WCF and accompanying equipment building shall comply with the requirements for the applicable zoning district, provided that no tower-based WCF shall be located within 500 feet of a lot in residential use or a residential district boundary.

B. *Notice.* Upon receipt of an application for a tower-based WCF, the Township shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility.

C. *Co-location.* An application for a new tower-based WCF shall not be approved unless the Township finds that the wireless communications equipment planned for the proposed tower-based WCF cannot be accommodated on an existing or approved structure or building. Any application for approval of a tower-based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a 2-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

D. *Design Regulations.*

(1) The WCF shall employ the most current stealth technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the stealth technology chosen by the WCF applicant shall be subject to the approval of the Township.

(2) Any height extensions to an existing tower-based WCF shall require prior approval of the Township. The Township reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the Township.

(3) Any proposed tower-based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's antennas and comparable antennae for future users.

E. *Surrounding Environs.*

(1) The WCF applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF structure shall be preserved to the maximum extent possible.

(2) The WCF applicant shall submit a soil report to the Township complying with the standards of Appendix I: Geotechnical Investigations, ANSI/ETA 222-B, as amended, to document and verify the design specifications of the foundation of the tower-based WCF, and anchors for guy wires, if used.

F. *Fence/Screen.*

(1) A security fence having a maximum height of 6 feet shall completely surround any tower-based WCF, guy wires, or any building housing WCF equipment.

(2) An evergreen screen that consists of a hedge, or a row of evergreen trees shall be located along the perimeter of the security fence.

(3) The WCF applicant shall submit a landscape plan for review and approval by the Township Planning Commission for all proposed screening.

G. *Accessory Equipment.*

(1) Ground-mounted equipment associated to, or connected with, a tower-based WCF shall be underground. In the event that an applicant can demonstrate that the equipment cannot be located underground to the satisfaction of the Township Engineer, then the ground mounted equipment shall be screened from public view using stealth technologies, as described above.

(2) All utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.

H. *Additional Antennae.* As a condition of approval for all tower-based WCFs, the WCF applicant shall provide the Township with a written commitment that it will allow other service providers to co-locate antennae on tower-based WCFs where technically and economically feasible. The owner of a tower-based WCF shall not install any additional antennae without obtaining the prior written approval of the Township.

I. *Access Road.* An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to tower-based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Where applicable, the WCF owner shall present documentation to the Township that the property owner has granted an easement for the proposed facility.

J. *Bond.* Prior to the issuance of a permit, the owner of a tower-based WCF outside the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond or other form of security acceptable to the Township Solicitor, in an amount of \$100,000 to assure the faithful performance of the terms and conditions of this Chapter. The bond shall provide that the Township may recover from the principal and surety any and all compensatory damages incurred by the Township for violations of this Chapter, after reasonable notice and opportunity to cure. The owner shall file the bond with the Township.

K. *Visual or Land Use Impact.* The Township reserves the right to deny an application for the construction or placement of any tower-based WCF based upon visual and/or land use impact.

L. *Inspection.* The Township reserves the right to inspect any tower-based WCF to ensure compliance with the provisions of this Chapter and any other provisions found within the Township Code or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

3. *Tower-Based Facilities in the Rights-of-Way.* The following regulations shall

apply to tower-based wireless communications facilities located in the rights-of-way:

A. *Prohibited in Residential Zones.* No tower-based WCF shall be located within a residential zone or within 500 feet of a lot in residential use or a residential district boundary. Tower-based WCFs are only permitted in such districts as specified in §§27-602 and 27-1116.

B. *Gap in Coverage.* An applicant for a tower-based WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the Township's decision on an application for approval of tower-based WCF's in the ROW.

C. *Notice.* Upon receipt of an application for a tower-based WCF, the Township shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the property or parcel of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility.

D. *Co-location.* An application for a new tower-based WCF in the ROW shall not be approved unless the Township finds that the proposed wireless communications equipment cannot be accommodated on an existing structure, such as a utility pole or traffic light pole. Any application for approval of a tower-based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a 1-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

E. *Time, Place and Manner.* The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all tower-based WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.

F. *Equipment Location.* Tower-based WCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:

(1) In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb.

(2) Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.

(3) Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.

(4) Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of

the existence of the graffiti.

(5) Any underground vaults related to tower-based WCFs shall be reviewed and approved by the Township.

*G. Design Regulations.*

(1) The WCF shall employ the most current stealth technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the stealth technology chosen by the WCF applicant shall be subject to the approval of the Township.

(2) Any height extensions to an existing tower-based WCF shall require prior approval of the Township, and shall not increase the overall height of the tower-based WCF to more than 150 feet. The Township reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the Township.

(3) Any proposed tower-based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's antennas and comparable Antennae for future users.

*H. Visual or Land Use Impact.* The Township reserves the right to deny the construction or placement of any tower-based WCF in the ROW based upon visual and/or land use impact.

*I. Additional Antennae.* As a condition of approval for all tower-based WCFs in the ROW, the WCF applicant shall provide the Township with a written commitment that it will allow other service providers to co-locate antennae on tower-based WCFs where technically and economically feasible. The owner of a tower-based WCF shall not install any additional antennae without obtaining the prior written approval of the Township.

*J. Relocation or Removal of Facilities.* Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of tower-based WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

(1) The construction, repair, maintenance or installation of any Township or other public improvement in the right-of-way.

(2) The operations of the Township or other governmental entity in the right-of-way.

(3) Vacation of a street or road or the release of a utility easement.

(4) An emergency as determined by the Township.

*K. Compensation for ROW Use.* In addition to permit fees as described in subsection .1.O, above, every tower-based WCF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting,

permitting, supervising and other ROW management activities by the Township. The owner of each tower-based WCF shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred in connection with the activities described above. The annual ROW management fee for tower-based WCFs shall be determined by the Township and authorized by resolution of Township Board and shall be based on the Township's actual ROW management costs as applied to such tower-based WCF.

L. *Bond.* Prior to the issuance of a permit, the owner of a tower-based WCF in the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the Township Solicitor, in an amount of \$100,000 to assure the faithful performance of the terms and conditions of this Chapter. The bond shall provide that the Township may recover from the principal and surety any and all compensatory damages incurred by the Township for violations of this Chapter, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the Township.

4. *General Requirements for All Non-Tower Wireless Communications Facilities.*

A. The following regulations shall apply to all non-tower wireless communications facilities that do not substantially change the physical dimensions of the wireless support structure to which they are attached:

(1) *Permitted in All Zones Subject to Regulations.* Non-tower WCFs are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the Township.

(2) Upon receipt of an application for any non-tower-based WCF, the Township shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility.

(3) *Standard of Care.* Any non-tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.

(4) *Wind.* Any non-tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).

(5) *Public Safety Communications.* No non-tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby

properties.

(6) *Aviation Safety.* Non-tower WCFs shall comply with all Federal and State laws and regulations concerning aviation safety.

(7) *Radio Frequency Emissions.* No non-tower WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

(8) *Removal.* In the event that use of a non-tower WCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

(a) All abandoned or unused WCFs and accessory facilities shall be removed within 3 months of the cessation of operations at the site unless a time extension is approved by the Township.

(b) If the WCF or accessory facility is not removed within 3 months of the cessation of operations at a site, or within any longer period approved by the Township, the WCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.

(9) *Timing of Approval.* Within 30 calendar days of the date that an application for a non-tower WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 90 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the Township's 90-day review period.

(10) *Permit Fees.* The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a non-tower WCF or \$1,000, whichever is less.

B. The following regulations shall apply to all non-tower wireless communications facilities that substantially change the wireless support structure to which they are attached:

(1) *Permitted in All Zones Subject to Regulations.* Non-tower WCFs are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the Township.

(2) Upon receipt of an application for any non-tower-based WCF, the Township shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed

facility.

(3) *Standard of Care.* Any non-tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.

(4) *Wind.* Any non-tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).

(5) *Public Safety Communications.* No non-tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

(6) *Historic Buildings.* Non-tower WCFs may not be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts lists maintained by the Township, or has been designated by the Township as being of historic significance.

(7) *Aviation Safety.* Non-tower WCFs shall comply with all Federal and State laws and regulations concerning aviation safety.

(8) *Maintenance.* The following maintenance requirements shall apply:

(a) The non-tower WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

(b) Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.

(c) All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.

(9) *Radio Frequency Emissions.* No non-tower WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

(10) *Removal.* In the event that use of a non-tower WCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:



(a) All abandoned or unused WCFs and accessory facilities shall be removed within 3 months of the cessation of operations at the site unless a time extension is approved by the Township.

(b) If the WCF or accessory facility is not removed within 3 months of the cessation of operations at a site, or within any longer period approved by the Township, the WCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.

(11) *Timing of Approval.* Within 30 calendar days of the date that an application for a non-tower WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 90 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the Township's 90-day review period.

(12) *Retention of Experts.* The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Chapter. The applicant and/or owner of the WCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.

(13) *Bond.* Prior to the issuance of a permit, the owner of each individual non-tower WCF shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the Township Solicitor, in an amount of \$25,000 for each individual non-tower WCF, to assure the faithful performance of the terms and conditions of this Chapter. The bond shall provide that the Township may recover from the principal and surety any and all compensatory damages incurred by the Township for violations of this Chapter, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the Township.

(14) *Permit Fees.* The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a non-tower WCF, as well as related inspection, monitoring and related costs.

5. *Non-Tower Wireless Facilities Outside the Rights-of-Way.* The following additional regulations shall apply to non-tower wireless communications facilities located outside the rights-of-way that substantially change the wireless support structure to which they are attached:

A. *Development Regulations.* Non-tower WCFs shall be co-located on existing structures, such as existing buildings or tower-based WCFs subject to the following conditions:

(1) Such WCF does not exceed a maximum height of 150 feet.

(2) If the WCP applicant proposes to locate the communications equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.

(3) A 6-foot high security fence shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.

*B. Design Regulations.*

(1) Non-tower WCFs shall employ stealth technology and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the stealth technology chosen by the WCF applicant shall be subject to the approval of the Township.

(2) Non-tower WCFs, which are mounted to a building or similar structure, may not exceed a height of 15 feet above the roof or parapet, whichever is higher, unless the WCP applicant obtains a conditional use permit.

(3) All non-tower WCF applicants must submit documentation to the Township justifying the total height of the non-tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.

(4) Antennae, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension than is reasonably necessary for their proper functioning.

(5) *Noncommercial Usage Exemption.* The design regulations enumerated in this paragraph shall not apply to direct broadcast satellite dishes installed for the purpose of receiving video and related communications services at residential dwellings.

*C. Removal, Replacement, Modification.*

(1) The removal and replacement of non-tower WCPs and/or accessory equipment for the purpose of upgrading or repairing the WCF is permitted, so long as such repair or upgrade does not increase the overall size of the WCF or the numbers of antennae.

(2) Any material modification to a wireless telecommunication facility shall require a prior amendment to the original permit or authorization.

*D. Visual or Land Use Impact.* The Township reserves the right to deny an application for the construction or placement of any non-tower WCF based upon visual and/or land use impact.

*E. Inspection.* The Township reserves the right to inspect any WCF to ensure compliance with the provisions of this Chapter and any other provisions found within the Township Code or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a WCF is located at any time upon reasonable notice to the operator, to ensure such compliance.

6. *Non-Tower Wireless Facilities in the Rights-of-Way.* The following additional regulations shall apply to all non-tower wireless communications facilities located in

the rights-of-way:

A. *Co-location.* Non-tower WCFs in the ROW shall be co-located on existing poles, such as existing utility poles or light poles.

B. *Design Requirements.*

(1) WCF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than 6 feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.

(2) Antennae and all support equipment shall be treated to match the supporting structure. WCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.

C. *Compensation for ROW Use.* In addition to permit fees as described above, every non-tower WCF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the Township. The owner of each non-tower WCF shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above. The annual ROW management fee for non-tower WCFs shall be determined by the Township and authorized by resolution of Township Board and shall be based on the Township's actual ROW management costs as applied to such non-tower WCF.

D. *Time, Place and Manner.* The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all non-tower WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.

E. *Equipment Location.* Non-tower WCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:

(1) In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb.

(2) Ground-mounted equipment shall be located underground. In the event an applicant can demonstrate, to the satisfaction of the Township Engineer, that ground-mounted equipment cannot be undergrounded, then all such equipment shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.

(3) Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.

(4) Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti.

(5) Any underground vaults related to non-tower WCFs shall be reviewed and approved by the Township.

F. *Relocation or Removal of Facilities.* Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

(1) The construction, repair, maintenance or installation of any Township or other public improvement in the right-of-way.

(2) The operations of the Township or other governmental entity in the right-of-way.

(3) Vacation of a street or road or the release of a utility easement.

(4) An emergency as determined by the Township.

G. *Visual or Land Use Impact.* The Township retains the right to deny an application for the construction or placement of a non-tower WCF based upon visual and/or land use impact.

#### 7. *Violations Applicable to All Wireless Facilities.*

A. *Penalties.* Any person violating any provision of this Section shall be subject, upon finding by a magisterial district judge, to a penalty not exceeding \$500, for each and every offense, together with attorneys fees and costs. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Section and any other remedy at law or in equity, the Township may apply to a Federal District Court for an injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Chapter.

B. *Determination of Violation.* In the event a determination is made that a person has violated any provision of this Section, such person shall be provided written notice of the determination and the reasons therefore. Except in the case of an emergency, the person shall have 30 days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the Township may, in its reasonable judgment, extend the time period to cure, provided the person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the Township may take any and all actions authorized by this Section and/or Federal and/or Pennsylvania law and regulations.

8. *Miscellaneous.*

A. *Police Powers.* The Township, by granting any permit or taking any other action pursuant to this Section, does not waive, reduce, lessen or impair the lawful police powers vested in the Township under applicable Federal, State and local laws and regulations.

(*Ord. 160*, 4/6/1977; as added by *Ord. 411*, 9/26/1996; and as amended by *Ord. 487*, 12/11/2002; and by *Ord. 565*, 2/27/2013, §§IV–XI)

**§27-1124. Forestry.**

Forestry may be permitted in certain districts, subject to the following conditions:

A. Clear-cutting of all vegetation shall not exceed areas of more than 5 acres or more than 20 percent of the forest, whichever is less, on an annual basis except where pursuant to a State forestry cutting program.

B. A reforestation and maintenance program prepared by either a professional forester or arborist shall be submitted which shall include a program for



reestablishment of the forest or wooded area on a sustained yield basis.

C. For commercial uses, a long-range cutting program to ensure that the forest is retained as an entity during the entire program. Such a program shall indicate the condition of the forest on a map showing:

- (1) Adjoining lands and neighbors.
- (2) The existing amount of forested or wooded lands on the site prior to the commencement of forestry operations.
- (3) The year of each cutting and reforestation.
- (4) Species of trees in reforestation.

D. For clearing purposes, the proposed future use must be stated, if any is identified.

E. All plans shall show how the general habitat and visual block of the forest is to be maintained so that the forest retains its visual and habitat qualities at all stages of the long-range cutting plan.

F. A performance bond or other financial security in an amount and form approved by the Board of Supervisors shall be posted to ensure reforestation.

G. A signed agreement shall be recorded with the provision that no cutting or clearing shall be considered to reduce the area of forest for any development, proposed or not, pursuant to the provisions of this Chapter.

H. The review and approval of the reforestation and maintenance program, including a soil sedimentation and erosion control plan, by the Bucks County Conservation District and the Pennsylvania Department of Environmental Protection shall be required.

(*Ord. 160, 4/6/1977; as added by Ord. 438, 7/8/1998*)

#### **§27-1125. Village Overlay District.**

1. The Village Overlay District shall be a special overlay to the underlying zoning districts within Northampton Township. The purpose and objectives of this special overlay district are outlined as follows:

A. To improve the aesthetics, architectural appearance, commercial centers, and streetscape design within defined areas within Northampton Township.

B. To establish uniform design standards to be referenced as the "Village Overlay Design Standards," which reflect the overall community vision.

C. To require uniform streetscape improvements and site enhancement measures such as street trees, streetlights, curbing, sidewalks, pedestrian crosswalks, architecture, controlled signage, traffic calming measures and gateway planning in accordance with the village overlay design standards.

D. To improve the modes of transportation by enabling automobile, pedestrian and bicycle traffic to coexist in a planned and harmonious community.

E. To retain and expand existing businesses to preserve a sound tax base and provide employment opportunities.

F. To encourage adaptive reuse and redevelopment opportunities.

G. To provide incentive-minded parameters to attract or expand desirable

uses.

H. To provide an expedited review process in order to achieve the overall purpose and objective of the Village Overlay District as well as to provide incentives for land owners and the private development community.

I. To implement the recommendations for land use planning, economic development and transportation, which are contained within the Northampton Township Comprehensive Plan.

2. The Village Overlay District shall be defined as specific areas delineated as an overlay zone on the Northampton Township Zoning Map.

3. Except as noted elsewhere in this Chapter, all subdivision and land development activity within the Village Overlay District shall be designed in accordance with the requirements of the Village Overlay District.

4. The land uses and development criteria established under the Village Overlay District shall be permitted, provided that all of the following provisions are addressed:

A. All uses shall be serviced by public sewage disposal facilities and public water supply facilities.

B. Unless otherwise permitted or specified by this Chapter, only one principal use shall be permitted per lot, which complies with the minimum and maximum dimensional requirements established under this Section.

C. A combination of uses may be permitted, provided that each of the principal uses are either:

(1) Located on a separate lot meeting the land use and development provisions of this Chapter.

(2) Located within a common building containing more than one principal use, which may be individually owned by a person, partnership, corporation, or other legal entity, and leased to other tenants to occupy as a permitted use. The common building shall be located on a separate lot meeting the provisions of this Chapter.

(3) Located within a common building or separate buildings containing more than one principal use, which may be owned by more than one person, partnership, corporation, or other legal entity, as form of condominium ownership. The building or buildings along with internal vertical or horizontal division of space, common facilities, utility provisions and supplemental maintenance agreements shall be subject to the approval of the Board of Supervisors.

D. Telecommunication facilities shall not be permitted as a principal or subordinate use within the Village Overlay District. Collocation with existing telecommunication facilities shall be permitted by conditional use.

E. All permitted uses shall be planned and designed to meet the community development objectives of the Village Overlay District. All such permitted uses shall not be considered as a detriment to the health, safety or general welfare of the community.

5. The following minimum and maximum dimensional requirements shall be utilized as guidelines for lots, which are intended and designed to occupy uses within



the Village Overlay District:

- A. The minimum net lot area shall be 15,000 square feet, whether it is for one individual use on a lot or multiple permitted uses within a building on a lot.
- B. The minimum lot width shall be 75 feet per lot.
- C. The front yard setback shall be at least 20 feet, as measured from the legal right-of-way line.
- D. The front yard setback shall be no more than 40 feet, as measured from the legal right-of-way line.
- E. The side yard setback shall be 10 feet for each side.
- F. The rear yard setback shall be 20 feet.
- G. The maximum height of the buildings shall be 45 feet.
- H. The maximum building coverage shall be 50 percent of the approved lot.
- I. The maximum lot coverage shall be 70 percent of the approved lot.

(Ord. 160, 4/6/1977; as added by Ord. 535, 12/17/2008, §5)

**§27-1126. Alternative and Emerging Energy Facilities.**

1. *Purpose and Objective.*

A. Northampton Township seeks to provide opportunities for alternative and emerging energy facilities while regulating the use of potentially intrusive facilities, equipment and machinery.

B. The purpose of this Section is to establish provisions for the design, permitting, construction and operation of alternative and emerging energy facilities within Northampton Township, subject to reasonable conditions that will protect the public health, safety and/or general welfare of the community.

2. *Definitions Relative to this Section.*

A. *Alternative Energy.* A source of energy generated from solar, water, wind, geothermal or similar sources, which is capable of providing energy and utility provisions to a permitted use.

B. *Alternative Energy Facility.* A private facility capable of converting solar, water and/or wind into a viable energy source and utility provisions for a permitted use. Such facilities may include solar panels, wind turbines, geothermal systems and/or other similar alternative energy facilities.

C. *Applicant.* A person or entity filing an application under this Section.

D. *Attached Alternative Energy Facility.* A facility that is physically mounted, attached and/or connected (except utility and energy transfer connections) to a permitted principal building in accordance with all pertinent zoning, utility and building code requirements.

E. *Emerging Energy.* A source of energy generated from a renewable or green technology source, other than solar, water, wind or geothermal sources, which is capable of providing energy and utility provisions to a permitted use.

F. *Emerging Energy Facility.* A private facility capable of converting renewable or green technology energy sources into a viable energy source and

utility provisions for a permitted use.

G. *Facility Owner*. The entity or entities having an interest in the alternative and/or emerging energy facility, including their successors and assigns.

H. *Freestanding Alternative Energy Facility*. A facility that is not physically mounted, attached and/or connected (except utility and energy transfer connections) to a permitted principal building. All such facilities shall be considered a separate or accessory structure that has the abilities to convert and convey energy to the principal use in accordance with all pertinent zoning, utility and building code requirements.

I. *Hub Height*. The distance measured from the surface of the tower foundation to the height of the wind turbine hub, to which the blade or other accessory components are attached.

J. *Landowner*. Any person(s) or entity owning property within Northampton Township.

K. *Nonparticipating Landowner*. Any landowner except those on whose property all or a portion of an alternative and/or emerging energy facility is located pursuant to the provisions of this Chapter.

L. *Operator*. The entity responsible for the day-to-day operation and maintenance of the alternative and/or emerging energy facility.

M. *Occupied Building*. A building located on a parcel of land utilized as a permitted use in accordance with the provisions of Northampton Township.

N. *Private Energy and Utility Provider*. A principal use owned, operated and/or maintained by a private or independent utility company for the purposes of providing energy within a defined service area or grid system in accordance with the provisions established by the Public Utility Commission and the Public Utility Code.

O. *Turbine Height*. The distance measured from the surface of the tower foundation to the lowest and/or highest point of the turbine rotor plane.

P. *Wind Turbine*. A wind energy conversion system that converts wind energy into electricity through the use of a generator, which may include a nacelle, rotor, tower, transformer pad, blades, spirals, helixes and/or and the supporting energy apparatus.

Q. *Wind Energy Facility*. An electric generating facility, whose main purpose is to convert and supply electricity to a permitted use. Such facilities may include wind turbines, blades, spirals, helixes and/or other accessory wind generating structures, which may also include buildings, substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

R. *Wood-Fired Boiler*. An alternative energy facility designed to burn wood or other organic fuels, which transfers heated air or liquid through a piping or ventilation system to a principal use. All such systems are generally contained within an accessory structure that is not intended for habitation by humans or animals. An outdoor wood-fired boiler may also be known as outdoor wood-fired furnaces, outdoor wood-burning appliances, outdoor hydraulic heaters and/or hot water stoves. All such facilities shall be prohibited as an alternative or emerging

energy facility.

3. *Applicability and Permitted Uses.*

A. This Section shall apply to all alternative and emerging facilities that are proposed to be constructed after the effective date of this Section.

B. Alternative and/or emerging energy facilities constructed prior to the effective date of this Section shall not be required to meet the requirements specified under this Section. Any physical modification to an existing alternative or emerging energy facility that alters the size, type and generating capacities of the facilities shall require a permit and shall comply with the applicable provisions specified under this Section.

C. Alternative and/or emerging energy facilities may be considered as an accessory use within all zoning districts, provided that the principal use is a permitted use or conforming use within the zoning district on which the alternative and/or emerging energy facility is located.

D. Alternative and/or emerging energy facilities may be utilized as the primary energy source by the principal use of the lot on which it is located. Surplus energy may be exchanged, transferred and/or sold to a public or private utility company, provided that such surplus energy is exchanged, transferred and/or sold in accordance with the provisions established by the Public Utility Commission and Public Utility Code, 66 Pa.C.S.A. §101 *et seq.*

E. Private energy and utility providers, as defined under subsection .2, shall comply with all provisions established by the Public Utility Commission and the Public Utility Code, 66 Pa.C.S.A. §101 *et seq.*

4. *Land Use and Dimensional Requirements.*

A. The following provisions shall specifically apply to wind turbines or wind energy facilities:

(1) Wind turbines or wind energy facilities shall be permitted by special exception provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.

(2) Wind turbines or wind energy facilities that are designed and permitted as an attached alternative energy facility shall comply with the height requirements specified by this Chapter.

(3) Wind turbines or wind energy facilities that are designed and permitted as a freestanding alternative energy facility shall be setback more than one and one-tenths times the turbine height. The required setback distance shall be measured from the center of the wind turbine base to the nearest point of the occupied building.

(4) All wind turbines or wind energy facilities shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

(5) All wind turbines or wind energy facilities shall be set back from all occupied buildings located on a nonparticipating landowner's property a distance of not less than five times the turbine height, as measured from the center of the wind turbine base to the nearest point of the occupied building(s).

(6) All wind turbines or wind energy facilities shall be setback from the nearest property line a distance of not less than the normal setback requirements for that zoning classification or one and one-tenth times the turbine height, whichever is greater. The required setback distance shall be measured from the center of the wind turbine base to the property line.

(7) All wind turbines or wind energy facilities shall be setback from the nearest public road a distance of not less than one and one-tenth times the turbine height, as measured from the center of the wind turbine base to the right-of-way line of the nearest public road.

(8) All wind turbines or wind energy facilities shall be located behind the front facade of the building occupying the permitted use. No wind turbine shall be permitted in the front yard of the lot on which it is located.

(9) The minimum height of a wind turbine shall be 15 feet, as measured from the ground surface to the tip of the blade at its lowest turning movement.

(10) The maximum height of a wind turbine shall be 50 feet, as measured from the ground surface to the tip of the blade at its highest turning movement.

(11) A nonparticipating landowner shall not intentionally block, interfere or disrupt the functional operation from an existing wind resource to an alternative energy facility. If such action or event should occur, the matter shall be resolved as a civil dispute between the landowners and Northampton Township shall not be held responsible.

B. The following provisions shall specifically apply to solar energy systems:

(1) Solar energy systems shall be permitted by right provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.

(2) Solar energy systems designed and permitted as an attached alternative energy facility provided that all structural components of the solar energy system do not exceed the permitted building height requirements of the zoning district on which it is located. The building height shall be measured from the average ground elevation of the building to the average height of the solar panel(s) or other structural components of the solar energy facilities.

(3) Solar energy systems designed and permitted as a freestanding alternative energy facility shall be located at least 15 feet from a property line and shall not exceed 15 feet in height, as measured from the ground surface to the highest extended point of the structure. All such solar energy systems shall comply with the building and lot coverage requirements of the zoning district on which it is located.

(4) Solar energy systems shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

(5) Solar energy systems shall be located behind the front facade of the building occupying the permitted use. No solar energy system shall be permitted in the front yard of the lot on which it is located.

(6) A nonparticipating landowner shall not intentionally block, interfere

or disrupt the functional operation of an existing solar energy system. If such action or event should occur, the matter shall be resolved as a civil dispute between the landowners and Northampton Township shall not be held responsible.

(7) Solar energy panels shall be designed and located in order to minimize glare towards an occupied residential use.

C. The following provisions shall specifically apply to geothermal energy systems:

(1) Geothermal energy systems shall be permitted by right provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.

(2) Geothermal energy systems shall be located, designed and installed as per the manufacturer's specifications as well as all zoning, building code and utility requirements.

(3) Geothermal energy systems may be located on a lot with a permitted use provided that all structural components comply with the building setback requirements and lot coverage requirements of the zoning district on which it is located.

(4) A nonparticipating landowner shall not intentionally block, interfere or disrupt the functional operation of a geothermal system. If such action or event should occur, the matter shall be resolved as a civil dispute between the landowners and Northampton Township shall not be held responsible.

D. The following provisions shall specifically apply to emerging energy facilities:

(1) Emerging energy systems shall be permitted by special exception provided that such facilities are located on a lot with a permitted use in accordance with the applicable provisions of this Chapter.

(2) Emerging energy systems may be located on or attached to an occupied building provided that the structural components of the emerging energy facilities do not exceed the permitted building height requirements of the zoning district to which it is located.

(3) Emerging energy systems may be located on a lot with a permitted use provided that all structural components comply with the building setback requirements and lot coverage requirements of the zoning district on which it is located.

(4) Emerging energy systems may be located on a lot provided that it is located, designed and installed considering the health, safety and general welfare of the adjacent property owners. As part of the special exception application, the Zoning Hearing Board may attach reasonable conditions and safeguards.

E. Wood-fired boilers, as defined under subsection .2, shall be prohibited as an alternative or emerging energy facility serving any permitted use.

F. The following renewable energy resource protection provisions shall apply to alternative or renewable energy resource protection:

(1) The landowner shall provide documentation of the land and airspace on his property, which must remain open to assure adequate solar access, water and/or wind to the renewable energy system. All such documentation shall be considered as part of the permit application or special exception application.

(2) As part of the permit application, the landowner shall notify the Zoning Officer that the alternative or renewable resource system has been installed. The landowner shall also provide the Zoning Officer with any other permits that have been obtained from agencies with jurisdiction in order to locate the alternative or renewable energy resource system on his property.

G. The following setback modifications may be considered for alternative and/or emerging energy facilities as part of a zoning variance application:

(1) A landowner may obtain a modification of the setback requirements specified under subsection .4.A (occupied buildings on nonparticipating landowner's property) by having a modification agreement executed between both parties, which sets forth the applicable setback provision(s) and the proposed changes.

(2) The written modification agreement shall notify the property owner(s) of the setback required by this Section, describe how the proposed alternative and emerging energy facility is not in compliance, and testify that consent is granted for the alternative or emerging energy facility to not be set back as required by this Section.

(3) Any such modification agreement shall be recorded in the Bucks County Recorder of Deeds Office. The modification agreement shall describe the properties benefitted and burdened, and inform all subsequent purchasers that the modified setback shall run with the land and may forever burden the subject property.

(4) Any modification pertaining to the dimensional setback requirements from public roads or street rights-of-way shall not be considered as part of any application.

(5) Any modification pertaining to the dimensional setback requirements from an adjacent property owner shall not be considered as part of any application.

H. The following provisions shall apply to noise, shadow flickering and/or interference involving alternative and/or emerging energy facilities:

(1) Audible sound from any alternative and/or emerging energy facility shall not exceed 55 dBA, as measured at the applicant's property line. Northampton Township has the right to inspect, measure and record sound levels at the applicant's expense.

(2) The applicant shall make reasonable efforts to minimize shadow flicker at the property line.

(3) The applicant shall not disrupt radio, telephone, television or similar communication signals, and shall mitigate any harm caused by the alternative and/or emerging energy system.

5. *Permit and Special Exception Application Requirements.*

A. No alternative or emerging energy facility shall be located, modified or constructed within Northampton Township unless a permit has been issued to the landowner in accordance with the provisions of this Section.

B. The permit application and special exception application shall be accompanied with a fee in the amount specified by Northampton Township.

C. The permit application and special exception application shall demonstrate that the alternative or emerging energy facility will comply with the provisions contained under this Section. The following specific items shall be provided by the applicant:

(1) A complete narrative describing the proposed alternative or emerging energy facility, which shall include: a project overview; the project location; the number of the alternative or emerging energy facilities; the area and height of the alternative or emerging energy facilities; the initial and potential generating capacities; the facility dimensions; and the manufacturer's specifications.

(2) An affidavit or similar evidence of agreement between the landowner and the facility owner/operator demonstrating that the facility owner/operator has the capabilities and permission of the landowner to apply for necessary permits for construction and operation of the alternative or emerging energy facility.

(3) The properties within 500 feet on which the proposed alternative or emerging energy facility will be located.

(4) A site plan showing the boundary lines of the property occupied by the alternative or emerging energy facility and the properties within 500 feet on which the proposed alternative or emerging energy facility will be located. The site plan shall also include: topographical and natural features; the planned location of the alternative or emerging energy facilities; the building setback lines; the access road and turnout locations; building and structures; and all public utilities.

(5) The existing and projected annual energy needs of the permitted use that will benefit from the alternative or emerging energy facility, including the amount of surplus energy that will be exchanged, transferred and/or sold to a public or private utility company.

(6) Documents related to the potential abandonment and/or decommissioning of the alternative or emerging energy facilities.

(7) Other relevant studies, reports, certifications and approvals as may be reasonably requested by Northampton Township to ensure compliance with this Section.

D. As part of the permit or special exception application, Northampton Township may attach reasonable conditions and safeguards in order to consider the health, safety and general welfare of the applicant and the adjacent property owners.

E. The following provisions shall apply to emergency service requirements for

an alternative or emerging energy facility:

(1) The applicant shall provide a copy of the permit application to the local emergency response providers (police, fire and ambulance) of Northampton Township.

(2) If required by the Zoning Officer, the applicant in conjunction with the emergency service providers shall establish an emergency response plan for the alternative or emerging energy facility.

F. Pursuant to the time limitations specified for a permit application, Northampton Township will determine whether the application is administratively complete and advise the applicant accordingly.

G. Pursuant to the time limitations specified by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, and the State-wide Building Code [Chapter 5, Part 1], Northampton Township shall consider the permit or special exception application. The applicant may be afforded an opportunity to present the project to the designated municipal officials, as well as answer questions about the project.

H. Throughout the permit process, the applicant shall promptly notify Northampton Township of any changes to the information contained in the permit or special exception application.

6. *Design, Transport and Installation Requirements.*

A. The design of the alternative or emerging energy facility shall conform to applicable industry standards, including those of the American National Standards Institute, the Uniform Construction Code [Chapter 5, Part 1], and/or other pertinent codes adopted by Northampton Township.

B. Unless otherwise required by Northampton Township, the following provisions shall apply to the use of public roads involving the transport of alternative and/or emerging energy facilities.

(1) The applicant shall identify all state and local public roads to be used within Northampton Township to transport equipment and parts for construction, operation or maintenance of the alternative and/or emerging energy facility.

(2) The Northampton Township Engineer shall inspect and document the condition of all roads prior to construction and 30 days after the construction has been completed or as weather permits. The applicant shall be responsible for the payment of all fees associated with the inspections conducted by the Northampton Township Engineer.

(3) Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense to the satisfaction of the Northampton Township Engineer.

(4) Northampton Township may require the applicant to post a bond for any required repairs or maintenance to public roads.

C. All wind turbines and wind energy facilities shall be equipped with a redundant braking system, which shall include both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical



brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

D. Above-ground alternative and emerging energy facilities shall be clear-coated, transparent, and/or be designed with a non-obtrusive color such as white, off-white, gray or black. All such facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

E. Above-ground alternative and emerging facilities shall not display advertising, except for reasonable identification of the manufacturer.

F. On-site transmission and power lines between an alternative or emerging energy facility shall be placed underground.

G. Clearly visible warning signs concerning voltage must be placed at the base of all above-ground transformers and substations. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of 10 feet from the ground.

H. Wind turbines shall not be climbable up to 15 feet above ground surface. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

I. Above-ground alternative and emerging energy facilities shall not be combined with other support towers or accessory structural components that are devoted to or utilized by public or private utilities.

#### 7. *Liability and Insurance Requirements.*

A. The landowner and the operator shall be responsible for repairing any excess damage to public or private roads caused by the alternative and emerging energy facility.

B. Unless otherwise required by Northampton Township, the landowner shall maintain a general liability policy covering bodily injury and property damage with a minimal limit of at least \$1 million per occurrence and a minimum of \$1 million in the aggregate. Certificates shall be made available to Northampton Township upon request.

#### 8. *Decommissioning.*

A. The landowner or facility operator shall, at its expense, complete decommissioning of the alternative or emerging energy facility within 12 months after the end of the useful life of the alternative and emerging system. The alternative or emerging energy system will presume to be at the end of its useful life if no energy is generated for a continuous period of 12 months.

B. The removal of the above-ground alternative or emerging energy facility components shall be completed within 12 months of decommissioning of the alternative or emerging energy system. All disturbed earth shall be re-stored, graded and re-seeded.

C. Unless otherwise required by Northampton Township, the landowner shall be responsible for the following financial and inspection provisions as part of the decommissioning efforts:

- (1) The landowner or facility operator shall post and maintain decommis-

sioning funds in an amount equal to net decommissioning costs; provided that at no point shall decommissioning funds be less than 25 percent of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or a lending institution approved by Northampton Township.

(2) An independent and certified professional engineer may be retained by Northampton Township to inspect the decommissioning of the alternative and emerging facilities. All such inspection fees shall be paid by the applicant or landowner.

(3) Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable by Northampton Township.

(4) Northampton Township may release the decommissioning funds when the landowner or facility operator has satisfactorily demonstrated compliance with the decommissioning plan.

D. If the landowner or facility operator fails to complete decommissioning during the prescribed period of 12 months, Northampton Township may take such measures as necessary to complete decommissioning in accordance with the laws of Northampton Township and the Commonwealth of Pennsylvania.

9. *Public Inquiries, Inspections, Violations and Remedies.*

A. The landowner and the facility operator shall provide Northampton Township with a telephone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the alternative or emerging energy facility.

B. The landowner and the facility operator shall consult with a qualified inspector every 12 months to determine if the alternative and emerging energy facility is operating in accordance with the specifications of the manufacturer.

C. It shall be unlawful for any landowner, person, firm, or corporation to violate or fail to comply with or take any action which is contrary to the terms of this Section. If Northampton Township determines that a violation has occurred, a notice of violation shall be issued to the landowner and/or facility operator in accordance with the laws specified by Northampton Township and Commonwealth of Pennsylvania.

(Ord. 160, 4/6/1977; as added by Ord. 551, 7/28/2010, §1)

**Part 12****Nonconforming Uses, Buildings and Structures****§27-1201. Nonconforming Use.**

“Nonconforming use” means a use, whether of land or a building or structure, which does not comply with the applicable use provisions of this Chapter or of any amendment to such Chapter hereafter enacted, where such use was lawfully in existence prior to the enactment of this Chapter or amendment.

(*Ord. 160, 4/6/1977*)

**§27-1202. Continuance of Nonconforming Use.**

Any lawful nonconforming use of land, buildings or structures or parts thereof may continue as it existed prior to the effective date of this Chapter or the amendment thereto by which such use became a nonconforming use; provided, however, that any such use shall otherwise be and remain in compliance with any other applicable laws and regulations. A change from an existing nonconforming use to another nonconforming use is not permitted without approval by the Zoning Hearing Board as a special exception.

(*Ord. 160, 4/6/1977; as amended by Ord. 189, 11/19/1980; and by Ord. 210, 5/9/1984*)

**§27-1203. Discontinuance of Nonconforming Use.**

Whenever a nonconforming use in or on the land or within a building or structure or portion thereof has been discontinued for a continuous period of more than 1 year, such discontinuance shall be deemed to be an abandonment of such nonconforming use, and any subsequent use thereof shall conform to the applicable provisions of this Chapter or its amendments, and the prior nonconforming use shall not thereafter be resumed unless in accordance with the applicable provisions of this Chapter or its amendments.

(*Ord. 160, 4/6/1977*)

**§27-1204. Change of Nonconforming Use to Conforming Use.**

Whenever any nonconforming use shall have been changed or altered so as to conform to the provisions of this Chapter or its amendments, then such nonconforming use shall no longer be nonconforming to the extent to which it then conforms to this Chapter or its amendments, and the prior nonconforming use shall not thereafter be resumed; provided, however, that if a later amendment to this Chapter should make the use as so changed or altered nonconforming with its provisions, then such use as changed or altered shall become a new nonconforming use to the extent of such nonconformance or noncompliance.

(*Ord. 160, 4/6/1977*)

**§27-1205. Expansion or Extension of Nonconforming Use by Variance.**

1. No nonconforming use may be extended or expanded in any building or

structure or in or on the lot on which it is located, nor may any nonconforming use be moved to a different position upon the lot on which it is located, so as to alter the use or its location which existed at the time that the use became nonconforming. Any person desiring to make any such change or alteration of a nonconforming use shall apply for a variance from the provisions of this Chapter in accordance with applicable laws and ordinances, and any such change or alteration in use shall be made only after authorization by the Zoning Hearing Board and in accordance with such reasonable conditions and safeguards as may be imposed by the Zoning Hearing Board; provided, that no variance may be applied for or obtained under this Section which would displace any residential use if the building, structure or lot is located in a residential district.

2. A variance may not be granted under this Section which would extend a nonconforming use beyond the area of a lot which was in existence at the time such use became nonconforming, nor may a variance be granted to increase the area of a lot covered by such nonconforming use unless the Zoning Hearing Board shall make a finding that such expansion was within the contemplation of the owner of the lot at the time the use became nonconforming, in addition to the other findings necessary for the granting of a variance.

(Ord. 160, 4/6/1977)

#### **§27-1206. Nonconforming Buildings and Structures.**

1. “Nonconforming building and structure” means a building, structure or part thereof manifestly not designed to comply with the applicable area and development regulations use provisions of this Chapter or of any amendment to this Chapter hereafter enacted, where such building or structure lawfully existed prior to the enactment of this Chapter or amendment. [Ord. 210]

2. *Continuation.* Any lawful nonconforming building or structure may remain as it existed prior to the effective date of this Chapter or any amendment thereto by which such building or structure became nonconforming; provided, however, that any such building or structure shall otherwise be and remain in compliance with any other applicable laws or regulations.

3. Nonconforming building or structure changed to become conforming. Whenever any nonconforming building or structure shall have been changed or altered to conform to the provisions of this Chapter or its amendments in effect at the time of such change or alteration, or whenever any amendment to this Chapter shall make such building or structure conforming with the provisions of this Chapter or its amendments, then thereafter such building shall remain in conformance with the applicable provisions of this Chapter or its amendments; provided, however, that if a later amendment to this Chapter should make the building or structure as so changed or altered nonconforming with its provisions, then the building or structure as so changed or altered will become a nonconforming building or structure to the extent of such nonconformance or noncompliance.

4. *Expansion or Extension of Nonconforming Building or Structure.* A nonconforming building or structure may be enlarged, expanded or extended, provided that such enlargement, expansion or extension shall comply with the applicable use, area, and development regulations for the zoning district in which the building or structure is located. A structure that does not conform with the setback, yard, building, height,

or other dimensional regulations of the district in which it is located may be extended along the existing nonconforming building line, provided that the extension or addition is no closer to the side, rear or front boundary line, and is no greater in height, than, the existing nonconforming structure.

Repairs, renovation and modernization of nonconforming buildings or structures shall be permitted. If the renovations or modernization, however, expand or extend the nonconforming building or structure, then the expansion or extension shall be in accordance with these provisions.

[Ord. 558]

5. *Reconstruction of Nonconforming Building or Structure.* In the event that any nonconforming building or structure is destroyed or partially destroyed by fire, explosion or other cause, such nonconforming building or structure may be reconstructed and the nonconforming use thereof continued if such reconstruction is commenced within 6 months of the date of the destruction or damage thereto and is pursued diligently to completion; provided, however, that in such reconstruction the said building or structure shall not exceed the size of the nonconforming building or structure destroyed or damaged and shall be placed in the same location on the ground as the nonconforming building or structure destroyed or damaged, and the nonconforming use thereof shall not differ from that existing prior to such damage or destruction unless a variance is applied for and obtained under this Chapter, except that the repair, renovation or modernization of such nonconforming building or structure authorized by subsection .5 of this Section shall nevertheless be permitted. Any such reconstruction shall be subject to and in accordance with any applicable Building, Electrical, Fire and Plumbing Codes, safety regulations or other regulations or laws. If reconstruction does not commence within 6 months after the occurrence of the damage or destruction or is not thereafter diligently completed, then any further use, buildings or structures on the lot shall be in conformity with the provisions of this Chapter.

(Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; and by Ord. 558, 4/27/2011, §§8, 9)

#### **§27-1207. Nonconforming Signs.**

1. Any sign which was lawfully in existence prior to the effective date of this Chapter of the Township or of any amendments to such ordinance heretofore or hereafter enacted, including this Chapter, and which did not conform to or comply with the provisions of said ordinance or its amendments at the time of their enactment, shall be a nonconforming sign to the extent of such nonconformance or noncompliance.

2. *Alteration or Moving.* A nonconforming sign of any type shall not be moved to another position or location upon the building, structure or lot on which it is located, nor shall the size or area of such nonconforming sign be altered or increased or its structure or construction altered or changed.

3. *Damage or Destruction.* Whenever any nonconforming sign has been damaged or destroyed by any means to the extent of 50 percent of its market value at the time of the destruction or damage, such sign shall not be restored or replaced unless it conforms to all provisions of this Chapter.

4. *Discontinuance.* Whenever any nonconforming sign is accessory to a nonconforming use of a building, structure or land and such nonconforming use of the

building, structure or land is discontinued for a continuous period of more than 6 months, then such nonconforming sign shall be removed within 6 months from the end of the aforesaid 6-month period and the use of signs upon such building, structure or land shall not be resumed except in accordance with the provisions of this Chapter.

(*Ord. 160, 4/6/1977*)

**§27-1208. Identification and Registration of Nonconforming Uses, Buildings, Structures and Signs.**

1. The Zoning Officer shall establish and make available a form for the registration of nonconforming uses, buildings, structures and signs, which shall require such information as the Zoning Officer may deem necessary to identify such nonconforming uses, buildings, structures and signs. [*Ord. 295*]

2. Applications for registration of nonconforming buildings, structures or uses shall be issued by the Zoning Officer to all nonconformities existing at the effective date of this Chapter.

3. To lawfully expand a nonconforming building, structure or use under the terms of this Chapter, the owner of such nonconformity must produce proof that the nonconformity existed at the effective date of this Chapter.

(*Ord. 160, 4/6/1977*; as amended by *Ord. 295, 8/9/1989*; and by *Ord. 558, 4/27/2011, §10*)

**Part 13****Administrative Procedures****§27-1301. Zoning Officer.**

The Zoning Officer shall be appointed by the Board of Supervisors, and he shall administer this Chapter and amendments hereto in accordance with its literal terms.  
(*Ord. 160, 4/6/1977*)

**§27-1302. Appeals from Zoning Officer.**

Any appeals from a decision or other action of the Zoning Officer may be made to the Zoning Hearing Board in accordance with law (see §27-1402.1).  
(*Ord. 160, 4/6/1977*)

**§27-1303. Enforcement.**

In the event any building, structure, landscaping or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Zoning Officer, with the approval of the Board of Supervisors, may, in addition to any other remedies permitted under this Chapter, institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land or to prevent in or about such premises any act, conduct, business or use constituting a violation.

(*Ord. 160, 4/6/1977; as amended by Ord. 295, 8/9/1989*)

**§27-1304. Notification of Violation.**

If the Zoning Officer shall find that any of the provisions of this Chapter are being violated, he shall initiate enforcement proceedings by sending an enforcement notice as provided in the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*

(*Ord. 160, 4/6/1977; as amended by Ord. 295, 8/9/1989*)

**§27-1305. Duties of Zoning Officer.**

It shall be the duty of the Zoning Officer to:

- A. Receive and examine all applications for permits.
- B. Issue permits for construction and uses which are in accordance with the requirements of this Chapter.
- C. Revoke, by order, a permit issued under a mistake of fact or contrary to law or the provisions of this Chapter.
- D. Record and file all applications for permits with accompanying plans and documents, if any.
- E. Make such reports as the Board of Supervisors shall require.
- F. Issue permits for construction and uses which are special exceptions or variances to requirements of this Chapter only upon order of the Zoning Hearing

Board.

G. Require that all lots shall have corner stakes set by a registered surveyor, and that the application for a zoning permit and the accompanying plot plan shall contain all the information necessary to enable him to ascertain whether the proposed use, building, construction or alteration complies with the provisions of this Chapter. No zoning permit shall be issued unless the administrative officer certifies that the proposed use, building, construction or alteration complies with the provisions of this Chapter.

H. Issue stop, cease and desist orders, and order in writing the correction of all conditions found to be in violation of the provisions of this Chapter or any condition for approval imposed by the Board of Supervisors or the Zoning Hearing Board. Such written orders either shall be posted upon property or shall be served personally and/or by certified mail upon persons, firms or corporations deemed by the Zoning Officer to be violating the terms of this Chapter. All orders not appealed within 30 days shall be deemed final. [Ord. 186]

(Ord. 160, 4/6/1977; as amended by Ord. 186, 10/22/1980)

**§27-1306. Certificates of Use, Occupancy and Compliance.**

*1. Certificates of Use, Occupancy and Compliance.*

A. No use of vacant land, other than agricultural use, shall be made nor shall any building or structure hereafter constructed, erected or structurally altered be occupied or used, nor shall any existing use of a building, structure, or land be changed until a certificate of use, occupancy and compliance shall have been issued by the Zoning Officer.

B. In the event that a building permit is required for the construction, erection or structural alteration of any building or structure, an application for a certificate of use, occupancy and compliance shall be made simultaneously with the application for the building permit. The applicant shall notify the Zoning Officer of the date on which such construction, erection or structural alteration shall have been completed in conformity with the provisions of this Chapter, and the Zoning Officer shall examine the building or structure involved within 30 days of the completion thereof. If the Zoning Officer shall find that such construction, erection or structural alteration has been completed in accordance with the provisions of this Chapter, a certificate of use, occupancy and compliance shall be issued.

C. In the event that any existing use of a building, structure or land is to be changed, an application for a certificate of use, occupancy and compliance shall be made prior to the change of such use. The Zoning Officer shall make such examination and investigation as is necessary to determine whether the proposed change in use shall be in compliance with this Chapter within 30 days of the application therefor, for if such proposed use shall be found to be in accordance with the provisions of this Chapter, a certificate of use, occupancy and compliance shall be issued.

D. A certificate of use, occupancy and compliance issued under this Section shall state that the building, structure or land complies with the provisions of this Chapter.



[Ord. 210]

2. *Temporary Certificate of Use, Occupancy and Compliance.* The Zoning Officer may issue a temporary certificate of use, occupancy and compliance which may permit the use or occupancy of a building or structure during structural alteration thereof or may permit the partial use or occupancy of a building or structure during its construction or erection; provided, however, that such a temporary certificate of use, occupancy and compliance shall be valid only for a period not exceeding 90 days from its issuance and shall be subject to such restrictions and provisions as may be deemed necessary by the Zoning Officer to adequately ensure the safety of persons using or occupying the building, structure or land involved. Application for such a temporary certificate of use, occupancy and compliance shall be made in the same manner as for a certificate of use, occupancy and compliance, and the application for or issuance of such a temporary certificate of use, occupancy and compliance shall in no way affect the obligation to apply for and obtain a certificate of use, occupancy and compliance.

3. *Temporary Certificate of Use, Occupancy and Compliance for Special Events.* The certificate of use, occupancy and compliance for a special event shall be subject to the provisions of subsection .2 herein. The certificate of use, occupancy and compliance for a special event may be reissued for any recurring special event, provided that the nature, location and areal extent of the special event is substantially unchanged. A recurring special event shall also be subject to any amendments to this Chapter and other applicable ordinances, regulations or laws. In addition to those items required by subsection .4.A, the following information and documentation shall be provided:

A. The locations of any structures, mechanical rides or amusements, fencing, lighting and off-street parking.

B. Access points to abutting streets, including alternate access points for emergency vehicles.

C. The anticipated number of participants, including staff persons, volunteers and security personnel.

D. The following permits, if applicable:

(1) Building permit, pursuant to the Uniform Construction Code [Chapter 5, Part 1].

(2) Fire prevention permit, pursuant to Uniform Construction Code [Chapter 5, Part 1]. [Ord. 561]

(3) Electrical service permit.

(4) Water permit from the Northampton Bucks County Municipal Authority.

(5) Health licenses from the Bucks County Department of Health.

(6) Highway occupancy permits from the Pennsylvania Department of Transportation or Northampton Township.

(7) Proof of Pennsylvania amusement license.

E. An escrow account shall be established to guarantee that provisions be made for the following:

(1) The prevention of debris from temporary parking lots, driveways and streets.

(2) As much as possible, the elimination of dust, mud or related nibble from the public streets, as well as from temporary parking lots, driveways and streets.

F. Assurance of the availability of emergency medical services in accordance with the Emergency Medical Services System Act, 35 Pa.C.S.A. §8101 *et seq.* [Ord. 561]

[Ord. 341]

4. *Application Forms.*

A. All applications for certificates of use, occupancy and compliance shall be made on printed forms to be furnished by the Zoning Officer and shall contain accurate information as to the size and location of the lot, the size and location of the buildings or structures on the lot, the dimensions of all yards and open spaces and such other information as may be required by the Zoning Officer as necessary to provide for the enforcement of this Chapter.

B. No building permit or other permit for excavation or for the erection, construction, repair or alteration of a building or structure shall be issued before application has been made for a certificate of use, occupancy and compliance. Decorative structures (not intended for human occupancy or use) shall not require issuance of a permit or certificate. [Ord. 210]

(Ord. 160, 4/6/1977; as amended by Ord. 210, 5/9/1984; by Ord. 341, 11/13/1991; and by Ord. 561, 4/25/2012)

**§27-1307. Duration of Permits.**

Every permit issued shall be good only for the period of 90 days from its date unless it is exercised or used within the period of 90 days and unless once commenced it is continually exercised or used. If work ceases for a period of 90 days, unless such cessation is for cause, the permit shall expire.

(Ord. 160, 4/6/1977)

**§27-1308. Schedule of Fees.**

1. The Board of Township Supervisors shall determine a schedule of fees, charges and expenses, as well as a collection procedure, for permits, variances, special exceptions, conditional uses, amendments and other matters pertaining to this Chapter. Said schedule of fees shall be posted in the offices of the Township Secretary-Treasurer and the Zoning Officer.

2. The Board of Township Supervisors shall be empowered to reevaluate the fee schedule from time to time and make necessary alterations to it. Such alterations shall not be considered an amendment to this Chapter and may be adopted at any public meeting by resolution.

3. All fees collected hereunder shall be paid into the Township treasury.

4. Special exceptions and variances shall be acted upon only after fees have been paid in full, and the Zoning Hearing Board shall take no action on appeals until preliminary charges have been paid in full.

(Ord. 160, 4/6/1977)

**Part 14****Zoning Hearing Board<sup>1</sup>****§27-1401. Administration and Procedure.**

1. *Zoning Hearing Board.* The Zoning Hearing Board presently in existence shall continue and be constituted as the Zoning Hearing Board under this Chapter. Matters pending before the Zoning Hearing Board at the time this Chapter becomes effective shall continue and be completed under the law in effect at the time such Board took jurisdiction of them.

2. *Membership and Organization.* The membership and organization of the Board shall be as provided in the Pennsylvania Municipalities Planning Code as now in effect or as hereafter amended, 53 P.S. §10101 *et seq.*

3. *Rules and Regulations* (See §27-1403). The Board may make, alter and rescind rules, regulations and forms for its procedures such as are consistent with the ordinances of the Township and the laws of the Commonwealth. Copies of rules, regulations and forms adopted by the Board shall be prepared and shall be made available for inspection by any interested person in the Township offices.

(Ord. 160, 4/6/1977)

**§27-1402. Functions of Board.**

1. *Appeals from Zoning Officer.* The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of the Chapter or map or any valid rules or regulations governing the action of the Zoning Officer. These appeals must be filed within 30 days of the date the decision is rendered by the Zoning Officer, and all appeals shall be on forms prescribed by the Zoning Hearing Board, accompanied by the required fees. All appeals shall refer to the specific provisions of this Chapter or any other ordinance and the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, which are involved and relied upon.

2. *Challenge to the Validity of the Chapter or Map.* In the case of a challenge to the validity of this Chapter or Zoning Map, the proceedings of the Board shall be in accordance with the Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, and any other relevant statutes.

3. *Variances.*

A. The Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Board may grant a variance, provided the following findings are made where relevant in a given case:

(1) That there are unique physical circumstances or conditions, including

---

<sup>1</sup>Editor's Note: See Chapter 1, Part 2D, Ord. 327, 4/10/1991; as amended by Ord. 406, 3/13/1996, for the reconstitution and continuation of the existing Zoning Hearing Board.

irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions, peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Chapter in the neighborhood or district in which the property is located.

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Chapter, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) That such unnecessary hardship has not been created by the appellant.

(4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, and this Chapter.

[*Ord. 186*]

4. *Special Exceptions.* Where this Chapter has provided for stated special exceptions to be granted or denied by the Board, the Board shall hear and decide such request in accordance with the Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*, and any other relevant statutes.

5. Notwithstanding any other provision of this Section:

A. No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100-year-flood elevation.

B. No variance shall be granted for any construction, development or use involving or intended to be used for any of the following activities:

- (1) Hospitals.
- (2) Nursing homes.
- (3) Jails or prisons.

[*Ord. 450*]

(*Ord. 160, 4/6/1977; as amended by Ord. 186, 10/22/1980; and by Ord. 450, 5/12/1999*)

### **§27-1403. Procedures Before Board.**

1. *Notice of Hearing.* Notice of the time and place of all hearings shall be given in accordance with the provisions of the Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*

2. *Parties.* The parties to the hearings shall be as prescribed by the provisions of the Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*

3. *Initiating Action Before the Board.*

A. All actions before the Board shall be initiated by a written application for hearing which shall be filed with the Zoning Officer.

B. All applications shall be made on forms specified by the Board, and no application form shall be accepted unless the same shall be fully completed, unless all exhibits and supplemental material required by the application are attached and until all fees established by the Township have been paid. Each application or appeal shall refer to the specific provisions of this Chapter or any other ordinance and the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, which are involved and relied upon as authority for the relief sought.

4. *Time Limitations for Variances and Special Exceptions.*

A. *Purpose.* In passing on applications for special exceptions and variances, the Zoning Hearing Board is required to apply standards of review. The application of these standards to conditions existing at the time of the hearing may result in a conclusion that would not be appropriate if the passage of time resulted in new or differing conditions in the neighborhood of the particular property. Therefore, if a special exception or variance has not been acted upon within a reasonable time after its grant, such action shall lapse or become void after a reasonable period, and if the property owner desires to use such special exception or variance, he should reapply for such relief and the current conditions should be used as criteria.

B. Time limit on all special exceptions and/or variances granted by the Zoning Hearing Board. All special exceptions and/or variances granted by the Zoning Hearing Board shall be valid for a period of 1 year after the date of such orders. Any special exceptions or variances which have not been acted upon by the issuance of the permits and the commencement of substantial construction or of substantial use shall lapse and become void and of no effect. [Ord. 327]

C. *Time Limit on Special Exceptions and/or Variances Previously Granted.* All special exceptions and/or variances which have been previously granted by the Zoning Hearing Board but on which no zoning and/or building permit has been issued and substantial construction commenced shall be valid for a period of 1 year only from the effective date of this Chapter; any previously granted special exceptions or variances which have not been acted upon within 1 year from the effective date of this Chapter, by the issuance of permits and the commencement of substantial construction or of substantial use, shall lapse and become null and void and of no effect.

D. *Procedures When Special Exception or Variance Has Lapsed.* The owner or holder of such special exception and/or variance which has lapsed must reapply to the Township and the Zoning Hearing Board in the same manner as new applicants for such relief.

(Ord. 160, 4/6/1977; as amended by Ord. 327, 4/10/1991)



**Part 15****Amendments and Penalties****§27-1501. Amendments.**

1. The regulations, restrictions, boundaries and requirements set forth in this Chapter, including the Zoning Map, may, from time to time, be amended, supplemented, changed or repealed through amendment by the Board of Township Supervisors.

2. *Procedure for Amendment.*

A. No amendment to this Chapter shall be made except after a public hearing held on such proposed amendment pursuant to public notice. [Ord. 295]

B. In the event that any amendment to be considered at such a public hearing was not prepared by the Township Planning Commission, each such amendment shall be submitted by the Board of Supervisors to the Township Planning Commission at least 30 days prior to the date set for the public hearing thereon to provide the Township Planning Commission an opportunity to submit recommendations.

C. At least 45 days prior to a hearing on the amendment by the Board of Supervisors, the proposed amendment shall be submitted to the Bucks County Planning Commission for recommendations. [Ord. 295]

D. If, after the public hearing on any proposed amendment, the proposed amendment is revised or further revised to include land not previously affected by the proposed amendment, the Board of Supervisors shall hold another public hearing, after notice thereof by publication in the manner provided above in this Section, before proceeding to vote on such revised amendment.

3. *Zoning Amendments Not Originating from Board or Planning Commission.*

A. *Petition by Property Owners.* Any property owner or a group of property owners may apply to the Board of Supervisors by a duly acknowledged petition, accompanied by the required filing fee, for an amendment, supplement, change, modification or repeal of the regulations herein, including the Zoning Map, as the same may apply to the lands of the applicant(s). It shall be the duty of the Board of Supervisors to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed by law.

B. *Submission of Curative Amendment by Landowner.* A landowner who desires to challenge on substantive grounds the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board with a written request that his challenge and proposed amendment be heard and decided. The Board shall commence a hearing thereon within 60 days of the request. The curative amendment shall be referred to the Planning Commission and the Bucks County Planning Commission as provided in subsection .2 hereof, and notice of the hearing thereon by the Board shall be given as provided in that subsection. The hearing shall be conducted in accordance with the provisions of the

Municipalities Planning Code, as amended.

4. *Filing Fee.* In the event any owner or owners of property petition for supplementing or changing the district boundaries or regulations herein established or a landowner submits a curative amendment, the Zoning Officer shall collect a fee prior to such petition's being heard by the Board of Township Supervisors, as established by the Board, for the payment of the costs of advertising the notice of hearing in such case and the other related costs.

(*Ord. 160, 4/6/1977; as amended by Ord. 295, 8/9/1989*)

**§27-1502. Violations and Penalties.**

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof, as provided in the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.* Each day that a violation continues shall constitute a separate violation.

(*Ord. 160, 4/6/1977; as amended by Ord. 211, 5/9/1984, §140-80; by Ord. 285, 2/22/1989; and by Ord. 295, 8/9/1989*)



**Part 16****Signs****§27-1601. Statement of Intent and Purpose.**

1. The purpose of the provisions established under this Part of this Chapter is to establish specific regulations pertaining to signs for all land uses, zoning districts and conditions within Northampton Township.

2. The objectives of these provisions are as follows: to promote and maintain overall community beautification; to establish certain size, design, placement and construction standards for signs; to establish reasonable regulations on the exercise of free speech; to promote the health, safety and general welfare of the community by lessening hazards to pedestrians and vehicular traffic; and to promote appropriate and efficient use of land.

3. The regulations concerning signs, as established under this Part of this Chapter shall be subject to the interpretation of the Northampton Township Zoning Officer. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

(Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; and by Ord. 543, 8/12/2009, §1)

**§27-1602. Definitions.**

The following definitions shall specifically be applied to the provisions of this Part of this Chapter:

*Accessory sign*—a subordinate sign located on the same property of the principal use, which is erected to further describe the products or services available to the general public.

*Animated sign*—a sign or any device designed to attract attention by visual means through the movement or semblance of movement by mechanical, electrical or natural means. Unless otherwise specified by this Chapter, an animated sign shall be prohibited.

*Awning sign*—a projecting sign consisting of cloth, metal, plastic or similar material supported by a frame structure attached to a building. An awning sign may identify the name and/or address of the building or the establishment contained therein. It is not intended as a building, but may be designed as a shelter for pedestrian or vehicular traffic outside the walls of the building.

*Banner*—a promotional sign for special community events including, educational, charitable, philanthropic, civic, cultural, municipal, fraternal, religious, or similar community events as determined by the Zoning Officer. Promotional signs or banners shall only be permitted if approved by the Board of Supervisors. If permitted, all such promotional sign or banners shall be considered temporary in terms of display periods over a calendar year and shall be made of nylon, canvas, or similar all-weather material.

*Billboard*—an off-premises sign erected and maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorials, or other reading or visual displays, on which advertisement space is purchased or leased for a fixed period of time.

*Business or nonresidential sign*—an on-premises sign designated for a permitted business or nonresidential use, which identifies the written name, type of business, commodity sold, services, trademark and/or symbol.

*Canopy sign*—a non-illuminated projecting sign made of cloth, canvas, aluminum, metal, wood, or similar materials, which is affixed to a building and projects outward, whereas the sign or message is painted on, sewed, fastened or applied. A canopy sign may be equipped with a mechanism for raising or holding the canopy or awning in a retracted position against the building.

*Charitable or community service sign*—an on-premises sign identifying the charitable or community service organization, including religious, educational, medical, emergency management, social, or other nonprofit organization. All such signs may include supplemental information concerning hours, events, activities or messages.

*Construction sign*—a temporary sign intended to advertise the name of a construction project or development and the parties involved with the construction.

*Development sign*—a temporary or permanent on-premises sign indicating that the property is actively in the process of subdivision or land development for residential or nonresidential uses.

*Directional sign*—a traffic control sign or functional on-premises sign, containing only information pertaining to direction, entrance, exit, off-street loading spaces, service areas, service lanes, fire lanes, handicapped parking spaces, and off-street parking areas. All such directional signs shall contain no promotional or advertising messages.

*Double-faced sign*—a sign with two faces that is parallel, facing opposite directions, and matching in size and shape.

*Flashing sign*—a type of sign in which the illumination is not kept at a constant intensity level at all times of use and/or exhibits sudden changes of lighting or visual effects as part of its display. Unless otherwise permitted by this Chapter, flashing signs, which project illumination or message changes with a frequency of less than 15 seconds or more than four times per minute during any given time of the day shall be prohibited.

*Freestanding sign*—an on-premises sign displaying information pertaining to the existing use for which it is located, and is supported by, or suspended from a freestanding column or other support(s) located in or upon the ground surface.

*Ground sign*—an on-premises sign displaying information pertaining to the existing use for which it is located, and is placed upon, supported by, and anchored to the ground. A ground sign shall not be considered as a freestanding sign or portable sign.

*Identification sign*—an on-premises sign identifying a medical facility, hospital, school, educational use, institutional use, religious facility, municipal facility, recreational use, farm, historical site, or similar use.

*Illuminated sign*—a sign designed to project or reflect artificial light from an internal or external source, which may be directly, indirectly illuminated, or through transparent or translucent material. Illuminated signs may include, billboards, freestanding signs, ground signs, or signs affixed to a building or structure, as permitted under the provisions of this Chapter.

*LED sign*—light emitting diodes (electronic components that let electricity pass in only one direction) that emit visible light when electricity is applied, much like a light bulb. When many LEDs are side by side, they can create pictures, such as the scrolling red LED signs. An LED sign may include signs that are flashing, blinking, twinkling, animated or other message changing devices used for commercial advertising purposes. The Zoning Officer shall have the final determination as to what constitutes an LED sign. [Ord. 558]

*Marquee sign*—a projecting sign attached to a building facade, which may include changeable letters, messages or displays.

*Municipal or official sign*—a sign erected by Northampton Township, Bucks County, the Commonwealth of Pennsylvania, or other governmental organization.

*Off-premises sign*—a sign or billboard, which directs attention to a lawful business, commodity, service, entertainment, educational use, institution use, recreational use, or other use, which is offered elsewhere other than upon the premises where the sign is located.

*On-premises sign*—a sign, which directs attention to a lawful business, commodity, service, entertainment use, educational use, institutional use, recreational use, or other permitted use, which is offered on the same property or tract of land where the sign is located.

*Portable sign*—a temporary sign designed to be moved from place to place, which is not affixed or anchored to the ground, structure or building. Unless otherwise permitted by this Chapter, portable signs shall be prohibited.

*Projecting sign*—an on-premises sign mounted upon a building so that its face is an architectural feature extending from the wall of the building. Projecting signs may include awning signs, canopy signs and/or marquee signs, which may be utilized for municipal, commercial, industrial, educational, institutional and/or recreation uses.

*Real estate sign*—an on-premises sign pertaining to the sale or lease of the premises on which the sign is located.

*Roof sign*—an on-premises sign, which is erected, placed or displayed upon the roof of a building or exceeds the height of the building. Unless otherwise specified by this Chapter, a roof sign shall be prohibited.

*Sign*—any structure, building, wall, or other outdoor surface, or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or other representations utilized for announcement, direction, identification or advertisement. The word “sign” includes the word “billboard,” but does not include the flag, pennant or insignia of any nation, state, city or other political unit, nor public traffic, nor political signs or directional signs.

*Sign area*—the area of a sign shall be construed to include all lettering, wording, border trim or framing, and accompanying designs and symbols, together

with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. Where the sign consists of individual letters or symbols attached to a surface, building, wall or window, the area shall be determined by calculating the smallest rectangle, which encompasses all of the letters and symbols used for the sign, regardless of the actual shape created by the letters and symbols.

*Sign height*—the height of the sign, as measured at the location of the sign from the average ground elevation to the highest and lowest parts of the sign.

*Special event, seasonal or temporary sign*—an on-premises sign that is placed or erected for a temporary period of time for a special event, seasonal use or temporary use, as permitted in accordance with the provisions specified by Northampton Township.

*Sports facilities business sign*—a business sign, erected and maintained only for a nonprofit organization or entity organized to promote community sports teams, which includes advertising a business, service, product, or organization in accordance with the provisions specified by Northampton Township.

*Vehicle sign*—a sign affixed or painted on a vehicle, trailer or similar device. Unless otherwise specified by this Chapter, a vehicle sign shall be prohibited.

*Wall sign or parallel sign*—an on-premises sign posted on, suspended from, or otherwise affixed to the wall, facade, or vertical surface of a building, which does not project or extend above the wall, facade, or vertical surface of the building to which it is attached. Unless otherwise specified by this Chapter, wall signs extending above the roofline of the building to which it is attached shall be prohibited.

*Window sign*—a temporary or permanent on-premises sign, affixed to or visible through a window of a building.

(Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; by Ord. 543, 8/12/2009, §1; and by Ord. 558, 4/27/2011, §11)

### **§27-1603. General Standards and Requirements.**

1. *Permits.* Unless otherwise specified by this Chapter, a permit shall be required for all signs within Northampton Township in accordance with the following procedures:

A. A permit shall be submitted to erect, install, replace, remove and alter signs, as required by the provisions of this Chapter.

B. The permit application shall contain all information necessary for the Zoning Officer to determine whether the proposed sign conforms with the requirements of this Chapter. At a minimum, the following information shall be included with the permit application:

(1) Three copies of the plans and diagrams drawn accurately to scale depicting the dimensions of the lot, cartway, right-of-way and location of the sign.

(2) The exact size, dimensions and location of the sign to be placed on the lot or building, together with its type, construction, materials to be used, and

the manner of installation.

(3) The permit fee, as established by resolution of the Board of Supervisors.

(4) Any other useful information, which may be required of the applicant by the Zoning Officer.

C. The permit application shall be granted or refused within the time specified by Northampton Township or as specified by the building code adopted by Northampton Township.

D. No sign permit shall be issued except in conformity with the regulations of this Chapter, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for a variance.

2. *Construction.* All signs, except temporary signs, shall be constructed of durable material and kept in good condition and repair. Any sign, which is allowed to become dilapidated or in a state of disrepair, may upon notification by the Zoning Officer be removed by the Northampton Township at the expense of the owner or lessee of the property.

3. *Location and Placement.* All signs shall be located and placed in compliance with the provisions of this Chapter. The following requirements shall apply:

A. No sign shall be tacked, stapled, nailed, posted, glued, hung or otherwise attached to a tree, utility pole, traffic control sign, light stand, fence or other such permanent object.

B. Unless otherwise permitted by Northampton Township, no portion of any sign shall be located within the street right-of-way line or within 10 feet of a side or rear property line.

C. Unless otherwise permitted by Northampton Township, no portion of any sign shall be located within an area designated as an easement or right-of-way for landscaping, buffer yard, utilities and/or stormwater management facilities.

D. All traffic control signs, directional signs, traffic signals or other signs, which are located within a street right-of-way shall be approved and permitted by Northampton Township or Pennsylvania Department of Transportation.

E. No sign shall be located, placed or arranged in any manner that interferes with vehicular traffic, including the obstruction of sight distance or visibility with traffic control devices.

4. *Area.* The area of all signs, which are permitted within Northampton Township are further specified under this Part of this Chapter. The following specific provisions shall apply to the area of a sign:

A. The area of a sign shall be construed to include all lettering, wording, border trim or framing, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing.

B. Where the sign consists of individual letters or symbols that are either attached, painted or applied to a surface, building, wall or window, the area shall be determined by calculating the smallest rectangle, which encompasses all of the letters and symbols used for the sign, regardless of the actual shape created by the

letters and symbols.

C. In computing the square foot area of a double-faced sign, only one side of the sign shall be considered, provided that both faces are identical inside the frame of the sign. In cases where the signs are not parallel or if an interior angle is created to provide visibility, both sides of such sign shall be considered in calculating the sign area. Where double faced signs are permitted to be separated by more than 16 inches, the area of both sides of the sign shall be calculated as part of the total area.

5. *Height.* The height of all signs, which are permitted within Northampton Township are specified under this Part of this Chapter. The following specific provisions shall apply to the height of a sign:

A. The height of a sign shall be measured from the average elevation of the ground or finished grade to the highest point of the sign.

B. Unless otherwise specified or permitted, the maximum height of any sign in the AR, EP, R-1, R-2, R-3, R-5, CR, REC and I-P Zoning Districts shall be 6 feet.

C. Unless otherwise specified or permitted, the maximum height of any sign in the C-2, C-3, I-1, P-O and VOD Zoning Districts shall be 16 feet.

D. Unless otherwise permitted by this Chapter, no sign that is a part of or is supported by a building shall be erected, placed or displayed upon the roof of such building, nor shall such sign extend above the height of the building.

E. Where the provisions for sign height specified under this Chapter do not apply, the Zoning Officer in conjunction with the Zoning Hearing Board may consider a reasonable resolution or remedy.

6. *Clearance, Visibility and Sight Distance.* The following minimum requirements shall apply to the ground clearance, visibility and sight distance for all permitted signs within Northampton Township.

A. A freestanding sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The height of the freestanding sign shall be no less than 7 feet and no more than 16 feet, as measured from the average ground elevation. The open space between the bottom of the sign and the ground elevation should remain open to maintain a visual plane. The required support structures may extend through open space provided it does not occupy more than 20 percent of the visual plane between the bottom of the sign and the ground elevation.

B. Ground signs shall be located at least 5 feet from the ultimate street right-of-way line.

C. No ground or freestanding sign shall be located within the clear sight triangle or obstruct sight distance at the intersection of a street, driveway or access lane, as further designated by Northampton Township.

D. The minimum sight distance requirements for pedestrians and vehicles shall be considered and applied to all permit applications involving signs.

7. *Projection.* An on-premises projecting sign, which is mounted upon a building so that its principal face is a right angle or perpendicular to the wall of the building may be permitted in lieu of wall or parallel signs, subject to the following provisions:

A. All such projecting signs shall extend at least 1 foot from the building but no more than 6 feet from the building.

B. The minimum height of a projecting sign shall be at least 8 feet from the average ground elevation and no higher than 16 feet above the average ground elevation.

C. The maximum area of all projecting signs shall be 25 square feet, as measured on a single side of the projecting sign. Double-faced projecting signs may be permitted for the same use.

8. *Maximum Number of Signs.* The maximum number of on-premises signs for a use on a single lot is further specified under this Part of this Chapter. Where multiple uses are contained on a single property, a freestanding sign may be permitted provided it conforms with the provisions of this Chapter.

9. *Illumination.* The following provisions shall apply to the illumination of signs in Northampton Township:

A. Unless otherwise specified within this Chapter, signs may be illuminated by non-glaring lighting fixtures, provided that such lighting is shielded so no direct light will shine on abutting properties or obstruct the vision of motorists or pedestrians within a street right-of-way.

B. The use of red, green or amber lights on any sign within 200 feet of the right-of-way lines of a signalized street intersection shall be prohibited. The use of other combination of lights shall be prohibited if the illumination or fixtures create a traffic hazard.

C. The use of LED, flashing, transmitted video, animated or other similar lighting features for signs shall be prohibited.

D. The use of illuminated signs within the AR, EP, R-1, R-2, R-3, R-5, CR and I-P Zoning Districts shall be prohibited unless the illuminated sign is specifically related to emergency management uses, traffic control, hospitals, municipal uses, educational uses, institutional uses, and other similar uses, as further defined and permitted by this Chapter.

[Ord. 558]

10. *Double Faced Signs.* Any permitted sign may be constructed and installed as a double-faced sign, provided that it has two parallel surfaces that are opposite and matching in size and shape and are not over 16 inches apart. All such signs shall be considered as one sign and only one face shall be used to calculate the total size of the sign. Should the two surfaces deviate from being parallel or should they differ in size or shape, the sign shall be considered as two signs.

11. *Supplementary Sign Regulations for All Zoning Districts.* The following supplementary sign regulations shall apply to all zoning districts within Northampton Township:

A. Real estate signs for the selling, renting or leasing of residential properties shall be permitted subject to the following conditions: the area of the sign shall not exceed 6 square feet; no more than one sign shall be permitted along a street to which the property has frontage; the sign shall not be located within the street right-of-way line; the sign shall not be located within 5 feet of adjoining property line; no more than two signs shall be permitted for each property being sold; and

the sign shall be removed within 7 days after the final transaction is completed.

B. Real estate signs for the selling, renting or leasing of nonresidential properties shall be permitted subject to the following conditions: the area of the sign shall not exceed 32 square feet; no more than one sign shall be permitted along a street to which the property has frontage; the sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines; and the sign shall be removed within 7 days after the final transaction is completed.

C. Property control or restriction signs shall be permitted subject to the following conditions; the area of the sign shall not exceed 2 square feet; the spacing of such signs shall be at least 100 feet apart on the same lot or property; and the sign does not contain any personal message, which is considered irrelevant to controlling or restricting the use of a property or lot.

D. Special event, seasonal or temporary signs may be permitted provided they are not considered permanent and they comply with the provisions established by Northampton Township.

12. *Traffic Control and Directional Signs.* Unless otherwise permitted by Northampton Township or the Pennsylvania Department of Transportation, all traffic control signs and directional signs shall conform with the following:

A. Traffic control and directional signs located within the street right-of-way shall be subject to the review and approval of Northampton Township and/or the Pennsylvania Department of Transportation. The location, size, type, height, spacing and quantity of the sign (s) shall be stipulated on the permit, as issued by Northampton Township and/or the Pennsylvania Department of Transportation.

B. Traffic control and directional signs located outside the street right-of-way within a lot or on private property shall be subject to the review and approval of Northampton Township. All such signs shall not be located within the street right-of-way and within 10 feet from all other property lines. The maximum number of signs as well as the maximum height and size of each sign are specified under this Part of this Chapter.

13. *Removal of Signs.* On-premises signs and off-premises signs that are no longer utilized for the original intent or use shall be removed from the site or changed to accommodate a new sign for the new use within 30 days of occupancy by the new use. All replacement signs shall conform with the provisions specified under this Chapter. Upon the removal of any sign, whether temporary or permanent, such removal shall include all associated support including the posts, poles, brackets, arms, trailers and other support mechanisms.

14. *Dilapidated or Deteriorated Signs.* Any sign found to be dilapidated or deteriorated by the Zoning Officer shall be subject to the following regulations:

A. If a sign is declared to be dilapidated or deteriorated by the Zoning Officer, it shall be either repaired or removed at the expense of the owner. The repair or removal of the sign shall take place within the time period specified on the written notice issued by the Zoning Officer.

B. Dilapidated or deteriorated signs will be defined as including such findings as flaking, peeling or fading finishes, broken sign elements, faulty electrical systems and structural weakness.



C. Failure to comply with this provision will mean that the dilapidated or deteriorated sign, regardless of its conformity or nonconformity, is subject to removal by Northampton Township, and the owner shall be responsible for all costs associated with the removal of the sign.

D. Structural repairs and alterations for an existing sign shall require a permit.

15. *Exemptions.* Unless otherwise specified, the following signs shall be deemed to be exempted from the regulation of this Part of this Chapter:

A. Parking and traffic control signs authorized by Northampton Township or the Pennsylvania Department of Transportation.

B. Government flags.

C. Signs, monuments, flags and/or banners required to be maintained by law or governmental order, rule or regulations.

D. Signs displayed for the direction or convenience of the public, including signs which identify municipal facilities, emergency management facilities, public restrooms, public telephones, public entrances, freight or delivery entrances, construction entrances, which shall have a total surface area not to exceed 4 square feet per sign on any lot or parcel.

E. Temporary signs for contractors, mechanics, painters, and artisans, subject to the limitations specified by Northampton Township.

F. Yard sale signs, subject to the limitations specified under §27-1607 of this Chapter.

G. Special signs required by Northampton Township for reasons of public safety and emergency service.

16. *Nonconforming Signs.* Regulations pertaining to nonconforming signs are further specified under §27-1207 of this Chapter.

(*Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; by Ord. 543, 8/12/2009, §1; and by Ord. 558, 4/27/2011, §12*)

#### **§27-1604. Sign Requirements for Residential, Recreational and Institutional/Public Districts.**

1. The provisions contained under this Section of this Chapter shall apply to the A-R, R-1, R-2, R-3, R-5, C-R, REC, I-P, and E-P Districts. [*Ord. 558*]

2. An individual nameplate or street address sign may be posted on any residential lot provided it does not exceed 2 square feet in area.

3. Property control and restrictions signs including “no trespassing,” “no hunting,” “no solicitation,” and other similar signs may be permitted subject to the following conditions; the area of the sign shall not exceed 2 square feet; the spacing of such signs shall be at least 100 feet apart on the same lot or property; and the sign does not contain any personal message, which is considered irrelevant to controlling or restricting the use of a property or lot.

4. Home occupation signs displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling subject to the following conditions:

- A. No more than one such sign shall be erected for the home occupation use.
- B. The area of such sign shall not exceed 2 square feet.
- C. The sign shall not be illuminated.
- D. The height of the sign shall not exceed a height of 6 feet above the average ground elevation.
- E. The sign shall be fixed flat on the main wall of such building or may be erected in the front yard, but not within 2 feet of the street right-of-way or 5 feet from any other property line.

5. Residential development containing a total of 20 or more residential units may provide a ground sign for the purposes of identifying the name of the development subject to the following criteria:

- A. No more than one ground sign shall be permitted per entrance to the development.
- B. The maximum size of the sign shall be 12 square feet per sign.
- C. The maximum height of a ground sign shall be 6 feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.
- D. Any wall, fence or similar structure, which integrates or supports such a sign, shall not exceed 6 feet in height or a maximum of 50 square feet.
- E. Unless otherwise permitted on an approved plan, the sign shall not be located within 5 feet of the street right-of-way or within 20 feet of any other property lines, and shall not be located in the clear sight triangle or obstruct sight distance, as required by Northampton Township. The location of such signs shall be approved by the Zoning Officer prior to the issuance of a sign permit.
- F. Prior to the issuance of a sign permit, the applicant shall provide sufficient evidence to the Zoning Officer that adequate measures have been taken to ensure proper maintenance of the sign and any accompanying landscaping, and that the sign will be durably constructed as to require minimal maintenance.
- G. The illumination of such signs may be permitted provided that down-lighting or night-sky friendly lighting fixtures are utilized, which shall be located in a manner so that glare or reflection is not greater than 0.1 footcandle at the street right-of-way line.

6. Directional signs may be permitted provided that: they are utilized within the interior of a development; they are limited to two directional signs per street intersection; they do not exceed 4 square feet in size; and are approved by Northampton Township.

7. A municipal, governmental, recreational, educational or institutional use may have one freestanding or ground sign along each street that the use has sufficient frontage and vehicular accessibility. The total area of each sign shall not exceed 25 cumulative square feet. All other pertinent sign requirements for municipal, governmental, recreational, educational or institutional uses, as defined and specified under this Chapter shall apply.

8. Signs advertising the sale of agricultural products grown or produced on the premises, erected on the same lot therewith, indicating the name of the owner or occupant and the product sold, provided that the total sign area be limited to 12 square

feet.

9. The matrix chart provided under §27-1608 of this Chapter summarizes the categorical sign requirements by type, quantity, height, area, location and permit procedures for each use within Northampton Township.

(*Ord. 160*, 4/6/1977; as amended by *Ord. 542*, 6/10/2009, §1; by *Ord. 543*, 8/12/2009, §1; and by *Ord. 558*, 4/27/2011, §13)

**§27-1605. Sign Requirements for Commercial and Industrial Districts.**

1. The provisions contained under this Section of this Chapter shall apply to the C-2, C-3, I-1, P-O and VOD Zoning Districts.

2. Unless otherwise specified by this Chapter, the maximum number of on-premises signs for a permitted nonresidential use shall be limited to the following:

A. No more than one ground sign or freestanding sign shall be permitted.

B. Wall or parallel signs shall not exceed 50 cumulative square feet or occupy more than 20 percent of the front building facade, whichever is less. As long as this maximum square footage is not exceeded, however, signs may be placed on any building facade. [*Ord. 558*]

C. In lieu of wall or parallel signs, one projecting sign may be permitted.

D. Window signs shall not occupy more than 20 percent of the cumulative front window space.

E. Unless otherwise permitted by Northampton Township, directional or accessory signs shall not exceed 4 square feet. The quantity and location shall be subject to the approval of Northampton Township as part of the subdivision plan, land development plan or building permit.

3. A freestanding or ground sign may be permitted for all nonresidential uses and developments, subject to the provisions specified under this Part of this Chapter. In addition to those requirements, the following provisions shall apply:

A. A permitted nonresidential use located on a separate lot may have one freestanding sign or ground sign, subject to the following provisions:

(1) The freestanding sign or ground sign shall be an on-premises sign, which may provide a visual display for the nonresidential use located on the same property.

(2) The total area of the freestanding sign or ground sign shall not exceed 25 square feet.

(3) A freestanding sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The height of a freestanding sign shall be no less than 7 feet and no more than 16 feet, as measured from the average ground elevation.

(4) A ground sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The height of a ground sign shall not exceed 6 feet, as measured from the average ground elevation.

(5) No freestanding or ground shall be located within the clear sight triangle or obstruct sight distance at the intersection of a street, driveway or

access lane, as further designated by Northampton Township.

(6) The location of such signs shall be approved by the Zoning Officer prior to the issuance of a sign permit.

B. Retail business establishments containing multiple nonresidential uses with less than 30,000 square feet or developments containing two or more nonresidential uses on the same lot may have one freestanding or ground sign along each street that the development has sufficient frontage and vehicular accessibility. The area of each sign shall not exceed 25 cumulative square feet and shall meet the following criteria:

(1) A freestanding sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The height of the freestanding sign shall be no less than 7 feet and no more than 16 feet, as measured from the average ground elevation.

(2) A ground sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The maximum height of the ground sign shall be no more than 6, as measured from the average ground elevation. Any wall or fence structure, which supports such signs may not exceed 8 feet in height or a maximum of 50 square feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.

(3) The freestanding or ground sign may identify the name of the development as well as any individual permitted uses contained within the development provided it is constructed as a single component with the ability to be changed at any time.

(4) No freestanding or ground shall be located within the clear sight triangle or obstruct sight distance at the intersection of a street, driveway or access lane, as further designated by Northampton Township.

(5) Wall or parallel signs shall be permitted provided they do not exceed 50 cumulative square feet or occupy more than 20 percent of the front building facade, whichever is less.

C. Retail business establishments containing multiple nonresidential uses with more than 30,000 square feet of cumulative floor area may contain one freestanding or ground sign along each street that the development has sufficient frontage and vehicular accessibility. The area of each sign shall not exceed 40 cumulative square feet and shall meet the following criteria:

(1) A freestanding sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The height of a freestanding sign shall be no less than 7 feet and no more than 16 feet, as measured from the average ground elevation.

(2) A ground sign shall be located at least 5 feet from the street right-of-way line and 20 feet from all other property lines. The maximum height of a ground sign shall be no more than 6 feet, as measured from the average ground elevation. Any wall or fence structure, which supports such signs may not exceed 8 feet in height or a maximum of 60 square feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.

(3) The freestanding or ground sign may identify the name of the

development as well as any individual permitted uses contained within the development provided it is constructed as a single component with the abilities to be changed at any time. The total number of individual names or uses on any such freestanding sign shall be limited to eight per side.

(4) No freestanding or ground sign shall be located within the clear sight triangle or obstruct sight distance at the intersection of a street, driveway or access lane, as further designated by Northampton Township.

(5) Wall or parallel signs shall be permitted provided that they do not exceed 100 cumulative square feet or occupy more than 20 percent of the front building facade, whichever is less.

D. All other individual nonresidential uses may have one freestanding or ground sign, subject to the provisions specified under this Part of this Chapter.

4. Directional signs may be permitted provided that: they are utilized within the interior of a development; they are limited to two directional signs per street intersection; they do not exceed 4 square feet in size; and, are approved by Northampton Township.

5. A municipal, governmental, recreational, educational or institutional use may have one freestanding or ground sign along each street that the use has sufficient frontage and vehicular accessibility. The total area of each sign shall not exceed 25 cumulative square feet. All other pertinent sign requirements for municipal, governmental, recreational, educational or institutional uses, as specified under this Chapter shall apply.

6. Signs advertising the sale of agricultural products grown or produced on the premises, erected on the same lot therewith, indicating the name of the owner or occupant and the product sold, provided that the total sign area be limited to 12 square feet.

7. The matrix chart provided under §27-1608 of this Chapter summarizes the categorical sign requirements by type, quantity, height, area, location and permit procedures for each use within Northampton Township.

(*Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; by Ord. 543, 8/12/2009, §1; and by Ord. 558, 4/27/2011, §§14, 15*)

#### **§27-1606. Off-Premises Advertising Signs or Billboards.**

1. Off-premises advertising signs or billboards, as defined by this Chapter are permitted by conditional use, provided that it is located along the north side of Jacksonville Road within the I-1 Zoning District and within 150 feet of the centerline of Jacksonville Road.

2. All off-premises advertising signs or billboards shall not exceed 160 square feet. The spacing of such signs shall be at least 1,000 linear feet apart from another off-premises advertising sign or billboard on the same side of the road.

3. All off-premises advertising signs or billboards shall be located in a manner to comply with the following requirements for setback, separation distance, height and arrangement:

A. Off-premises advertising signs or billboards shall be located at least 10 feet from the street right-of-way line and no further than 150 feet from the

centerline of Jacksonville Road.

B. Off-premises advertising signs or billboards shall be located at least 30 feet from all other property lines.

C. Off-premises advertising signs or billboards shall be located at least 200 feet from the center of the nearest intersection involving public roads.

D. The maximum height of all such off-premises advertising signs or billboards shall be no less than 10 to the bottom edge of the sign and no more than 25 feet to the top edge of the sign, as measured from the average ground elevation.

E. No more than one support structure containing an off-premises advertising sign or billboard shall be permitted on any lot. The support structure may be designed to permit no more than one advertising sign or billboard for each viewable direction along Jacksonville Road.

F. When two off-premises advertising signs or billboards are orientated in a back-to-back arrangement, they shall be parallel and directly opposite from each other and shall not be spaced by more than 5 feet. The size and shape of the signs should not deviate from each other and they shall utilize the same support structure.

G. When two off-premises advertising surface signs or billboards are orientated in a V-type arrangement, they shall be at least 15 feet apart at the mid-point distance nor shall the interior angles be greater than 45 degrees. The size and shape of the signs should not deviate from each other and they shall utilize the same support structure.

H. No off-premises advertising sign or billboard shall be located in any manner that disrupts or distracts the operator of a motor vehicle.

4. All off-premises advertising signs or billboards shall be located to comply with the following design requirements:

A. All off-premises advertising signs or billboard shall be designed, located and constructed in accordance with all local and state codes. As part of this requirement, all permit applications shall include signed and sealed plans from a licensed engineer within the Commonwealth of Pennsylvania.

B. All off-premises advertising signs or billboards shall be constructed and erected on a steel unipole or steel I-beams meeting the minimum standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising.

C. The support structure for all off-premises advertising signs or billboards shall be constructed and erected on permanent footings, as determined by the licensed engineer responsible for the permit application.

D. No off-premises advertising sign or billboard shall be constructed and erected which resembles any official marker, logo and/or insignia of any governmental entity or other organization without written consent.

E. The off-premises advertising sign or billboard shall not contain vulgar messages or depict any lewd, pornographic, lascivious or other offensive acts.

F. The off-premises advertising sign or billboard shall be maintained and inspected by the applicant of the permit on an annual basis. As part of this

requirement, the applicant shall inspect the following: the support structure to determine if is sound and in good repair; the lighting to determine if it operating sufficiently; the display area to determine if is in good condition and free of graffiti; the area within the lease area to determine if it is clear of overgrown vegetation, debris, trash and other unsightly materials; and all other items that should be inspected periodically, as determined appropriate by the Zoning Officer.

5. All off-premises advertising signs or billboards shall be located to comply with the following lighting, visual display and illumination requirements:

A. All off-premises advertising signs or billboards may be illuminated provided that such illumination is directed downwards towards the sign and shielded so as to prevent the illumination from being directed towards the street or adjacent properties.

B. Off-premises advertising signs or billboards containing flashing, intermittent, scintillating, reflective and/or moving lighting features shall be prohibited.

C. The provision for exterior lighting, as specified by this Chapter shall also apply to the illumination off-premises advertising signs or billboards.

6. If the conditional use application is approved by Northampton Township, all off-premises advertising signs or billboards shall be located to comply with the following permit requirements:

A. The applicant shall submit a written agreement with the permit application indicating that the owner of the property has agreed to lease the property to the commercial sign or advertising company and has approved the proposed display or message contained on the off-premises advertising sign or billboard.

B. Three complete permit applications shall be submitted to Northampton Township, as required by the provisions of this Chapter. The permit application shall include the required permit fee.

C. The permit application shall contain the following information: three copies of the plans and diagrams drawn accurately to scale depicting the dimensions of the lot, cartway, right-of-way, location of the sign; the exact size, dimensions and location of the off-premises sign or billboard to be placed on the lot or building, together with its type, construction, materials to be used, support structures, and the manner of installation; and any other useful information, which may be required of the applicant by the Northampton Township Engineer or Zoning Officer.

D. The completed permit application, plans and support diagrams shall be signed and sealed by a licensed engineer within the Commonwealth of Pennsylvania.

E. The permit application shall be granted or refused within 30 days from the date of the permit application has been filed with Northampton Township.

7. In addition to the provisions established herewith, the applicant and property owner for all off-premises advertising signs or billboards shall comply with all other pertinent provisions, as established by Northampton Township.

(*Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; by Ord. 543, 8/12/2009, §1;*

and by *Ord. 558*, 4/27/2011, §16)

**§27-1607. Prohibited Signs.**

1. The following signs shall be considered as prohibited signs, which shall not be permitted within Northampton Township:

A. Spinning, animated, twirling or any other moving objects used for commercial advertising purposes with or without a message, where the spinning, animation and/or twirling occurs.

B. LED, flashing, blinking, twinkling, animated, or other message changing devices used for commercial advertising purposes. [*Ord. 558*]

C. Signs placed, inscribed or supported upon the highest roofline or upon any structure, which extends above the highest roofline of any building.

D. Wall signs that partially extend above the roofline of the building to which they are attached.

E. Roof signs, which are attached, erected or placed on top of a principal or accessory building.

F. Artistic murals, depicting scenic, historical, cultural, educational, or other similar visual scenes, may be painted on the side of a building, provided they are aesthetic, socially acceptable, and that the content has been reviewed and approved by the Northampton Township Board of Supervisors.

G. Banners, flags, balloons, streamers, spot lights, floodlights and other similar promotional features, which have not been authorized by Northampton Township.

H. Portable signs.

I. Signs located on parked vehicles.

J. Signs containing vulgar messages or depicting any lewd, pornographic, lascivious or other offensive acts.

K. Any sign exceeding the provisions for location, placement, type, area, height, clearance, visibility, sight distance, projection, quantity and illumination, as specified within the Northampton Township.

L. Signs that resemble or imitate any official traffic sign, signal or device, which are located or placed within 100 feet of a street right-of-way and/or within 200 feet of a traffic control device.

M. Posted signs of a temporary nature which are tacked, stapled, nailed, posted, glued, hung or otherwise attached to a tree, utility pole, traffic control sign, light stand, fence or other such permanent object.

N. Caution tape or crime scene tape that is not utilized for emergency management purposes.

O. Signs considered as a detriment to the health, safety and/or general welfare of the community.

(*Ord. 160*, 4/6/1977; as amended by *Ord. 542*, 6/10/2009, §1; by *Ord. 543*, 8/12/2009, §1; and by *Ord. 558*, 4/27/2011, §17)



**§27-1608. Summarization Chart for Categorical Sign Requirements.**

1. The matrix chart on the following pages provide an abbreviated summary of the categorical sign requirements by type, quantity, height, area, location and permit procedures for certain uses and activities within Northampton Township. Additional land use and development requirements may apply.

2. Where a discrepancy should exist between the provisions contained within the text portion of this Chapter and the provisions contained within Summary Matrix Chart for Categorical Sign Requirements, the provisions contained within the text portion of this Chapter shall prevail.

3. The provisions specified within this matrix chart shall be subject to the interpretation of the Zoning Officer. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

### Summary Matrix Chart For Categorical Sign Requirements

Use	Type of Sign	Maximum Number	Maximum Height	Maximum Size or Sign Area	Setback Requirements		Permitted Zoning Districts	Permit Required
					ROW	Property Line		
<b>Permanent On-Premises Residential Signs</b>	Individual Name and Street Address	1	6 feet	2 square feet	----	5 feet	All Districts	No
	Property Control or Restrictions Sign	1 per 100 linear feet	6 feet	2 square feet	2 feet	2 feet	All Districts	No
	Home Occupation Sign	1	6 feet	2 square feet	2 feet	5 feet	All Districts	Yes
	Subdivision or Development Sign containing 20 or more units	1 per main entrance	6 feet	12 square feet	5 feet	20 feet	All Districts	Yes
<b>Permanent On-Premises Nonresidential Signs</b>	Freestanding Sign for Single Use or Ground Sign for Single Use	1	16 feet	25 square feet	5 feet	20 feet	C-2, C-3, I-1, P-O and VOD	Yes
			6 feet	25 square feet	5 feet	20 feet	C-2, C-3, I-1, P-O and VOD	Yes
	Wall or Parallel Sign	----	30 feet, or to the permitted building height	20% of building face; max. 50 cum. sq. ft. on one designated side	----	----	C-2, C-3, I-1, P-O and VOD	Yes
	Projecting Sign	1	16 feet	25 square feet	----	----	C-2, C-3, I-1, P-O and VOD	Yes
	Window Sign	----	20 feet	50% of cumulative front window space	----	----	C-2, C-3, I-1, P-O and VOD	Yes
	Directional or Traffic Control Sign	----	10 feet	4 square feet per sign	----	10 feet	C-2, C-3, I-1, P-O and VOD	Yes
<b>Nonresidential Developments and Uses</b>	Freestanding Sign or Ground Sign for Nonresidential Developments	1 per main entrance	16 feet	25 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, I-1, P-O and VOD	Yes
			6 feet	25 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, I-1, P-O and VOD	Yes
	Freestanding Sign or Ground Sign for Retail Uses with less than 30,000 square feet of floor area	1	16 feet	25 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, and VOD	Yes
			6 feet	25 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, and VOD	Yes
	Freestanding Sign or Ground Sign for Retail Uses with more than 30,000 square feet of floor area	1 per main entrance	16 feet	40 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, and VOD	Yes

Use	Type of Sign	Maximum Number	Maximum Height	Maximum Size or Sign Area	Setback Requirements		Permitted Zoning Districts	Permit Required
					ROW	Property Line		
			6 feet	40 cumulative square feet for all uses	5 feet	20 feet	C-2, C-3, and VOD	Yes
<b>Off-Site Advertising Sign/Billboard</b>	Freestanding Advertising Sign or Billboard within 150 feet of the centerline of Jacksonville Road	1 per 1,000 linear feet	25 feet	160 square feet	10 feet	20 feet	I-1	Yes
<b>Permanent On-Premises Municipal Governmental, Recreational, Institutional and other Uses</b>	Freestanding Sign for Single Use or Ground Sign for a Single Use	1 per main entrance	16 feet	25 square feet	5 feet	20 feet	All Districts	Yes
			6 feet	25 square feet	5 feet	20 feet	All Districts	Yes
	Wall or Parallel Sign	6	30 feet, or to permitted building height	20% of building face; max. 50 cum. sq. ft. on one designated side	----	----	All Districts	Yes
	Projecting Sign	1	16 feet	25 square feet	----	----	All Districts	Yes
	Directional or Traffic Control Sign	6 per acre	10 feet	4 square feet per sign	----	10 feet	All Districts	Yes
<b>Agricultural Uses</b>	Produce Sales	1	10 feet	12 square feet	5 feet	20 feet	All Districts	Yes
<b>Temporary On-Premises Signs</b>	Subdivision or Development Sign	1	6 feet	32 square feet	5 feet	20 feet	All Districts	Yes
	Contractor and Financing Sign	1	6 feet	32 square feet	5 feet	20 feet	All Districts	Yes
	Real Estate and Marketing Sign	1	6 feet	32 square feet	5 feet	20 feet	All Districts	Yes
	Special Event or Seasonal Sign	1	6 feet	32 square feet	5 feet	20 feet	All Districts	Yes

**General Notes concerning the Summary Chart for Categorical Sign Requirements**

(5) The matrix chart provides an abbreviated summary of the basic sign requirements for certain uses and activities within Northampton Township. Additional land use and development requirements may apply. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Summary Matrix Chart for Categorical Sign Requirements, the provisions contained within the text shall prevail.

(6) Where a discrepancy should exist between the provisions contained within the text portion of this Chapter and the provisions contained within Summary Matrix Chart for Categorical Sign Requirements, the provisions contained within the text portion of this Chapter shall prevail.

(7) The provisions specified within this matrix chart shall be subject to the interpretation of the Zoning Officer.

(Ord. 160, 4/6/1977; as amended by Ord. 542, 6/10/2009, §1; and by Ord. 543, 8/12/2009, §1)



## **Zoning Map Amendments**

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
<i>Ord. 479</i>	2/27/2002	Zoning Map Amendment
<i>Ord. 480</i>	3/13/2002	Zoning Map Amendment
<i>Ord. 489</i>	4/23/2003	Zoning Map Amendment
<i>Ord. 498</i>	11/17/2004	Zoning Map Amendment
<i>Ord. 505</i>	8/10/2005	Zoning Map Amendment
<i>Ord. 537</i>	12/17/2008	Revising the Northampton Township Zoning Map as follows: Parcel 1 is to be revised from the R-2 Zoning District to the C-2 Zoning District; Parcel 2 is to be revised from the R-2 Zoning District to the C-2 Zoning District; and Parcel 3 is to be revised from the C-2 to I-P in order to resolve a mapping error.





## Appendix

The following ordinances and resolutions are no longer of general interest, primarily because their provisions were carried out directly after their enactment. Since they are mainly of historical or administrative interest, it has not been considered necessary to include their entire text. Instead, they are arranged in groups, according to subject matter, and within each group listed by title in chronological order. The content of the ordinances and resolutions is indexed, in all necessary detail, in the general index at the end of this volume. The annual budget and tax ordinances have been listed only in the "Table to Disposition of Ordinances." Any person who desires to read the full text of any of the ordinances or resolutions may do so by consulting the original Ordinance Books on file in the Township offices.

The enactments included in this Appendix are grouped under the following headings:

- A ..... Adjustments to Township Boundaries
- B ..... Debt and Bond Issues
- C ..... Franchises and Services
- D ..... Governmental and Intergovernmental Affairs
- E ..... Plan Approval
- F ..... Public Property
- G ..... Sewers
- H ..... Streets and Sidewalks
- I ..... Water
- J ..... Zoning; Prior Ordinances





## **Appendix A**

### **Adjustments to Township Boundaries**

[Reserved]



## Appendix B

### Debt and Bond Issues

Ord./Res.	Date	Subject
Ord. 30	6/5/1959	Providing for increasing the debt of the Township in the amount of \$55, 000, without the assent of the electors, for the purpose of providing funds in the amount of \$25, 000 for and toward the acquisition of a building to be used as a Town hall for Township purposes, and in the amount of \$30, 000 for and toward the construction of a new road.
Ord. 151	7/16/1975	Providing for increasing the debt of the Township in the amount of \$1,150,000 without the assent of the electors for the purpose of providing funds for and toward the cost of constructing and equipping a Township municipal center.
Ord. 205	10/12/1983	Authorizing and directing incurring of nonelectoral debt through issuance of general obligation bonds of Township in principal amount of \$960,000 for purpose of providing funds for and toward payment of costs of construction of a library/senior citizens center.
Ord. 229	8/14/1985	Authorizing the incurring of nonelectoral debt by the Township for the purpose of providing funds for a project consisting of the acquisition of 45.4 acres of land for use as a central active recreation area and the purchase of furniture and furnishings for the Township library in the Township.
Ord. 246	2/25/1987	Authorizing and directing incurring of nonelectoral debt through issuance of general obligation bonds of Township in aggregate principal amount of \$1,755,000 for purposes of refunding certain outstanding general obligation bonds issued by Township, refunding an outstanding note of the Township, providing funds for a recreation project and providing funds for payment of costs of issuance.
Ord. 274	6/22/1988	Authorizing the incurrence of nonelectoral debt of the Township by the issuance of \$4,095,000 aggregate principal amount general obligation bonds, series of 1988, to finance additions and improvements to Township administration and public works buildings , the construction of the storm sewers and other stormwater management facilities within the Township, and the construction of traffic signals and the extension of a road within the Township.
Ord. 355	12/2/1992	Authorizing the incurrence of nonelectoral debt of the Township by the issuance of aggregate principal amount general obligation bonds, series of 1992, for the purpose of providing funds for and towards various capital projects and refunding the Township's outstanding general obligation bonds, series of 1988, series of 1987 and series of 1975.
Ord. 435	2/11/1998	1998 bond issue
Ord. 455	6/16/1999	1999 bond issue for open space

(App. B)

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 472	4/11/2001	Authorizing the incurrence of nonelectoral debt of the Township by the issuance of \$20,340,000 aggregate principal amount general obligation bonds, series of 2001, to provide funds for and towards the costs of certain capital projects including the construction of a community center, renovations and improvements to its library facility, and various public park improvements.
Ord. 484	10/9/2002	Authorizing the incurrence of nonelectoral debt of the Township by the issuance of \$3,260,000 general obligation bonds, series of 2002, for the purpose of providing funds for and towards a refinancing program and paying the costs of issuing the bonds.
Ord. 502	12/15/2004	Bond issue, series 2005
Res. R-08-21	12/10/2008	Authorizing the issuance of a tax and revenue anticipation note to TD Bank, for the calendar year 2009.
Res. R-10-6	1/27/2010	Authorizing the issuance of a tax and revenue anticipation note to TD Bank, for the calendar year 2010.
Ord. 549	4/28/2010	Authorizing the incurrence of electoral and nonelectoral debt of Township of Northampton by the issuance of \$6,620,000 general obligation bonds, series of 2010, for the purpose of providing funds for and towards financing a refinancing program.
Res. R-11-8	2/23/2011	Authorizing police vehicle loan.

## **Appendix C**

### **Franchises and Services**

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 228	8/14/1985	Increasing cable TV rate.
Ord. 368	8/11/1993	Amending CATV By-laws.
Ord. 421	7/9/1997	Cable Television Franchise
Ord. 504	7/13/2005	Authorizing Verizon/Intergovernmental agreement.
Ord. 511	2/2/2007	Authorizing the entering into of a cable franchise agreement granting a nonexclusive franchise to Verizon Pennsylvania Inc., to construct, install, maintain, extend, and operate a cable communications system in Northampton Township.
Ord. 538	1/5/2009	Granting to Comcast of Southeast Pennsylvania, LLC, a non-exclusive franchise.



## Appendix D

### Governmental and Intergovernmental Affairs

#### 1. *Ordinances.*

<b>Ord.</b>	<b>Date</b>	<b>Subject</b>
Ord. 2	8/5/1946	Establishing Zoning Commission.
Ord. 7	3/1/1954	Extending the social security system to employees and officers of the Township of Northampton will be of benefit.
Ord. 79	11/1/1964	Signifying its intention and desire to organize an Authority under the provisions of the Municipality Authorities Act of 1945.
Ord. 93	5/11/1966	Establishing Police Pension Fund.
Ord. 137	3/27/1974	Approving the construction by the Municipal Authority of a sanitary sewage collection system project in portions of the Township.
Ord. 146	12/18/1974	Establishing a municipal police pension fund and revising uniformed employees pension.
Ord. 147	12/18/1974	Amending and replacing employees pension fund and establishing newly revised nonuniform employees pension plan and trust.
Ord. 271	4/27/1988	Self-insurance Trust
Ord. 281	9/28/1988	Intermunicipal agreement for collection and disposal of solid waste.
Ord. 330	5/22/1991	Participating in Delaware Valley Workers Compensation Trust.
Ord. 374	10/13/1993	Participating in Delaware Valley Workers Compensation Trust.
Ord. 400	10/25/1995	Board of Supervisors Compensation
Ord. 424	8/13/1997	Participating in health insurance study.
Ord. 437	5/27/1998	Mutual Utility Alliance
Ord. 448	3/10/1999	Authorizing participation in Delaware Valley Health Insurance Trust.
Ord. 454	5/26/1999	Multi-agency Special Reaction Team
Ord. 540	2/25/2009	Certifying that certain property in Northampton Township are eligible for exemption from further real estate tax millage increases.
Ord. 544	8/12/2009	Joining with other local government units as a settlor of the Pennsylvania Local Government Investment Trust for the purpose of purchasing shares of the trust.
Ord. 548	3/24/2010	Amending and restating the Non-Uniformed Employees' Pension Plan of the Township of Northampton.
Ord. 563	4/25/2012	Amending and restating the Township of Northampton Police Pension Plan.

#### 2. *Resolutions.*



(App. D)

<b>Res.</b>	<b>Date</b>	<b>Subject</b>
Res. R-90-14	9/26/1990	Natural Resource Inventory
Res. R-06-16	9/13/2006	Signifying the intention and desire to organize an Authority under the provisions of the Municipality Authorities Act of 1945.
Res. R-08-17	12/10/2008	Authorizing, empowering and directing the proper officers of the Township to execute an agreement with Berkheimer whereunder Berkheimer is retained as the exclusive tax officer for the collection, administration, receipt and enforcement of the provisions of the respective tax enactment of the governing body levying and assessing the local services tax.
Res. R-08-20	12/10/2008	Authorizing, empowering and directing the proper officers of the Township to appoint a liaison between it and Berkheimer Associates, the duly appointed collector of local services tax for the Township, for the express purpose of sharing confidential tax information with the Township for official purposes.
Res. R-09-1	1/5/2009	Setting bond amounts for Township Officers for 2009.
Res. R-09-03	1/28/2009	Declaring local disaster/limited state of emergency.
Res. R-09-06	3/11/2009	Declaring local disaster/limited state of emergency.
Res. R-09-12	7/8/2009	Obtaining a credit card account with Commerce Bank, N.A.
Res. R-09-17	11/11/2009	Approving the financing by the Cumberland County Municipal Authority of a project for the benefit of Diakon Lutheran Social Ministries.
Res. R-09-18	11/25/2009	Applying to the Department of Conservation and Natural Resources for a grant for the purpose of carrying out project, "Northampton Township Commemorative Program."
Res. R-09-21	12/23/2009	Authorizing an application for PECO Green Region Open Space Grant.
Res. R-09-22	12/23/2009	Declaring local disaster/limited state of emergency.
Res. R-10-1	1/4/2010	Setting bond amounts for the Township officers for 2010.
Res. R-10-9	2/24/2010	Authorizing the destruction of the Code Enforcement records in accordance with the appropriate code of the Municipal Records Retention Manual.
Res. R-10-10	2/24/2010	Declaring local disaster/limited state of emergency.
Res. R-10-11	2/24/2010	Declaring local disaster/limited state of emergency.
Res. R-10-25	9/22/2010	CDBG Application for 2011.
Res. R-10-26	10/27/2010	Appointing Keystone EIT Collector.
Res. R-10-27	10/27/2010	Appointing Keystone Collections Group as Local Services Tax Collector.
Res. R-10-28	12/8/2010	Application to open space program.
Res. R-11-1	1/3/2011	Setting bond amounts for Township officers.
Res. R-11-4	1/3/2011	Declaring/repealing snow emergency.

<b>Res.</b>	<b>Date</b>	<b>Subject</b>
Res. R-11-5	2/23/2011	Declaring/repealing snow emergency.
Res. R-11-6	2/23/2011	Declaring/repealing snow emergency.
Res. R-11-7	2/23/2011	Declaring/repealing snow emergency.
Res. R-11-10	6/22/2011	No Parking 4 <sup>th</sup> of July.
Res. R-11-11	7/27/2011	DEP request for project exempt. stormwater.
Res. R-11-12	9/21/2011	Declaring state of emergency.
Res. R-11-13	9/21/2011	Authorizing 2012 CDBG application.
Res. R-11-14	11/16/2011	Green Region PECO Open Space Grant.
Res. R-11-15	11/16/2011	2011 Hazard Mitigation Plan
Res. R-11-16	11/16/2011	Designee/FEMA Disaster Relief Funds.
Res. R-12-1	1/3/2012	Setting bond amounts for Township officers.
Res. R-12-8	5/23/2012	Limiting terms of office for Supervisors.
Res. R-12-9	6/27/2012	Supporting Act 13 Challenge.
Res. R-12-11	9/19/2012	Financial Security Agreement PenndDOT
Res. R-12-12	9/19/2012	CDBG application 2013.
Res. R-12-14	12/12/2012	Declaring state of emergency
Res. R-13-1	1/7/2013	Setting bond amounts for Township officers.
Res. R-13-4	2/27/2013	Declaring snow emergency.
Res. R-13-5	2/27/2013	Declaring snow emergency.



**Appendix E**  
**Plan Approval**

[Reserved]



## **Appendix F**

### **Public Property**

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 31	6/26/1959	Authorizing and providing for the acquisition of a certain tract of land with the building thereon erected, situate in the Township of Northampton as and for a municipal building and for other Township purposes.
Ord. 224	3/13/1985	Authorizing the sale of a certain tract of land containing .7587 acres more or less and improvements thereon, known as "Pheasant Run farmhouse" situated to the rear of lots fronting on Chapel Drive in the Township of Northampton conditioned on court approval for the sale of said tract of land pursuant to law.
Res. R-09-13	7/8/2009	Approving the conveyance of easement rights for parcel no. 31-77-73.
Res. R-09-14	7/8/2009	Approving the conveyance of easement rights for parcel no. 31-77-74.
Res. R-10-7	1/27/2010	Approving the conveyance of easement rights for parcel no. 31-49-64.
Res. R-12-3	3/28/2012	Dedicating Northampton Gate public improvements.
Res. R-12-7	4/25/2012	Dedicating Northampton Gate easements.
Res. R-12-13	11/14/2012	Dedicating Willow Estates.



## **Appendix G**

### **Sewers**

<b>Ord./Res</b>	<b>Date</b>	<b>Subject</b>
Ord. 70	3/11/1964	Establishing a sewer district to be known as Sewer District S-10-1.
Ord. 71	3/11/1964	Authorizing the construction of a sanitary sewer system in a portion of Second Street Pike and in Upland Drive in the Township and providing for methods of assessment for the payment thereof.
Ord. 77	9/9/1964	Establishing a sewer district to be known as Sewer District S-10-2.
Ord. 78	9/9/1964	Authorizing the construction of a sanitary sewer system in a portion of Bristol Road and a sewer district to be known as Sewer District S-10-2 in the Township and providing for methods of assessment for the payment thereof.
Ord. 83	5/12/1965	Establishing a sewer district to be known as Sewer District S-10-3.
Ord. 84	8/11/1965	Establishing a sewer district to be known as Sewer District S-10-3, by enlarging the boundaries of said Sewer District S-10-3.
Ord. 85	8/11/1965	Approving the report and plan submitted by Northampton, Bucks County, Municipal Authority, for the construction by said authority of a sanitary sewage collection system and appurtenant facilities, in and for certain portions of Northampton Township, known as Sewer District S-10-3.
Ord. 90	1/28/1966	Ratifying and approving the execution and delivery of an agreement with Bucks County Water and Sewer Authority and the County of Bucks providing for the construction of sewers by the Township and the provision of treatment services by the County Authority and other matters.
Ord. 107	2/27/1969	Establishing a sewer district to be known as Pine Run Sewer District.
Ord. 108	2/27/1969	Establishing a sewer district to be known as Buck Hill Acres Sewer District.
Ord. 312	7/1/1990	Approving a plan of construction of sanitary sewage collection facilities to be constructed by Northampton, Bucks County, Municipal Authority, to serve certain portions of Northampton Township including among the areas served Holly, Holly Hill, Highspire and Holyoke Roads.
Ord. 397	7/12/1995	Approving a plan of construction of sanitary sewage collection facilities to be constructed by Northampton, Bucks County, Municipal Authority, to serve certain portions of Northampton Township being the area served along miles street also known as Miles Road.



(App. G)

<b>Ord./Res</b>	<b>Date</b>	<b>Subject</b>
Res. R-09-19	11/30/2009	Adopting and submitting to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan." Mary Albano has proposed the development of a parcel of land identified as Albano Tract, and purposes that such subdivision be served by individual on-lot system.
Res. R-09-20	12/23/2009	Proposing the development of a parcel of land identified as Kramer Property-636 Almshouse Road and proposes that such subdivision be served by retaining tanks.
Res. R-10-8	2/24/2010	Proposing the development of a parcel of land identified as Kramer Property-636 Almshouse Road and proposes that such subdivision be served by retaining tanks.

## Appendix H

### Streets and Sidewalks

<b>Street</b>	<b>Activity</b>	<b>Description</b>	<b>Ord./Res.</b>	<b>Date</b>
Bennett Place	Naming	Former South Shepherd's Way	Ord. 392	1/25/1996
Bonnie Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955
Bridgetown Pike	Accepting	right-of-way	Res. R-09-4	2/25/2009
Buck Road	Accepting	right-of-way	Res. R-10-3	1/27/2010
Burdsal Avenue	Laying out, relaying, opening, widening and relocating		Ord. 22	3/27/1957
Burdsal Avenue	Surveying/laying out		Ord. 21	3/9/1957
Cherry Street	Vacating		Ord. 377	3/9/1994
Clamarla Court	Renaming	To Sunrise Court	Ord. 353	10/28/1992
Cornell Avenue	Naming	Former Wilson Street	Ord. 269	3/23/1988
Douglas Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955
East Holland Road	Vacating	Portions	Ord. 345	1/6/1992
Elm Avenue	Constructing	Storm drainage curbs on the north side between Wren Drive and Holland Road	Ord. 152	9/10/1975
Galloway Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955

(App. H)

<b>Street</b>	<b>Activity</b>	<b>Description</b>	<b>Ord./Res.</b>	<b>Date</b>
Glasgow Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955
Hatboro Road	Vacating	Portion	Ord. 378	3/9/1994
Hatboro Road	Vacating	Portion (being former State Highway LR 09045, from Station 85+66 to Station 89+19), a distance of 353 feet, or approximately 0.0668 of a mile.	Ord. 197	12/16/1981
New Road	Vacating	Portion a distance of approximately 240 feet, or approximately .04545 of a mile	Ord. 491	12/17/2003
New Road	Vacating	Part	Ord. 50	2/23/1962
Old Jordan Road	Widening	West side between Jericho Road and East Holland Road	Ord. 384	7/13/1994
Paisley Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955
South Shepherd's Way	Renaming	To Bennett Place	Ord. 392	1/25/1996
St. Leonard's Road	Vacating	Portion	Ord. 509	5/10/2006
St. Leonards Road	Vacating	Portion from Middle Holland Road in a southerly direction for a distance of approximately 1825 feet.	Ord. 175	5/23/1979
Stoney Ford Road	Vacating	Portion	Ord. 398	9/13/1995
Stoneyford Road	Vacating	Portion from the former intersection of Stoneyford Road and Buck Road in a southeasterly direction for a distance of approximately 230 feet.	Ord. 176	6/27/1979
Sunrise Court	Naming	Former Clamarla Court	Ord. 353	10/28/1992
Tapeworm Road	Vacating	Portion	Ord. 506	10/26/2005

(App. H)

<b>Street</b>	<b>Activity</b>	<b>Description</b>	<b>Ord./Res.</b>	<b>Date</b>
Tartan Road	Surveying, laying out, opening, widening, straightening and relaying		Ord. 10	3/28/1955
Titus Avenue	Laying out, relaying, opening, widening and relocating		Ord. 22	3/27/1957
Titus Avenue	Surveying/laying out		Ord. 21	3/9/1957
Twining Ford Road	Vacating	Portion located within Tyler State Park	Ord. 463	7/12/2000
Unnamed Street	Vacating	Breadysville	Ord. 467	11/21/2000
Upland Drive	Vacating	Portion	Ord. 365	8/11/1993
Wilson Street	Renaming	To Cornell Avenue	Ord. 269	3/23/1988



## **Appendix I**

### **Water**

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 403	1/24/1996	Approving a plan of construction of public water facilities to be constructed by Northampton, Bucks County, Municipal Authority, to serve certain portions of Northampton Township including among the areas served Humphries, Railroad, Steamwhistle, Industrial, Council Rock and Louise Drives, Jacksonville, Pulinski and Richard Roads, and Vincent Circle.
Ord. 560	2/22/2012	Requiring that certain property owners located in the Traymore Manor Section of the Township, connect to and use public water, authorizing the Township, after notice, to enter the properties and connect the properties to the public water system, providing for the abandonment of wells by the properties required to connect to the public water system, and providing enforcement remedies and penalties.



## Appendix J

### Zoning; Prior Ordinances

Ord./Res.	Date	Subject
Ord. 3	5/28/1948	Prior Zoning Ordinance
Ord. 4	5/26/1953	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 6	7/6/1953	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 20	4/4/1956	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 26	8/15/1958	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 27	3/10/1959	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 38	5/27/1960	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 39	7/11/1960	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 54	6/13/1962	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 65	9/27/1963	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 66	12/11/1963	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 101	12/20/1967	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 111	6/26/1969	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 112	6/26/1969	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 113	6/26/1969	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 118	7/23/1970	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 121	2/10/1971	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 126	12/8/1971	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 129	9/20/1972	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 145	12/18/1974	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 150	6/25/1975	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 153	10/29/1975	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 154	1/28/1976	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 155	1/28/1976	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 156	4/28/1976	Amending <i>Ord. 3</i> , prior Zoning Ordinance
Ord. 157	5/12/1976	Amending <i>Ord. 3</i> , prior Zoning Ordinance





## Table to Disposition of All Ordinances

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
2	8/5/1946	Appendix D	Governmental and Intergovernmental Affairs
3	5/28/1948	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
4	5/26/1953	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
5	7/6/1953	Superseded by 158	Streets and Sidewalks
6	7/6/1953	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
7	3/1/1954	Appendix D	Governmental and Intergovernmental Affairs
8	4/5/1954	Superseded by 158	Subdivision and Land Development
9	4/5/1954	Repealed by 200	Administration and Government
10	3/28/1955	Appendix H	Streets and Sidewalks
11	10/10/1955	Repealed by 211	Streets and Sidewalks
12	10/10/1955	Repealed by 211	Streets and Sidewalks
13		Tabled	
14	10/10/1955	Repealed by 211	Subdivision and Land Development
15	4/4/1956	Superseded by 160	Zoning Map Amendments
16	6/19/1956	Repealed by 211	Animals
17	6/19/1956	Repealed by 211	Conduct
18	11/9/1956	Repealed by 24	Zoning
19	2/11/1956	§§13-301–13-313	Licenses, Permits and General Business Regulations
20	4/4/1956	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
21	3/9/1957	Appendix H	Streets and Sidewalks
22	3/27/1957	Appendix H	Streets and Sidewalks
23	5/7/1957	Superseded by 160	Zoning Map Amendments
24	10/7/1957	Repealed 18	Zoning
25	2/11/1957	Superseded by 160	Zoning Map Amendments
26	8/15/1958	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
27	3/10/1959	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
28	3/10/1959	Repealed by 211	Health and Safety

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
29	5/25/1959	Superseded by 160	Zoning Map Amendments
30	6/5/1959	Appendix B	Debt and Bond Issues
31	6/26/1959	Appendix F	Public Property
32	7/16/1959	Superseded by 160	Zoning Map Amendments
33	7/16/1959	Superseded by 160	Zoning Map Amendments
34	8/10/1959	Superseded by 160	Zoning Map Amendments
35	11/27/1959	Repealed by 204	Conduct
36	1/22/1960	Superseded by 250	Code Enforcement
37	2/5/1960	Superseded by 160	Zoning Map Amendments
38	5/27/1960	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
39	7/11/1960	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
40	9/23/1960	Repealed by 211	Streets and Sidewalks
41	3/24/1961	Superseded by 160	Zoning Map Amendments
42	3/24/1961	Realty Transfer Tax 1961	
43	3/24/1961	Per Capital Tax 1961	
44	4/12/1961	Superseded by 160	Zoning
45	7/12/1961	Superseded by 213	Streets and Sidewalks
46	8/25/1961	Superseded by 250	Code Enforcement
47	9/13/1961	Superseded by 214	Motor Vehicles and Traffic
48	10/11/1961	Superseded by 160	Zoning Map Amendments
49	11/24/1961	§§13-304, 13-310, 13-311	Licenses, Permits and General Business Regulations
50	2/23/1962	Appendix H	Streets and Sidewalks
51	3/23/1962	Realty Transfer Tax 1962	Taxation; Special
52	3/23/1962	Per Capital Tax 1962	
53	4/11/1962	§§26-301–26-314	Water
54	6/13/1962	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
55	7/11/1962	Superseded by 250	Code Enforcement
56	9/28/1962	Superseded by 561	Conduct
57	9/28/1962	Superseded by 160	Zoning
58	9/28/1962	Superseded by 279	Solid Waste
59	12/12/1962	Superseded by 158	Subdivision and Land Development
60	2/13/1963	Repealed by 211	Animals

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
61	3/13/1963	Per Capital Tax 1963	
62	3/13/1963	Realty Transfer Tax 1963	
63	5/8/1963	Superseded by 250	Code Enforcement
64	5/24/1963	Superseded by 160	Zoning Map Amendments
65	9/27/1963	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
66	12/11/1963	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
67	1/24/1964	Superseded by 160	Zoning Map Amendments
68	3/11/1964	Realty Transfer Tax 1964	
69	3/11/1964	Per Capita Tax 1964	
70	3/11/1964	Appendix G	Sewers
71	3/11/1964	Appendix G	Sewers
72	3/11/1963	§§18-101–18-143	Sewers and Sewage Disposal
73	5/13/1964	Repealed by 211	Sewers and Sewage Disposal
74	5/13/1964	Superseded by 160	Zoning
75	5/13/1964	Superseded by 174	Code Enforcement
76	5/26/1964	Repealed by 211	Water
77	9/9/1964	Appendix G	Sewers
78	9/9/1964	Appendix G	Sewers
79	11/1/1964	Appendix D	Governmental and Intergovernmental Affairs
80	12/9/1964	§26-312	Water
81	3/10/1965	Per Capita Tax 1965	
82	3/10/1965	Realty Transfer Tax 1965	
83	5/12/1965	Appendix G	Sewers
84	8/11/1965	Appendix G	Sewers
85	8/11/1965	Appendix G	Sewers
86	8/11/1965	Superseded by 173	Code Enforcement
87	8/11/1965	Superseded by 250	Code Enforcement
88	9/24/1965	Repealed by 211	Sewers and Sewage Disposal
89	1/28/1966	Superseded by 250	Code Enforcement
90	1/28/1966	Appendix G	Sewers
91	3/9/1966	Per Capita Tax 1966	
92	3/9/1966	Realty Transfer Tax 1966	

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
93	5/11/1966	Appendix D	Governmental and Intergovernmental Affairs
94	9/22/1966	Superseded by 160	Zoning Map Amendments
95	3/8/1967	Per Capita Tax 1967	
96	4/8/1967	Realty Transfer Tax 1967	
97	4/28/1967	Superseded by 160	Zoning
98	4/28/1967	Superseded by 160	Zoning
99	9/13/1967	Superseded by 250	Code Enforcement
100	9/13/1967	Superseded by 160	Zoning Map Amendments
101	12/20/1967	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
102	4/10/1968	Realty Transfer Tax 1968	
103	4/10/1968	Per Capita Tax 1968	
104	12/19/1968	Superseded by 214	Motor Vehicles and Traffic
105	1/8/1969	Per Capita Tax 1969	
106	1/8/1969	Realty Transfer Tax 1969	
107	2/27/1969	Appendix G	Sewers
108	2/27/1969	Appendix G	Sewers
109	2/27/1969	§§1-601–1-608	Administration and Government
110	6/19/1969	Superseded by 160	Zoning Map Amendments
111	6/26/1969	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
112	6/26/1969	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
113	6/26/1969	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
114	7/9/1969	Superseded by 160	Zoning Map Amendments
115	7/9/1969	Superseded by 160	Zoning Map Amendments
116	12/18/1969	Realty Transfer Tax 1970	
117	12/18/1969	Per Capita Tax 1970	
118	7/23/1970	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
119	12/17/1970	Per Capita Tax 1971	
120	12/17/1970	Realty Transfer Tax 1971	
121	2/10/1971	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
122	4/14/1971	Superseded by 173	Code Enforcement

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
123	4/14/1971	Superseded by 250	Code Enforcement
124	5/12/1971	Superseded by 174	Code Enforcement
125	6/17/1971	Superseded by 250	Code Enforcement
126	12/8/1971	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
127	12/16/1971	Per Capita Tax 1972	
128	12/16/1971	Realty Transfer Tax 1972	
129	9/20/1972	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
130	9/27/1972	Superseded by 160	Zoning Map Amendments
131	12/27/1972	Per Capita Tax 1973	
132	12/27/1972	Realty Transfer Tax 1973	
133	8/8/1973	Superseded by 160	Zoning
134	12/26/1973	Per Capita Tax 1974	
135	12/26/1973	Realty Transfer Tax 1974	
136	3/27/1974	§§18-102, 18-122	Sewers and Sewage Disposal
137	3/27/1974	Appendix D	Governmental and Intergovernmental Affairs
138	6/26/1974	Superseded by 213	Streets and Sidewalks
139		No ordinance	
140	9/11/1974	§§1-301–1-308	Administration and Government
141	10/9/1974	§§18-201–18-211	Sewers and Sewage Disposal
142	11/13/1974	§18-141, 18-143	Sewers and Sewage Disposal
143	12/11/1974	Superseded by 250	Code Enforcement
144	12/11/1974	Superseded by 250	Code Enforcement
145	12/18/1974	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
146	12/18/1974	Appendix D	Governmental and Intergovernmental Affairs
147	12/18/1974	Appendix D	Governmental and Intergovernmental Affairs
148	12/18/1974	Realty Transfer Tax 1975	
149	12/18/1974	Per Capita Tax 1975	
150	6/25/1975	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
151	7/16/1975	Appendix B	Debt and Bond Issues
152	9/10/1975	Appendix H	Streets and Sidewalks

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
153	10/29/1975	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
154	1/28/1976	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
155	1/28/1976	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
156	4/28/1976	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
157	5/12/1976	Superseded by 160 Appendix J	Zoning Zoning; Prior Ordinances
158	3/9/1977	§§22-101–22-619	Subdivision and Land Development
159	3/16/1977	Superseded by 250	Code Enforcement
160	4/6/1977	§§27-101–27-1608	Zoning
161	6/8/1977	ZMA	Zoning
162	8/24/1977	§§27-406, 27-407	Zoning
163	1/3/1978	Repealed by 260	Governmental and Intergovernmental Affairs
164	3/15/1978	§27-703	Zoning
165	11/8/1978	Repealed by 522	Zoning
166	12/20/1978	Superseded by 214	Motor Vehicles and Traffic
167	1/17/1979	Superseded by 214	Motor Vehicles and Traffic
168	1/17/1979	Superseded by 214	Motor Vehicles and Traffic
169	1/17/1979	Superseded by 214	Motor Vehicles and Traffic
170	2/17/1979	Superseded by 214	Motor Vehicles and Traffic
171	4/11/1979	Superseded by 250	Code Enforcement
172	4/11/1979	Superseded by 252	Code Enforcement
173	4/11/1979	Superseded by 251	Code Enforcement
174	4/11/1979	Superseded by 253	Code Enforcement
175	5/23/1979	Appendix H	Streets and Sidewalks
176	6/27/1979	Appendix H	Streets and Sidewalks
177	8/1/1979	§§27-104, 27-201, 27-408	Zoning
178	8/1/1979	ZMA	Zoning
179	2/13/1980	§§27-201, 27-703	Zoning
180	2/13/1980	§22-403	Subdivision and Land Development
181	4/9/1980	§§1-302–1-305	Administration and Government
182	5/14/1980	Superseded by 214	Motor Vehicles and Traffic
183	5/28/1980	Superseded by 214	Motor Vehicles and Traffic

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
184	5/28/1980	§27-703	Zoning
185	8/13/1980	Superseded by 214	Motor Vehicles and Traffic
186	10/22/1980	§§27-303, 27-406, 27-407, 27-1001, 27-1305, 27-1402	Zoning
187	10/22/1980	Superseded by 250 and 253	Code Enforcement
188	11/12/1980	Repealed by 421	Franchises and Services
189	11/19/1980	§§27-201, 27-406, 27-407, 27-1108, 27-1202	Zoning
190	4/15/1981	Superseded by 253	Code Enforcement
191	5/13/1981	Superseded by 214	Motor Vehicles and Traffic
192	5/20/1981	Superseded by 542	Zoning
193	7/8/1981	Superseded by 214	Motor Vehicles and Traffic
194	7/8/1981	Superseded by 214	Motor Vehicles and Traffic
195	9/9/1981	§§1-251–1-258	Administration and Government
196	9/9/1981	Superseded by 214	Motor Vehicles and Traffic
197	12/16/1981	Appendix H	Streets and Sidewalks
198	4/14/1982	Superseded by 250	Code Enforcement
199	5/12/1982	§§13-101–13-105	Licenses, Permits and General Business Regulations
200	7/14/1982	§1-252	Administration and Government
201	7/20/1983	§§27-201, 27-407	Zoning
202	8/10/1983	§§6-101–6-142	Conduct
203	8/10/1983	§§16-101–16-106	Parks and Recreation
204	11/12/1983	Superseded by 287	Conduct
205	10/12/1983	Appendix B	Debt and Bond Issues
206	10/26/1983	ZMA	Zoning
207	4/25/1984	§27-502	Zoning
208	4/25/1984	ZMA	Zoning
209	5/9/1984	§§22-202, 22-304–22-306, 22-403	Subdivision and Land Development
210	5/9/1984	§§27-104, 27-105, 27-201, 27-303, 27-407, 27-502, 27-503, 27-602, 27-603, 27-902, 27-903, 27-1001, 27-1103, 27-1104, 27-1107–27-1112, 27-1114–27-1118, 27-1202, 27-1206, 27-1306	Zoning
211	5/9/1984	Prior Adopting Ordinance	



<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
§92-2		Superseded by 561	Conduct
§§46-5, 95-13		§§13-105, 13-313	Licenses, Permits and General Business Regulations
§§108-22, 108-35		§§18-141, 18-211	Sewers and Sewage Disposal
§§118-15, 118-20		§§22-310, 22-403	Subdivision and Land Development
§135-14		§26-314	Water
§140-80		§27-1502	Zoning
212	5/9/1984	§§2-101–2-205	Animals
213	5/9/1984	§§21-101–21-203	Streets and Sidewalks
214	5/9/1984	Superseded by 561	Motor Vehicles and Traffic
215	6/13/1984	Superseded by 561	Motor Vehicles and Traffic
216	8/8/1984	§27-1107	Zoning
217	10/10/1984	Superseded by 561	Motor Vehicles and Traffic
218	11/24/1984	§27-1110	Zoning
219	11/28/1984	§22-403	Subdivision and Land Development
220	12/12/1984	Superseded by 561	Motor Vehicles and Traffic
221	1/23/1985	§§27-201, 27-602	Zoning
222	3/13/1985	§13-105	Licenses, Permits and General Business Regulations
223	3/13/1985	Superseded by 561	Motor Vehicles and Traffic
224	3/13/1985	Appendix F	Public Property
225	3/27/1985	ZMA	Zoning
226	6/12/1985	§16-101	Parks and Recreation
227	8/14/1985	ZMA	Zoning
228	8/14/1985	Appendix C	Franchises and Services
229	8/14/1985	Appendix B	Debt and Bond Issues
230	9/11/1985	Superseded by 561	Motor Vehicles and Traffic
231	9/25/1985	§§4-101–4-105	Buildings
232	11/13/1985	Superseded by 253	Code Enforcement
233	12/21/1985	Superseded by 400	
234	2/12/1986	Superseded by 287	Conduct
235	3/26/1986	Superseded by 516	Administration and Government
236	3/26/1986	§27-1107	Zoning
237	8/13/1986	§§27-201, 27-1119	Zoning
238	8/13/1986	§27-502	Zoning

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
239	8/13/1986	Superseded by 561	Motor Vehicles and Traffic
240	8/13/1986	Superseded by 250	Code Enforcement
241	9/24/1986	§§27-104, 27-504	Zoning
242	10/8/1986	Superseded by 561	Motor Vehicles and Traffic
243	11/12/1986	ZMA	Zoning
244	11/26/1986	§§26-201–26-207	Water
245	1/5/1987	§§24-301–24-318	Taxation; Special
246	2/25/1987	Appendix B	Debt and Bond Issues
247	3/25/1987	ZMA	Zoning
248	4/8/1987	ZMA	Zoning
249	4/22/1987	ZMA	Zoning
250	4/22/1987	Superseded by 431	Code Enforcement
251	4/22/1987	Superseded by 432	Code Enforcement
252	4/22/1987	Superseded by 430	Code Enforcement
253	4/22/1987	Superseded by 433	Code Enforcement
254	4/22/1987	Superseded by 561	Motor Vehicles and Traffic
255	5/13/1987	Superseded by 561	Motor Vehicles and Traffic
256	5/27/1987	§§1-201–1-205	Administration and Government
257	6/10/1987	Superseded by 561	Motor Vehicles and Traffic
258	6/24/1987	Superseded by 561	Motor Vehicles and Traffic
259	9/23/1987	Superseded by 561	Motor Vehicles and Traffic
260	9/23/1987	Repealed 163	Governmental and Intergovernmental Affairs
261	11/11/1987	ZMA	Zoning
262	1/20/1988	§§27-201, 27-602	Zoning
263	1/20/1988	Superseded by 561	Motor Vehicles and Traffic
264	2/10/1988	§27-1110	Zoning
265	2/24/1988	§§27-201, 27-301, 27-302, 27-903, 27-1118	Zoning
266	2/24/1988	§22-403, 22-617	Subdivision and Land Development
267	3/9/1988	§22-403	Subdivision and Land Development
268	3/9/1988	Superseded by 561	Motor Vehicles and Traffic
269	3/23/1988	Appendix H	Streets and Sidewalks
270	3/23/1988	Superseded by 561	Motor Vehicles and Traffic

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
271	4/27/1988	Appendix D	Governmental and Intergovernmental Affairs
272	5/11/1988	§§27-104, 27-402, 27-1108, 27-1112, 27-1116, 27-1119, 27-1120	Zoning
273	5/11/1988	ZMA	Zoning
274	6/22/1988	Appendix B	Debt and Bond Issues
275	6/22/1988	ZMA	Zoning
276	7/13/1988	§27-1103	Zoning
277	8/10/1988	§§27-302, 27-405, 27-406	Zoning
278	9/14/1988	§22-615	Subdivision and Land Development
279	9/14/1988	Repealed by 514	Solid Waste
280	9/14/1988	Repealed by 514	Solid Waste
281	9/28/1988	Appendix D	Governmental and Intergovernmental Affairs
282	10/12/1988	§§13-104, 13-105	Licenses, Permits and General Business Regulations
283	10/12/1988	Superseded by 561	Motor Vehicles and Traffic
284	12/14/1988	§22-612	Subdivision and Land Development
285	2/22/1989	§§2-108, 2-205	Animals
		§4-105	Buildings
		§6-142	Conduct
		§§13-105, 13-313	Licenses, Permits and General Business Regulations
		§16-106	Parks and Recreation
		§18-211	Sewers and Sewage Disposal
		§21-119	Streets and Sidewalks
		§24-315	Taxation; Special
		§§26-207, 26-314	Water
		§27-1502	Zoning
286	2/22/1989	Repealed by 514	Solid Waste
287	4/12/1989	§§6-201–6-204	Conduct
288	5/10/1989	Superseded by 431	Code Enforcement
289	5/10/1989	§§27-107, 27-201, 27-302, 27-402, 27-405–27-408, 27-502–27-504, 27-602, 27-1121	Zoning
290	5/24/1989	§§27-302, 27-405, 27-406	Zoning

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
291	5/24/1989	Superseded by 542	Zoning
292	7/12/1989	Repealed by 514	Solid Waste
293	7/12/1989	Superseded by 561	Motor Vehicles and Traffic
294	8/9/1989	§22-202, 22-304–22-306, 22-404, 22-502, 22-504, 22-506	Subdivision and Land Development
295	8/9/1989	§§27-201, 27-704, 27-901, 27-902, 27-1001, 27-1208, 27-1303, 27-1304, 27-1501, 27-1502	Zoning
296	8/9/1989	§1-257	Administration and Government
297	9/13/1989	§27-201	Zoning
298	9/13/1989	§§27-201, 27-1104	Zoning
299	10/11/1989	Superseded by 561	Motor Vehicles and Traffic
300	10/11/1989	§§27-201, 27-1104	Zoning
301	12/13/1989	Superseded by 561	Motor Vehicles and Traffic
302	12/20/1989	ZMA	Zoning
303	2/14/1990	Superseded by 561	Motor Vehicles and Traffic
304	4/4/1990	ZMA	Zoning
305	4/25/1990	ZMA	Zoning
306	4/25/1990	ZMA	Zoning
307	6/13/1990	§§27-104, 27-402–27-404–27-407, 27-502, 27-503, 27-504, 27-1108, 27-1112, 27-1116, 27-1119, 27-1120	Zoning
308	6/27/1990	ZMA	Zoning
309	6/27/1990	§§27-201, 27-407	Zoning
310	6/27/1990	ZMA	Zoning
311	6/27/1990	ZMA	Zoning
312	7/1/1990	Appendix G	Sewers
313	7/11/1990	§§21-101, 21-110	Streets and Sidewalks
314	7/11/1990	§§1-311–1-313	Administration and Government
315	8/8/1990	ZMA	Zoning
316	8/8/1990	Superseded by 561	Motor Vehicles and Traffic
317	8/8/1990	Repealed by 514	Solid Waste
318	8/8/1990	ZMA	Zoning
319	9/12/1990	Superseded by 561	Motor Vehicles and Traffic

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
320	9/26/1990	ZMA	Zoning
321	11/14/1990	Superseded by 433	Code Enforcement
322	12/19/1990	Superseded by 561	Motor Vehicles and Traffic
323	2/13/1991	ZMA	Zoning
324	2/13/1991	ZMA	Zoning
325	2/13/1991	ZMA	Zoning
326	2/13/1991	ZMA	Zoning
327, §I	4/10/1991	§§1-231, 1-232	Administration and Government
§II		§27-1403	Zoning
328	4/11/1991	§22-304	Subdivision and Land Development
329	5/8/1991	§§22-202, 22-304	Subdivision and Land Development
330	5/22/1991	Appendix D	Governmental and Intergovernmental Affairs
331	6/12/1991	§27-703	Zoning
332	6/12/1991	Superseded by 561	Motor Vehicles and Traffic
333	6/26/1991	Superseded by 432	Code Enforcement
334	9/11/1991	Superseded by 542	Zoning
335	9/25/1991	ZMA	Zoning
336	9/25/1991	Repealed by 514	Solid Waste
337	10/9/1991	ZMA	Zoning
338	10/23/1991	ZMA	Zoning
339	11/13/1991	§§27-201, 27-302, 27-303, 27-402, 27-404–27-408	Zoning
340	11/13/1991	§§27-201, 27-1112	Zoning
341	11/13/1991	§§27-201, 27-1122, 27-1306	Zoning
342	11/27/1991	Repealed by 514	Solid Waste
343	12/11/1991	§§27-104, 27-302, 27-404, 27-405, 27-406, 27-804, 27-1116	Zoning
344	12/18/1991	ZMA	Zoning
345	1/6/1992	Appendix H	Streets and Sidewalks
346	2/26/1992	§§27-104, 27-502, 27-1116	Zoning
347	2/26/1992	ZMA	Zoning
348	2/26/1992	Superseded by 561	Motor Vehicles and Traffic
349	5/13/1992	§§27-408, 27-1116	Zoning
350	9/9/1992	§§22-202, 22-308	Subdivision and Land Development

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
351	10/14/1992	§22-304	Subdivision and Land Development
352	10/28/1992	ZMA	Zoning
353	10/28/1992	Appendix H	Streets and Sidewalks
354	11/25/1992	Superseded by 561	Motor Vehicles and Traffic
355	12/2/1992	Appendix B	Debt and Bond Issues
356	1/4/1993	§§22-202, 22-613	Subdivision and Land Development
357	1/27/1993	§22-615	Subdivision and Land Development
358	1/27/1993	Superseded by 561	Motor Vehicles and Traffic
359	2/10/1993	§§1-311–1-313	Administration and Government
360	4/14/1993	Superseded by 561	Motor Vehicles and Traffic
361	4/28/1993	§13-304	Licenses, Permits and General Business Regulations
362	6/9/1993	§27-201	Zoning
363	6/23/1993	ZMA	Zoning
364	7/14/1993	§22-615	Subdivision and Land Development
365	8/11/1993	Appendix H	Streets and Sidewalks
366	8/11/1993	Superseded by 561	Motor Vehicles and Traffic
367	8/11/1993	§§27-902	Zoning
368	8/11/1993	Appendix C	Franchises and Services
369	9/22/1993	§§1-501–1-507	Administration and Government
370	10/13/1993	§§27-201, 27-407, 27-504	Zoning
371	10/13/1993	§27-201	Zoning
372	10/13/1993	§22-304	Subdivision and Land Development
373	10/13/1993	Superseded by 561	Motor Vehicles and Traffic
374	10/13/1993	Appendix D	Governmental and Intergovernmental Affairs
375	12/15/1993	§§27-1107	Zoning
376	12/15/1993	Superseded by 561	Motor Vehicles and Traffic
377	3/9/1994	Appendix H	Streets and Sidewalks
378	3/9/1994	Appendix H	Streets and Sidewalks
379	3/23/1994	§22-403	Subdivision and Land Development
380	3/23/1994	Superseded by 561	Motor Vehicles and Traffic
381	5/11/1994	§§22-402, 22-403	Subdivision and Land Development
382	5/25/1994	Superseded by 561	Motor Vehicles and Traffic
383	7/13/1994	Superseded by 542	Zoning

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
384	7/13/1994	Appendix H	Streets and Sidewalks
385	8/10/1994	Superseded by 561	Motor Vehicles and Traffic
386	8/10/1994	Superseded by 561	Motor Vehicles and Traffic
387	8/10/1994	§§24-101–24-110	Taxation; Special
388	10/12/1994	§§22-305, 22-403–22-405	Subdivision and Land Development
389	10/12/1994	§27-503	Zoning
390	10/26/1994	Superseded by 561	Motor Vehicles and Traffic
391	12/14/1994	Superseded by 561	Motor Vehicles and Traffic
392	1/25/1996	Appendix H	Streets and Sidewalks
393	1/25/1995	ZMA	Zoning
394	4/26/1995	§§1-502, 1-503	Administration and Government
395	5/24/1995	Superseded by 561	Motor Vehicles and Traffic
396	6/14/1995	§§26-101–26-105	Water
397	7/12/1995	Appendix G	Sewers
398	9/13/1995	Appendix H	Streets and Sidewalks
399	9/13/1995	Superseded by 561	Motor Vehicles and Traffic
400	10/25/1995	Appendix D	Governmental and Intergovernmental Affairs
401	11/8/1995	Superseded by 561	Motor Vehicles and Traffic
402	12/20/1995	Superseded by 561	Motor Vehicles and Traffic
403	1/24/1996	Appendix I	Water
404	1/24/1996	§§22-202, 22-308	Subdivision and Land Development
405	1/24/1996	§§27-201, 27-1112	Zoning
406	3/13/1996	§1-232	Administration and Government
407	3/13/1996	Superseded by 561	Motor Vehicles and Traffic
408	8/14/1997	ZMA	Zoning
409	8/14/1996	§§27-804, 27-1121	Zoning
410	8/14/1996	Superseded by 561	Motor Vehicles and Traffic
411	9/25/1996	§§27-201, 27-602, 27-802, 27-1116, 27-1123	Zoning
412	10/9/1996	§22-202, 22-403, 22-616	Subdivision and Land Development
413	10/9/1996	§22-613	Subdivision and Land Development
		§§27-201, 27-1110	Zoning
414	11/27/1996	§§27-1104	Zoning

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
415	1/22/1997	§§27-303, 27-405, 27-503, 27-603, 27-804, 27-1119	Zoning
416	2/12/1997	§1-312	Administration and Government
417	5/14/1997	Superseded by 561	Taxation; Special
418	5/14/1997	ZMA	Zoning
419	6/11/1997	§22-403	Subdivision and Land Development
420	7/9/1997	Superseded by 561	Motor Vehicles and Traffic
421	7/9/1997	Appendix C	Franchises and Services
422	7/9/1997	§§10-101–10-108	Health and Safety
423	8/13/1997	§§27-902	Zoning
424	8/13/1997	Appendix D	Governmental and Intergovernmental Affairs
426	9/10/1997	Superseded by 561	Motor Vehicles and Traffic
427	9/10/1997	§18-301–18-313	Sewers and Sewage Disposal
428	9/10/1997	§27-503	Zoning
429	11/12/1997	Superseded by 561	Motor Vehicles and Traffic
430	1/28/1998	Superseded by 547	Code Enforcement
431	1/28/1998	Superseded by 494	Code Enforcement
432	1/28/1998	Superseded by 547	Code Enforcement
433	1/28/1998	Superseded by 547	Code Enforcement
434	1/28/1998	Superseded by 561	Motor Vehicles and Traffic
435	2/11/1998	Appendix B	Debt and Bond Issues
436	5/13/1998	§§27-404, 27-901, 27-903	Zoning
437	5/27/1998	Appendix D	Governmental and Intergovernmental Affairs
438	7/8/1998	§§27-201, 27-302, 27-402, 27-404–27-406, 27-1120, 27-1124	Zoning
439	7/8/1998	Superseded by 561	Motor Vehicles and Traffic
440	11/11/1998	ZMA	Zoning
441	12/9/1998	§§27-105, 27-106, 27-201, 27-903	Zoning
442	12/9/1998	§22-202	Subdivision and Land Development
443	12/9/1998	§§22-202, 22-308	Subdivision and Land Development
444	1/27/1999	Superseded by 561	Motor Vehicles and Traffic
445	1/27/1999	§27-408	Zoning
446	3/10/1999	§27-903	Zoning



<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
447	3/10/1999	§22-403	Subdivision and Land Development
448	3/10/1999	Appendix D	Governmental and Intergovernmental Affairs
449	4/14/1999	Superseded by 494	Code Enforcement
450	5/12/1999	§§27-201, 27-703, 27-1402	Zoning
451	5/12/1999	Superseded by 561	Motor Vehicles and Traffic
452	5/26/1999	§§22-202, 22-302	Subdivision and Land Development
453	5/26/1999	ZMA	Zoning
454	5/26/1999	Appendix D	Governmental and Intergovernmental Affairs
455	6/16/1999	Appendix B	Debt and Bond Issues
456	7/14/1999	§22-613	Subdivision and Land Development
457	7/14/1999	§§11-101–11-106	Housing
458	10/13/1999	Superseded by 561	Motor Vehicles and Traffic
459	10/27/1999	Superseded by 561	Motor Vehicles and Traffic
460	3/8/2000	§27-503	Zoning
461	6/14/2000	ZMA	Zoning
462	6/28/2000	Superseded by 561	Motor Vehicles and Traffic
463	7/12/2000	Appendix H	Streets and Sidewalks
464	10/11/2000	§§22-304, 22-403, 22-617	Subdivision and Land Development
465	10/11/2000	§§27-1111	Zoning
466	11/21/2000	Superseded by 561	Motor Vehicles and Traffic
467	11/21/2000	Appendix H	Streets and Sidewalks
468	11/21/2000	ZMA	Zoning
469	12/13/2000	§§22-403, 22-615	Subdivision and Land Development
470	12/13/2000	§§27-302, 27-402, 27-404–27-408, 27-502–27-504, 27-604, 27-1109, 27-1110	Zoning
471	2/28/2001	§27-1110	Zoning
472	4/11/2001	Appendix B	Debt and Bond Issues
473	4/11/2001	§§27-201, 27-407	Zoning
474	6/13/2001	Superseded by 561	Motor Vehicles and Traffic
475	7/11/2001	Repealed by 561	Administration and Government
476	7/11/2001	§§10-103, 10-108	Health and Safety
477	8/8/2001	§§13-201–13-203	Licenses, Permits and General Business Regulations

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
478	10/10/2001	Superseded by 561	Motor Vehicles and Traffic
479	2/27/2002	27, Zoning Map Amendments	Zoning
480	3/13/2002	27, Zoning Map Amendments	Zoning
481	4/24/2002	§§27-201	Zoning
482	5/8/2002	Superseded by 561	Motor Vehicles and Traffic
483	7/10/2002	Superseded by 561	Motor Vehicles and Traffic
484	10/9/2002	Appendix B	Debt and Bond Issues
485	10/23/2002	Superseded by 561	Motor Vehicles and Traffic
486	12/11/2002	Superseded by 561	Fee Schedule
487	12/11/2002	§§27-804, 27-1116, 27-1123	Zoning
488	1/22/2003	§§27-201, 27-302, 27-402, 27-404–27-408, 27-504	Zoning
489	4/23/2003	27, Zoning Map Amendments	Zoning
490	8/13/2003	Superseded by 561	Motor Vehicles and Traffic
491	12/17/2003	Appendix H	Streets and Sidewalks
492	3/10/2004	§§18-112, 18-115, 18-141–143	Sewers and Sewage Disposal
493	4/14/2004	Superseded by 542	Zoning
494	7/7/2004	Superseded by 547	Code Enforcement
495	7/7/2004	Superseded by 561	Motor Vehicles and Traffic
496	9/8/2004	Superseded by 561	Motor Vehicles and Traffic
497	9/22/2004	§§27-201, 27-502, 27-503	Zoning
498	11/17/2004	27, Zoning Map Amendments	Zoning
499	12/8/2004	Superseded by 559	Stormwater Management
500	12/8/2004	§§27-201, 27-703	Zoning
501	12/8/2004	§§22-202, 22-304, 22-305, 22-403, 22-613, 22-615	Subdivision and Land Development
502	12/15/2004	Appendix B	Debt and Bond Issues
503	2/23/2005	Superseded by 561	Motor Vehicles and Traffic
504	7/13/2005	Appendix C	Franchises and Services
505	8/10/2005	27, Zoning Map Amendments	Zoning
506	10/26/2005	Appendix H	Streets and Sidewalks

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
507	11/16/2005	§§11-201–11-205	Housing
508	1/25/2006	Superseded by 561	Motor Vehicles and Traffic
509	5/10/2006	Appendix H	Streets and Sidewalks
510	8/9/2006	Superseded by 566	Streets and Sidewalks
511	2/2/2007	Appendix C	Franchises and Services
512	3/28/2007	Superseded by 561	Motor Vehicles and Traffic
513	7/11/2007	§22-618	Subdivision and Land Development
514	8/8/2007	§§20-101–20-109	Solid Waste
515	9/19/2007	§§11-301–11-305	Housing
516	10/10/2007	§§1-221–1-227	Administration and Government
517	9/19/2007	§13-301	Licenses, Permits and General Business Regulations
518	9/19/2007	§11-202	Housing
519	9/19/2007	Superseded by 561	Motor Vehicles and Traffic
520	11/14/2007	Superseded by 561	Motor Vehicles and Traffic
521	11/28/2007	§18-111	Sewers and Sewage Disposal
522	12/12/2007	§§27-201, 27-1104–27-1106	Zoning
523	12/12/2007	§§27-201, 27-302	Zoning
524	12/12/2007	Superseded by 542	Zoning
525	12/12/2007	§§27-1104	Zoning
526	12/12/2007	Superseded by 561	Motor Vehicles and Traffic
527	3/12/2008	§§27-1119	Zoning
528	3/12/2008	Superseded by 561	Motor Vehicles and Traffic
529	3/12/2008	Superseded by 561	Motor Vehicles and Traffic
530	3/12/2008	§18-111	Sewers and Sewage Disposal
531	5/14/2008	Superseded by 561	Motor Vehicles and Traffic
532	8/13/2008	Superseded by 561	Motor Vehicles and Traffic
533	12/10/2008	§§24-201–24-213	Taxation; Special
534	12/17/2008	§27-201	Zoning
535	12/17/2008	§§27-502–27-504, 27-802, 27-1125	Zoning
536	12/17/2008	§22-619	Subdivision and Land Development
537	12/17/2008	27, Zoning Map Amendments	Zoning
538	1/5/2009	Appendix C	Franchises and Services

<b>Ordinance</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
539	2/25/2009	§20-103	Solid Waste
540	2/25/2009	Appendix D	Governmental and Intergovernmental Affairs
541	2/25/2009	§§1-241–1-247	Administration and Government
542	6/10/2009	§§27-1601–27-1608	Zoning
543	8/12/2009	§§27-1601–27-1608	Zoning
544	8/12/2009	Appendix D	Governmental and Intergovernmental Affairs
545	12/23/2009	§18-208	Sewers and Sewage Disposal
546	2/24/2010	Superseded by 561	Motor Vehicles and Traffic
547	3/24/2010	§§5-101–5-107	Code Enforcement
548	3/24/2010	Appendix D	Governmental and Intergovernmental Affairs
549	4/28/2010	Appendix B	Debt and Bond Issues
550	6/23/2010	Superseded by 561	Motor Vehicles and Traffic
551	7/28/2010	§§27-1105, 27-1126	Zoning
552	8/25/2010	§§1-215–1-218	Administration and Government
554	10/27/2010	§22-403	Subdivision and Land Development
555	10/27/2010	§27-1001	Zoning
556	3/23/2011	§§10-201–10-206	Health and Safety
557	5/25/2011	§§1-261–1-265	Administration and Government
558	4/27/2011	§§27-602, 27-1105, 27-1107, 27-1110, 27-1115, 27-1119, 27-1206, 27-1208, 27-1602–27-1607	Zoning
559	7/27/2011	§§23-101–23-1004	Stormwater Management
560	2/22/2012	Appendix I	Water
561	4/25/2012	Adopting Ordinance	
§21-309		Superseded by 566	Streets and Sidewalks
562	4/25/2012	§23-106, Appendix 23-C	Stormwater Management
563	4/25/2012	Appendix D	Governmental and Intergovernmental Affairs
564	8/22/2012	§§27-201, 27-302, 27-303, 27-402, 27-404–27-408, 27-1110	Zoning
565	2/27/2013	§§27-201, 27-602, 27-1123	Zoning
566	2/27/2013	§§21-101, 21-108, 21-301–21-311	Streets and Sidewalks



## Table to Disposition of Significant Resolutions

<b>Resolution</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
R-75-13	3/26/1975	§§1-211–1-218	Administration and Government
R-77-17	12/28/1977	§§1-211, 1-212	Administration and Government
R-80-24	11/19/1980	Repealed by R-10-24	
R-83-14	11/9/1983	§§22-612, 22-613, 22-616	Subdivision and Land Development
R-85-18	12/18/1985	Repealed by R-10-24	
R-87-20	12/16/1987	Repealed by R-10-24	
R-90-14	9/26/1990	Appendix D	Governmental and Intergovernmental Affairs
R-91-42	12/18/1991	Repealed by R-10-24	
R-95-22	8/16/1995	§1-204	Administration and Government
R-96-25	10/9/1996	§§1-411–1-413	Administration and Government
R-96-29	10/23/1996	Superseded by R-02-01	Solid Waste
R-96-33	12/11/1996	Repealed by Ord. 475	
R-98-1	1/5/1998	Repealed by R-10-24	
R-02-01	1/7/2002	§§20-111–20-115	Solid Waste
R-02-40	12/18/2002	Superseded by R-08-15	Administration and Government
R-03-26	12/17/2003	Repealed by R-10-24	
R-06-16	9/13/2006	Appendix D	Governmental and Intergovernmental Affairs
R-08-15	10/15/2008	§§1-401–1-407	Administration and Government
R-08-17	12/10/2008	Appendix D	Governmental and Intergovernmental Affairs
R-08-20	12/10/2008	Appendix D	Governmental and Intergovernmental Affairs
R-08-21	12/10/2008	Appendix B	Debt and Bond Issues
R-09-1	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-2	1/5/2009	Tax Rate 2009	
R-09-03	1/28/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-4	2/25/2009	Appendix H	Streets and Sidewalks
R-09-06	3/11/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-12	7/8/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-13	7/8/2009	Appendix F	Public Property

<b>Resolution</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
R-09-14	7/8/2009	Appendix F	Public Property
R-09-17	11/11/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-18	11/25/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-19	11/30/2009	Appendix G	Sewers
R-09-20	12/23/2009	Appendix G	Sewers
R-09-21	12/23/2009	Appendix D	Governmental and Intergovernmental Affairs
R-09-22	2/23/2009	Appendix D	Governmental and Intergovernmental Affairs
R-10-1	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-2	1/4/2010	Tax Rate 2010	
R-10-3	1/27/2010	Appendix H	Streets and Sidewalks
R-10-6	1/27/2010	Appendix B	Debt and Bond Issues
R-10-7	1/27/2010	Appendix F	Public Property
R-10-8	2/24/2010	Appendix G	Sewers
R-10-9	2/24/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-10	2/24/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-11	2/24/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-24	8/25/2010	Repealer	
R-10-25	9/22/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-26	10/27/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-27	10/27/2010	Appendix D	Governmental and Intergovernmental Affairs
R-10-28	12/8/2010	Appendix D	Governmental and Intergovernmental Affairs
R-11-1	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-2	1/3/2011	Tax Rate 2011	
R-11-4	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-5	2/23/2011	Appendix D	Governmental and Intergovernmental Affairs

<b>Resolution</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
R-11-6	2/23/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-7	2/23/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-8	2/23/2011	Appendix B	Debt and Bond Issues
R-11-9	4/27/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-10	6/22/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-11	7/27/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-12	9/21/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-13	9/21/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-14	11/16/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-15	11/16/2011	Appendix D	Governmental and Intergovernmental Affairs
R-11-16	11/16/2011	Appendix D	Governmental and Intergovernmental Affairs
R-12-1	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
R-12-2	1/3/2012	Tax Rate 2012	
R-12-3	3/28/2012	Appendix F	Public Property
R-12-7	4/25/2012	Appendix F	Public Property
R-12-8	5/23/2012	Appendix D	Governmental and Intergovernmental Affairs
R-12-9	6/27/2012	Appendix D	Governmental and Intergovernmental Affairs
R-12-11	9/19/2012	Appendix D	Governmental and Intergovernmental Affairs
R-12-12	9/19/2012	Appendix D	Governmental and Intergovernmental Affairs
R-12-13	11/14/2012	Appendix F	Public Property
R-12-14	12/12/2012	Appendix D	Governmental and Intergovernmental Affairs
R-13-1	1/7/2013	Appendix D	Governmental and Intergovernmental Affairs
R-13-2	1/7/2013	Tax Rate 2013	
R-13-4	2/27/2013	Appendix D	Governmental and Intergovernmental Affairs



<b>Resolution</b>	<b>Date</b>	<b>Disposition</b>	<b>Subject</b>
R-13-5	2/27/2013	Appendix D	Governmental and Intergovernmental Affairs

# TOWNSHIP OF NORTHAMPTON

## INDEX

<b>Subject</b>	<b>Section</b>
ADJUSTMENTS TO TOWNSHIP BOUNDARIES	Appendix A
ADMINISTRATION AND ENFORCEMENT PROCEDURES, see SUBDIVISION AND LAND DEVELOPMENT	
ADMINISTRATION AND GOVERNMENT	
boards, commissions and councils	
Blighted Property Review Committee	
creation of committee	1-261
membership; compensation	1-262
officers	1-264
powers and duties	1-265
term of office	1-263
Northampton Township Emergency Services Board (NORTEMS)	
establishment	1-201
meetings	1-203
membership	1-204
purpose; authority	1-202
terms	1-205
Northampton Township Historic Commission	
duties and responsibilities	1-246
election of officers	1-245
establishment of commission	1-241
membership	1-242
quorum; taking action	1-244
reports	1-247
residency and compensation	1-243
Northampton Township Park and Recreation Board	
appointments; terms	1-212
board established; composition	1-211
enforcement	1-217
organization; officers; rules of procedure	1-214
powers and duties of board; audit of accounts; reports	1-215
service for full terms; vacancies	1-213
use of recreation facilities and fields	1-216

<b>Subject</b>	<b>Section</b>
violations and penalties	1-218
Northampton Township Telecommunications Advisory Board	
board created	1-221
expenditures	1-227
meetings; announcing time and place	1-225
membership; compensation	1-222
organization	1-223
purpose	1-224
reports to Board of Supervisors	1-226
Planning Commission	
appointments; terms; vacancies	1-254
commission recreated	1-251
composition; rights of officer or employee members	1-253
funds and assistance from governmental and private sources	1-258
membership	1-252
officers; bylaws; reports to supervisors	1-256
powers and duties	1-257
removal from office	1-255
Zoning Hearing Board	
administration and procedure	1-232
establishment; continuation	1-231
elected and appointed officials	
tax collector	
compensation	1-312
powers and duties	1-311
tax certifications	1-313
Township Manager	
appointment; term; qualifications	1-302
bond	1-306
compensation	1-307
disability or absence	1-305
office created	1-301
powers and duties	1-304
removal from office	1-303
vacancy in office	1-308
fire insurance proceeds escrow	
construal of provisions	1-505

<b>Subject</b>	<b>Section</b>
designated officer	1-501
establishment of regulations and fees	1-506
payment procedures	1-503
responsibilities of Township	1-504
restrictions on claim payments	1-502
violations and penalties	1-507
free public library	
annual reports of receipts and expenditures; auditing of accounts	1-605
control by Board of Directors; composition; terms	1-602
free use by residents; use by nonresidents	1-606
funding of library	1-607
library established	1-601
location; authority to lease, renovate, maintain and equip	1-608
organization of board; officers; bonding; nonsalaried	1-603
promulgation of bylaws and regulations by board	1-604
policies and procedures	
open records policy	
access requests	1-403
access; time for response; exceptions	1-404
appeal procedure	1-406
denial of access	1-405
fees	1-407
information request form	1-401
Open Records Officer	1-402
warrantless arrests	
procedure following arrest	1-413
requirements for warrantless arrests	1-412
warrantless arrests permitted	1-411
preliminary provisions	
altering code	1-110
amending code	1-109
arrangement of code	1-103
citation of code of ordinances	1-102
construction	1-106
headings	1-104
normal numbering	1-107
penalties	1-111

<b>Subject</b>	<b>Section</b>
short title	1-101
special numbering problems	1-108
tenses, gender and number	1-105
ADMINISTRATIVE PROCEDURES, see ZONING	
AIR POLLUTION CONTROL, see HEALTH AND SAFETY	
ALARM SYSTEM REGISTRATION, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
AMENDMENTS AND PENALTIES, see ZONING	
ANIMALS	
dogs	
audible disturbances	2-104
dogs at large; owner's responsibility	2-102
enforcement	2-101
interference with enforcement officers	2-107
number of dogs limited	2-106
sanitary maintenance	2-105
seizure of dogs at large	2-103
violations and penalties	2-108
other animals	
animals at large	2-201
noisy animals declared public nuisances	2-202
riding at dangerous speeds or in hazardous manner	2-204
sanitary maintenance	2-203
violations and penalties	2-205
APPENDICES, see STORMWATER MANAGEMENT AND GRADING	
AR AGRICULTURAL-RESIDENTIAL DISTRICT, see ZONING	
BOARDS, COMMISSIONS AND COUNCILS, see ADMINISTRATION AND GOVERNMENT	
BRUSH, GRASS AND WEEDS, see HEALTH AND SAFETY	
BUILDINGS	
numbering of buildings	
applicability	1-403
definitions	1-401
enforcement	1-402
numbering requirements	1-404
violations and penalties	1-405
CODE ENFORCEMENT	
Uniform Construction Code	

<b>Subject</b>	<b>Section</b>
administration and enforcement	5-104
amendments	5-103
Board of Appeals	5-105
election to enforce Pennsylvania Construction Act	5-101
fees	5-107
savings and repeals	5-106
Uniform Construction Code adopted	5-102
COMMERCIAL/OFFICE DISTRICTS, see ZONING	
CONDITIONAL USE AND CLUSTER DESIGN REGULATIONS, see ZONING	
CONDUCT	
discharge of firearms and other weapons	
definitions	6-201
exemptions	6-203
prohibited activities	6-202
violations and penalties	6-204
littering	
definitions and word usage	
definitions	6-101
enforcement	
designation of enforcement authorities	6-141
violations and penalties	6-142
general regulations and restrictions	
deposits in public places	6-111
litter on occupied private property	6-120
litter in sewers	6-119
litter in ponds, streams and other bodies of water	6-118
litter thrown from vehicles	6-115
litter in parks	6-117
maintenance of business premises	6-114
notice to remove litter from open or vacant private property	6-122
property owner to maintain premises free of litter	6-121
receptacles for litter deposits	6-112
sweeping litter into gutters; maintenance of sidewalks	6-113
trucks causing litter	6-116
handbills	
deposit on vacant premises	6-133
distribution at inhabited private premises	6-135

<b>Subject</b>	<b>Section</b>
distribution in public places	6-131
distribution on posted property	6-134
mail and newspapers	6-136
placement in or upon vehicles	6-132
DEBT AND BOND ISSUES	Appendix B
DEFINITIONS, see STORMWATER MANAGEMENT AND GRADING, see also SUBDIVISION AND LAND DEVELOPMENT, see also ZONING	
DESIGN CRITERIA AND REQUIREMENTS, see STORMWATER MANAGE- MENT AND GRADING	
DISCHARGE OF FIREARMS AND OTHER WEAPONS, see CONDUCT	
DOGS, see ANIMALS	
EARNED INCOME TAX, see TAXATION; SPECIAL	
ELECTED AND APPOINTED OFFICIALS, see ADMINISTRATION AND GOV- ERNMENT	
ENFORCEMENT AND PENALTIES, see STORMWATER MANAGEMENT AND GRADING	
ENGINEERING DESIGN STANDARDS, see SUBDIVISION AND LAND DEVEL- OPMENT	
FEES AND EXPENSES, see STORMWATER MANAGEMENT AND GRADING	
FIRE INSURANCE PROCEEDS ESCROW, see ADMINISTRATION AND GOVERNMENT	
FP FLOODPLAIN AND FLOOD HAZARD DISTRICT, see ZONING	
FRANCHISES AND SERVICES	Appendix C
FREE PUBLIC LIBRARY, see ADMINISTRATION AND GOVERNMENT	
GENERAL PARKING REGULATIONS, see MOTOR VEHICLES AND TRAFFIC	
GENERAL PROVISIONS, see STORMWATER MANAGEMENT, see also SUBDIVISION AND LAND DEVELOPMENT, see also ZONING	
GENERAL REGULATIONS, see MOTOR VEHICLES AND TRAFFIC	
GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS	Appendix D
HEALTH AND SAFETY	
air pollution control	
authority	10-202
definitions	10-204
penalties	10-206
policy	10-203
regulations	10-205
title	10-201
brush, grass and weeds	
accumulation of objectionable vegetation prohibited	10-103

<b>Subject</b>	<b>Section</b>
declaration of nuisance	10-104
definitions	10-102
exemptions	10-107
failure to comply; abatement of conditions	10-106
purpose and intent	10-101
service of notice	10-105
violations and penalties	10-108
HOLDING TANKS, see SEWERS AND SEWAGE DISPOSAL	
HOUSING	
sale of residential property	
applicability	11-101
disclosure requirements	11-103
information provided to seller	11-106
intent	11-102
residential disclosure statement	11-104
violations and penalties	11-105
sex offenders residency restrictions	
definitions	11-201
enforcement	11-205
exceptions to residency restrictions	11-203
sexual offender residency restrictions	11-202
violations and penalties	11-204
tenant registration	
definitions	11-301
fees; violations and penalties	11-305
permit and registration process	11-303
registration required	11-302
registration forms	11-304
I-1 PLANNED INDUSTRIAL/OFFICE DISTRICT, see ZONING	
IMPROVEMENTS; DESIGN STANDARDS, see SUBDIVISION AND LAND DEVELOPMENT	
INSPECTIONS AND RIGHT OF ENTRY, see STORMWATER MANAGEMENT AND GRADING	
INSTITUTIONAL AND RECREATIONAL DISTRICTS, see ZONING	
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
alarm system registration	
definitions	13-102
enforcement	13-103



<b>Subject</b>	<b>Section</b>
false alarms; registration of alarm systems	13-104
legislative intent	13-101
violations and penalties	13-105
liquor license transfer	
application procedures; fee	13-201
denial of license	13-203
public hearing	13-202
peddling and soliciting	
contents of license; possession and exhibition	13-305
definitions	13-301
denial of license	13-303
fixed locations for conducting business prohibited	13-308
fraud and harassment prohibited	13-311
hawking prohibited; use of loudspeakers or bells	13-312
hours of conduct of business	13-306
license required	13-302
license fees	13-304
record of licenses; duty of Police Chief	13-309
revocation or suspension of licenses	13-310
use of vehicles; littering	13-307
violations and penalties	13-313
LIQUOR LICENSE TRANSFER, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
LITTERING, see CONDUCT	
LOCAL SERVICES TAX, see TAXATION; SPECIAL	
MAINTENANCE RESPONSIBILITIES, see STORMWATER MANAGEMENT AND GRADING	
MANDATORY CONNECTION TO PUBLIC WATER FACILITIES, see WATER	
MOTOR VEHICLES AND TRAFFIC	
general parking regulations	
angle parking required on portions of certain streets	15-409
fire lanes designated	15-407
parking of trucks, buses and certain other vehicles prohibited in certain locations	15-404
parking time limited in certain locations certain days and hours	15-405
parking prohibited on portions of certain highways during street sweeping hours	15-411
parking prohibited in certain locations, certain days and hours	15-403

<b>Subject</b>	<b>Section</b>
parking prohibited at all times in certain locations	15-402
penalties	15-412
residential permit parking	15-410
special purpose parking zones established; parking otherwise prohibited	15-406
standing or parking on roadway for loading or unloading	15-408
vehicles to be parked within marked spaces	15-401
general regulations	
authority of police officers	15-108
authorization for use of speed timing devices	15-109
definitions and interpretations	15-101
experimental regulations	15-105
manner of adopting permanent traffic and parking regulations	15-102
provisions to be continuation of existing regulations	15-103
temporary and emergency regulations	15-104
traffic on streets closed or restricted for construction, maintenance or special events	15-106
use of streets by processions and assemblages	15-107
off-street metered parking	
coin deposit in meter; overtime parking unlawful	15-606
manner of parking at meters	15-605
metered parking lots for certain types of vehicles only	15-610
metered parking lots established	15-601
parked vehicles to be wholly within marked spaces	15-604
penalty for violation	15-612
placement and characteristics of parking meters	15-602
reserved parking spaces for handicapped may be provided	15-603
ticketing of vehicles parked unlawfully; effect of payment within [    ] hours	15-611
unlawful to deposit substitute for coin in meter	15-607
unlawful to tamper with meter	15-609
unlawful to remain parked at a meter showing violation	15-608
off-street unmetered parking	
manner of parking	15-705
parking on rental basis only	15-706
penalty for violation	15-707
reserved parking spaces for handicapped may be provided	15-702
unlawful to park overtime or when lot closed	15-703

<b>Subject</b>	<b>Section</b>
unmetered parking lots established	15-701
unmetered lots for certain types of vehicles	15-704
on-street metered parking	
coin deposit in meter; overtime parking unlawful	15-505
days and hours parking meters in operation and parking time limits apply	15-502
exceptions	15-512
parked vehicles to be wholly within marked spaces	15-504
parking meter zone established	15-501
penalty for violation	15-511
placement and characteristics of parking meters	15-503
ticketing of vehicles parked unlawfully; effect of payment within [    ] hours	15-510
unlawful to deposit coin in meter to extend parking time beyond legal limit	15-507
unlawful to deposit substitute for coin in meter	15-506
unlawful to remain parked at meter showing violation	15-508
unlawful to tamper with meter	15-509
pedestrian regulations	
locations where pedestrians may cross only in crosswalk	15-1104
locations where pedestrian crossing in unmarked crosswalks restricted	15-1103
pedestrian-control signal locations established	15-1102
pedestrians to obey traffic-control signs	15-1101
penalty for violation	15-1105
regulation of pedalcycles and nonmotorized vehicles	
restrictions on use of pushcarts	15-1002
riding and parking of pedalcycles on sidewalks along certain streets prohibited	15-1001
skates, skateboards, coasters, sleds and other toy vehicles	15-1003
removal and impoundment of illegally parked vehicles	
applicability and scope	15-801
authority to remove and impound	15-802
designation of approved storage garages; bonding; towing and storage	15-804
payment of towing and storage charges	15-805
penalty for violation	15-809
reclamation costs	15-806
records of vehicles removed and impounded	15-807
reports and disposition of unclaimed vehicles	15-810

<b>Subject</b>	<b>Section</b>
restrictions upon removal of vehicles	15-808
tow away zones designated	15-803
restrictions on size, weight and type of vehicle and load	
restrictions on size of vehicles on certain streets and bridges	15-302
restrictions as to weight and size of vehicles on certain streets and bridges	15-303
truck traffic restricted on certain streets	15-304
vehicle weight limits established on certain streets and bridges	15-301
snow events	
declaration of snow and ice event	15-901
parking prohibited during snow event	15-902
posting of signs	15-904
special powers of the Chairman of the Board of Supervisors, or the Chief of Police to regulate parking	15-903
towing of vehicles	15-905
violations and penalties	15-906
traffic regulations	
center structures at intersections	15-211
intersections where turn prohibited on red signal	15-206
maximum speed limits established in parks	15-204
maximum speed limits established on certain streets	15-201
maximum speed limits established on certain bridges and elevated structures	15-202
maximum speed limits established for certain vehicles on hazardous grades	15-203
no passing zones established	15-212
one-way roadways established	15-207
operation of motor vehicles restricted on public lands	15-216
play highways established and authorized	15-218
right turns prohibited at certain intersections	15-209
rotary traffic islands established	15-217
snowmobile roads designated	15-219
stop intersections established	15-214
through highways established	15-213
traffic signals at certain locations	15-205
turning at certain intersections prohibited or restricted	15-208
u-turns prohibited at certain locations	15-210
yield intersections established	15-215

<b>Subject</b>	<b>Section</b>
NONCONFORMING USES, BUILDINGS AND STRUCTURES, see ZONING	
NUMBERING OF BUILDINGS, see BUILDINGS	
OFF-STREET UNMETERED Parking, see MOTOR VEHICLES AND TRAFFIC	
OFF-STREET METERED PARKING, see MOTOR VEHICLES AND TRAFFIC	
ON-STREET METERED PARKING, see MOTOR VEHICLES AND TRAFFIC	
OPEN SPACE REQUIREMENTS AND CONTROLS, see ZONING	
OPENINGS AND EXCAVATIONS, see STREETS AND SIDEWALKS	
OTHER ANIMALS, see ANIMALS	
PARKS AND RECREATION	
rules for parks, recreation areas, open space areas and public property	
enforcement	16-105
hours of operation	16-102
soliciting prohibited	16-104
unlawful activities	16-101
use of public rooms and buildings	16-103
violations and penalties	16-106
PEDDLING AND SOLICITING, see LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
PEDESTRIAN REGULATIONS, see MOTOR VEHICLES AND TRAFFIC	
PLAN APPROVAL	Appendix E
POLICIES AND PROCEDURES, see ADMINISTRATION AND GOVERNMENT	
PRELIMINARY PROVISIONS, see ADMINISTRATION AND GOVERNMENT	
PROCEDURES AND REQUIREMENTS, see SUBDIVISION AND LAND DEVELOPMENT	
PROHIBITIONS, see STORMWATER MANAGEMENT AND GRADING	
PUBLIC PROPERTY	Appendix F
REALTY TRANSFER TAX, see TAXATION; SPECIAL	
REGULATION OF PEDALCYCLES AND NONMOTORIZED VEHICLES, see MOTOR VEHICLES AND TRAFFIC	
REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES, see MOTOR VEHICLES AND TRAFFIC	
RESIDENTIAL DISTRICTS, see ZONING	
RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD, see MOTOR VEHICLES AND TRAFFIC	
RIGHT-OF-WAY MANAGEMENT ORDINANCE, see STREETS AND SIDEWALKS	
RULES FOR PARKS, RECREATION AREAS, OPEN SPACE AREAS AND PUBLIC PROPERTY, see PARKS AND RECREATION	
SALE OF RESIDENTIAL PROPERTY, see HOUSING	

<b>Subject</b>	<b>Section</b>
SEWAGE MANAGEMENT PROGRAM, <i>see</i> SEWERS AND SEWAGE DISPOSAL	
SEWER CONNECTIONS AND USE, <i>see</i> SEWERS AND SEWAGE DISPOSAL	
SEWERS	Appendix G
SEWERS AND SEWAGE DISPOSAL	
holding tanks	
use and maintenance	
abatement of nuisances	18-210
areas in which holding tanks permitted	18-208
definitions	18-202
design of holding tanks	18-209
duties of owners of improved properties	18-207
exclusiveness of rights and privileges	18-206
purpose	18-201
rates and charges	18-205
rights and privileges granted	18-203
rules and regulations	18-204
violations and penalties	18-211
sewage management program	
administration	18-311
appeals	18-312
applicability	18-303
definitions	18-302
disposal of septage	18-310
inspections	18-305
liens	18-309
maintenance	18-307
operation	18-306
permit requirements	18-304
short title; introduction; purpose	18-301
system rehabilitation	18-308
violations and penalties	18-313
sewer connections and use	
building sewers and connections	
connection of building sewer to sewer	18-123
costs and expenses	18-122
failure to make connections; enforcement	18-124

<b>Subject</b>	<b>Section</b>
separate connection for each property; exception	18-121
connection rules and regulations	
compliance with plumbing regulations	18-137
failure or refusal to remedy conditions	18-135
guarding of excavations; restoration of disturbed property	18-134
inspection and approval of building sewer	18-132
maintenance of building sewer	18-133
right of Township to adopt additional regulations	18-136
use of existing house sewer line as building sewer	18-131
enforcement	
fines and costs; method of recovery	18-142
right of entry and enforcement authority; powers	18-143
violations, notifications and penalties	18-141
purpose and definitions	
declaration of purpose	18-101
definitions	18-102
use of public sewers required	
conformance with regulations required; dumping of private collec- tions prohibited	18-117
connection to public sewer required	18-111
content of discharge into sewer	18-112
notice to make connection	18-116
permit required to tap or connect; connection of storm sewer system	18-118
private disposal facilities prohibited	18-114
protection of sewer facilities; unlawful connections	18-115
unlawful deposits and discharges	18-113
SEX OFFENDERS RESIDENCY RESTRICTIONS, see HOUSING	
SIGNS, see ZONING	
SNOW EVENTS, see MOTOR VEHICLES AND TRAFFIC	
SNOW AND ICE REMOVAL, see STREETS AND SIDEWALKS	
SOLID WASTE	
solid waste and recycling collection and transportation	
collection and transportation ordinance	
definitions; word usage	20-102
injunctive powers	20-109
licensing and registration requirements	20-106
prohibited activities	20-104

<b>Subject</b>	<b>Section</b>
property owners to participate in a Township waste collection program	20-103
reporting requirements	20-107
short title	20-101
standards for collection and transportation	20-105
violations and penalties	20-108
rules and regulations	
collection of residential solid waste (other than bulky items and recyclable materials)	20-111
residential collection of bulky items	20-112
separation and collection of recyclable residential material	20-113
separation and collection of residential compostable material	20-114
separation and collection of commercial and institutional recyclable materials	20-115
SOLID WASTE AND RECYCLING COLLECTION AND TRANSPORTATION, see SOLID WASTE	
STORMWATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS, see STORMWATER MANAGEMENT AND GRADING	
STORMWATER MANAGEMENT AND GRADING	
appendices	
Disconnected Impervious Area (DIA)	Appendix 23-F
Low Impact Development (LID) Practices	Appendix 23-E
Northampton Township Peak Rate Control Management District Map	Appendix 23-D
Small Project Stormwater Management (SWM) Site Plan	Appendix 23-G
Stormwater Management Design Criteria	Appendix 23-B
Stormwater Controls and Best Management Practices Operations and Maintenance Agreement (Example)	Appendix 23-A
SWM Site Plan Checklist	Appendix 23-C
definitions	
terms defined	23-202
word usage	23-201
design criteria and requirements	
design criteria	23-501
grading and landscaping	23-502
Township stormwater BMP operation and maintenance fund	23-503
enforcement and penalties	
appeals	23-1004
enforcement	23-1001
penalties	23-1003



<b>Subject</b>	<b>Section</b>
suspension and revocation of permits and approvals	23-1002
fees and expenses	
expenses covered by fees	23-702
stormwater management (SWM) site plan review and inspection fee	23-701
general provisions	
applicability	23-105
compatibility with other ordinance or legal requirements	23-107
exemptions	23-106
purpose	23-103
short title	23-101
statement of findings	23-102
statutory authority	23-104
inspections and right of entry	
inspections	23-601
right of entry	23-602
maintenance responsibilities	
as-built plan	23-803
performance guarantee and maintenance	23-801
responsibilities for operations and maintenance (O&M) of stormwater facilities and BMPs	23-802
stormwater management easements	23-804
prohibitions	
alteration of SWM BMPs	23-903
prohibited discharges	23-901
roof drains	23-902
stormwater management	
calculation methodology	23-306
erosion and sedimentation control during regulated activities	23-303
general requirements	23-301
permit requirements by other governmental entities	23-302
stormwater peak rate control and management districts	23-305
volume control	23-304
stormwater management (SWM) site plan requirements	
general requirements	23-401
modification of plans	23-405
plan submission	23-403
resubmission of inconsistent, non-compliant or disapproved SWM site plans	23-406

<b>Subject</b>	<b>Section</b>
stormwater management (SWM) site plan review	23-404
SWM site plan requirements	23-402
STORMWATER MANAGEMENT, see STORMWATER MANAGEMENT AND GRADING	
STREETS AND SIDEWALKS	
openings and excavations	
application requirements	21-102
backfilling; temporary and permanent paving	21-108
closing of streets	21-117
effect of permit fees	21-113
emergencies	21-103
expiration and renewal of permit; exhibit	21-105
fees; liability insurance	21-104
highway improvements; standard specifications	21-118
measurements	21-106
obstruction of gutters	21-115
obstructions; overhanging vegetation	21-114
permit requirement; permitted activities	21-101
responsibilities of public utilities and public service companies	21-110
responsibilities of property owners	21-112
rubbish and fires in streets	21-116
safety precautions	21-109
sidewalks, curbs and gutters	21-111
tunneling	21-107
violations and penalties	21-119
rights-of-way, use of	
cable franchise	21-306
construction in the rights-of-way	21-308
definitions	21-302
miscellaneous	21-311
remedies	21-310
renewal and transfer of right-of-way use permit	21-307
right-of-way management fee	21-309
right-of-way use authorization	21-303
right-of-way use permit	21-304
short title	21-301
transitional provisions	21-305

<b>Subject</b>	<b>Section</b>
snow and ice removal	
removal required	21-201
throwing snow onto highway	21-202
violations and penalties	21-203
STREETS AND SIDEWALKS	Appendix H
SUBDIVISION AND LAND DEVELOPMENT	
administration and enforcement procedures	
amendments	22-504
changes and/or modifications to final plan	22-503
designation of Zoning Officer	22-501
jurisdiction; improvements requisite to certain acts; conveyance of portions of lots	22-505
modifications and waivers	22-502
violations and penalties	22-506
definitions	
terms defined	22-202
word usage	22-201
engineering design standards	
general provisions	
applicability of reference materials	22-603
intent	22-601
interpretation	22-602
standards and specifications	
curbs and gutters	22-611
driveways	22-612
erosion and sediment control	22-614
landscaping	22-615
lighting	22-617
stormwater management	22-613
streets	22-616
tree protection and replacement	22-618
village overlay district design requirements	22-619
general provisions	
compliance with applicable standards required; filing of declaration plan	22-104
interpretations	22-105
objectives	22-102
purpose	22-101

<b>Subject</b>	<b>Section</b>
relationship to comprehensive plan	22-103
improvements; design standards	
construction requirements for improvements	22-404
design criteria and requirements	22-403
general design standards	22-402
purpose and applicability	22-401
regulations for mobile home parks	22-405
procedures and requirements	
as-built plans	22-311
exemptions	22-302
fees	22-309
final plans	22-305
general requirements	22-301
grading plan	22-310
minor land development	22-308
minor subdivisions	22-307
mobile home parks	22-312
preliminary plans	22-304
record plans	22-306
sketch plans	22-303
village overlay design standards	Appendix 22-A
SUPPLEMENTAL REGULATIONS, see ZONING	
TAXATION; SPECIAL	
earned income tax	
administration	24-107
collection at Source	24-106
credits	24-109
declaration of profit; filing of returns; payment of taxes	24-105
definitions	24-103
enforcement and penalties	24-110
imposition of tax	24-104
incorporation of statute	24-102
nonapplicability	24-108
short title	24-101
local services tax	
administration of tax	24-210
dates for determining tax liability and payment	24-206

<b>Subject</b>	<b>Section</b>
definitions	24-201
duty of employers to collect	24-204
exemption and refunds	24-203
individuals engaged in more than one occupation or employed in more than one political subdivision	24-208
interpretation	24-213
levy of tax	24-202
nonresidents subject to tax	24-209
returns	24-205
self-employed individuals	24-207
suits for collection	24-211
violations and penalties	24-212
realty transfer tax	
acquired companies	24-308
collection of tax	24-317
credits against tax	24-309
definitions	24-303
determinations by Department of Revenue	24-310
documents to be taxable	24-307
duties of recorder of deeds	24-313
enforcement	24-318
excluded transactions	24-306
exempt parties	24-305
extension of lease	24-311
liens	24-316
payment of tax; evidence of payment; intent; interest	24-304
proceeds of judicial sale	24-312
short title	24-301
statement of value	24-314
statutory authority	24-302
violations and penalties	24-315
TENANT REGISTRATION, see HOUSING	
TRAFFIC REGULATIONS, see MOTOR VEHICLES AND TRAFFIC	
UNIFORM CONSTRUCTION CODE, see CODE ENFORCEMENT	
VILLAGE OVERLAY DESIGN STANDARDS, see SUBDIVISION AND LAND DEVELOPMENT	
WATER	
mandatory connection to public water facilities	

<b>Subject</b>	<b>Section</b>
connection required	26-103
definitions	26-101
notice of facilities to be put into service	26-102
unlawful acts	26-104
violations and penalties	26-105
water conservation	
objectives	26-204
prohibited water uses	26-206
purpose	26-201
scope	26-202
statutory authority	26-203
supervisors to determine emergencies	26-205
violations and penalties	26-207
wells	
abandonment	26-311
definitions	26-304
design and construction specifications	26-306
fees	26-313
general enforcement and administration	26-312
general principles	26-303
location	26-305
miscellaneous construction requirements; samples and reports	26-308
permit required	26-301
pump installation and construction	26-309
scope	26-302
surface protection	26-307
use of wells for waste disposal	26-310
violations and penalties	26-314
<b>WATER</b>	<b>Appendix I</b>
<b>WATER CONSERVATION, see WATER</b>	
<b>WELLS, see WATER</b>	
<b>ZONING</b>	
administrative procedures	
appeals from Zoning Officer	27-1302
certificates of use, occupancy and compliance	27-1306
duration of permits	27-1307
duties of Zoning Officer	27-1305

<b>Subject</b>	<b>Section</b>
enforcement	27-1303
notification of violation	27-1304
schedule of fees	27-1308
Zoning Officer	27-1301
amendments and penalties	
amendments	27-1501
violations and penalties	27-1502
AR Agricultural-Residential District	
area and development regulations	27-303
specific intent	27-301
use regulations	27-302
Commercial/Office Districts	
C-3 Planned Commercial District	27-503
General Commercial/Office District	27-502
PO Professional Office District	27-504
specific intent	27-501
conditional use and cluster design regulations	
cluster design regulations	27-903
conditional use procedures	27-902
conditional use regulations	27-901
definitions	
definitions and general terminology	27-201
FP Floodplain and Flood Hazard District	
boundary disputes	27-708
effect on existing easements or deed restrictions	27-706
interpretation	27-702
severability	27-707
special conditional use procedures and conditions of approval	27-704
specific purpose	27-701
use regulations	27-703
warning and disclaimer of liability	27-705
general provisions	
establishment of zoning districts	27-104
Federal, State, County or municipally owned property	27-107
general intent; community development objectives	27-101
interpretation	27-103
interpretation of district boundaries	27-106

<b>Subject</b>	<b>Section</b>
relationship to the comprehensive plan	27-102
Zoning Maps	27-105
I-1 Planned Industrial/Office District	
area and development regulations	27-603
off-street parking and loading	27-604
specific intent	27-601
use regulations	27-602
institutional and recreational districts	
IP District area and development regulations	27-803
IP District use regulations	27-802
REC Recreation District	27-804
specific intent	27-801
nonconforming uses, buildings and structures	
change of nonconforming use to conforming use	27-1204
continuance of nonconforming use	27-1202
discontinuance of nonconforming use	27-1203
expansion or extension of nonconforming use by variance	27-1205
identification and registration of nonconforming uses, buildings, structures and signs	27-1208
nonconforming buildings and structures	27-1206
nonconforming signs	27-1207
nonconforming use	27-1201
open space requirements and controls	
requirements	27-1001
residential districts	
CR Country Residential District	27-404
EP Environmental Protection District	27-402
R-1 Single-Family District	27-405
R-2 Single-Family District	27-406
R-3 Multi-family Residential Districts	27-407
R-5 Mobile Home Park District	27-408
specific intent	27-401
statement of intent and purpose	27-403
signs	
definitions	27-1602
general standards and requirements	27-1603
off-premises advertising signs or billboards	27-1606



<b>Subject</b>	<b>Section</b>
prohibited signs	27-1607
sign requirements for commercial and industrial districts	27-1605
sign requirements for residential, recreational and institutional/public districts	27-1604
statement of intent and purpose	27-1601
summarization chart for categorical sign requirements	27-1608
supplemental regulations	
accessory buildings, structures and uses	27-1104
aircraft, aviation facilities	27-1102
alternative and emerging energy facilities	27-1126
buffers and screening	27-1103
commercial vehicles; recreational vehicles, utility trailers or boats	27-1112
fences	27-1107
flag lots	27-1119
forestry	27-1124
general intent	27-1101
home occupations	27-1108
keeping of livestock	27-1118
maximum building and structure heights	27-1116
municipal uses	27-1121
nonresidential accessory buildings, structures and uses	27-1106
off-street loading requirements	27-1109
off-street parking requirements	27-1110
physical performance requirements	27-1111
removal of topsoil	27-1113
residential accessory buildings, structures and uses	27-1105
residential outdoor lighting	27-1117
special events	27-1122
special restrictions in EP Environmental Protection, CR Country Residential, AR Agricultural-Residential and R-1 Single-Family Districts	27-1120
storage of junk vehicles	27-1115
Village Overlay District	27-1125
visibility at intersections	27-1114
wireless communications facilities	27-1123
Zoning Hearing Board	
administration and procedure	27-1401
functions of Board	27-1402
procedures before Board	27-1403

<b>Subject</b>	<b>Section</b>
Zoning Map	
Zoning Map amendments	
ZONING HEARING BOARD, see ZONING	
ZONING MAP AMENDMENTS, see ZONING	
ZONING MAP, see ZONING	
ZONING; PRIOR ORDINANCES	Appendix J



**ORDINANCE NO. 5167**

**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 2, ANIMALS, CHAPTER 13, LICENSES, PERMITS  
AND GENERAL BUSINESS REGULATIONS, CHAPTER 15, MOTOR  
VEHICLES AND TRAFFIC, AND CHAPTER 21, STREETS AND SIDEWALKS,  
FOR THE PURPOSE OF ADDING, DELETING, AND AMENDING SECTIONS  
RELATED TO STRAY ANIMALS, TOWNSHIP ADDRESSES, PEDDLING AND  
SOLICITING, METERD PARKING, OBSTURCTIONS AND OVERHANGING  
VEGETATION, AND VIOLATIONS AND PENALTIES**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 2, ANIMALS, Part 2, Other Animals,** is hereby amended to add Section §2-201.A., Stray Animals.

**§2-201.A. Stray Animals.**

It is unlawful for any person to feed stray/homeless animals. The presence of stray animals should be reported to the Northampton Township Police Department or the Code Enforcement Department. Concerned citizens may humanely trap stray animals and deliver them to an animal control shelter.

**SECTION 2. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 1, Alarm System Registration, Section §13-105.1., Violations and Penalties.,** is hereby amended to delete *55 Township Road* and replace it with *50 Township Road*.

**SECTION 3. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-313., Violations and Penalties.,** is hereby deleted and rewritten as follows:

**§13-313. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall

voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the ~~manner provided for the enforcement of summary offenses under the~~ Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 4. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 5, On-Street Metered Parking, Part 6, Off-Street Metered Parking, and Part 7, Off-Street Unmetered Parking, are hereby deleted and marked as *Reserved*.**

**SECTION 5. CHAPTER 21, STREETS AND SIDEWALKS, Part 1, Openings and Excavations, Section §21-114., Obstructions; Overhanging Vegetation is hereby deleted and rewritten as follows:**

**§21-114. Obstructions; Overhanging Vegetation.**

1. It shall be unlawful for any person or persons to erect, set up, place or maintain any gasoline pump, oil tank or other obstructions, including, but not limited to, dumpsters, trailers, pods or other similar obstructions that are deemed a hazard, or to plant any trees, shrubbery or similar obstruction within the boundaries of any public highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Northampton.
2. Trees and hedges overhanging the sidewalk and/or roadway shall be trimmed to provide clear passage of not less than 12 feet above the sidewalk or roadway. In addition, all obstructions at intersections that create visibility problems, as determined by the Code Enforcement Officer or Police Department, shall be removed.
3. Any such obstruction shall be removed promptly by the property owner whenever notice to remove such obstruction is given by the Zoning/Code Enforcement Director and/or the Police Department. If the owner fails to comply with such notice, the Township may remove the obstruction and charge the cost thereof to the owner.

4. No commercial vehicle may be parked on a Township street except for service and delivery to said residence. A commercial vehicle shall be defined as any means of conveyance as defined as such in the Pennsylvania Vehicle Code, 75 Pa. C.S.A. §102, as amended: bus, combination, farm vehicle, limousine, semitrailer, special mobile equipment, taxi, trailer, truck and wrecker, or similar vehicle, which exceeds 22 feet in length and/or 12,000 pounds.

**SECTION 6. CHAPTER 21, STREETS AND SIDEWALKS, Part 2, Snow and Ice Removal, Section §21-203.2.** is hereby amended to delete *55 Township Road* and replace it with *50 Township Road*. *\$15* is hereby deleted and replaced with *\$25*.

**SECTION 7. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

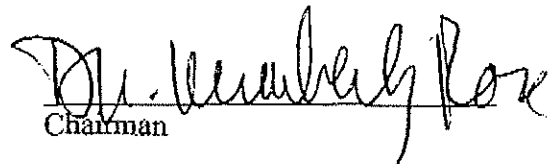
**SECTION 8. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED and ENACTED** by the Board of Supervisors of Northampton Township

this 11<sup>th</sup> day of December, 2013.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Chairman

ATTEST: 

10/14/13

ORDINANCE NO. 568

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 22, KNOWN AS THE NORTHAMPTON  
TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, FOR  
THE PURPOSE OF AMENDING APPENDIX 22-A TO ADD A LIGHTING PLAN  
TO THE VILLAGE OVERLAY DESIGN STANDARDS

NOW, THEREFORE, BE IT ENACTED and ORDAINED by the Board of  
Supervisors of Northampton Township as follows:

**SECTION 1. APPENDIX 22-A, Village Overlay Design Standards,** is hereby  
amended to add the following document prepared by Gilmore & Associates, Inc:

1. Historic Street Light Implementation Plan – Dated 2/20/05 (revised 4/05)

**SECTION 2. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be  
declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such  
declaration shall not prevent or otherwise foreclose enforcement of any of the remaining  
portions of this ordinance.

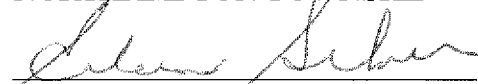
**SECTION 3. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the  
specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are  
hereby specifically repealed.


**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

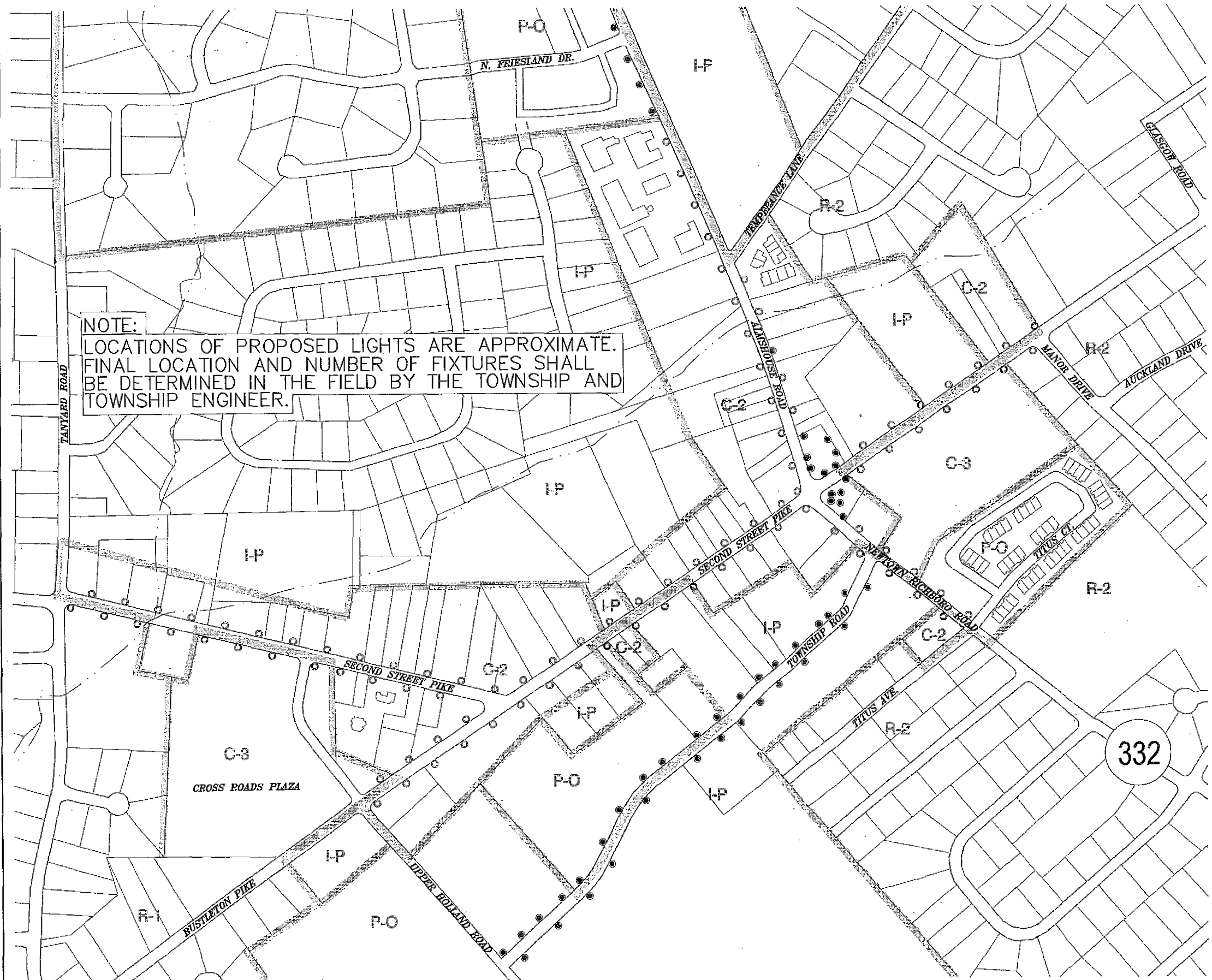
this 26<sup>th</sup> day of February, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

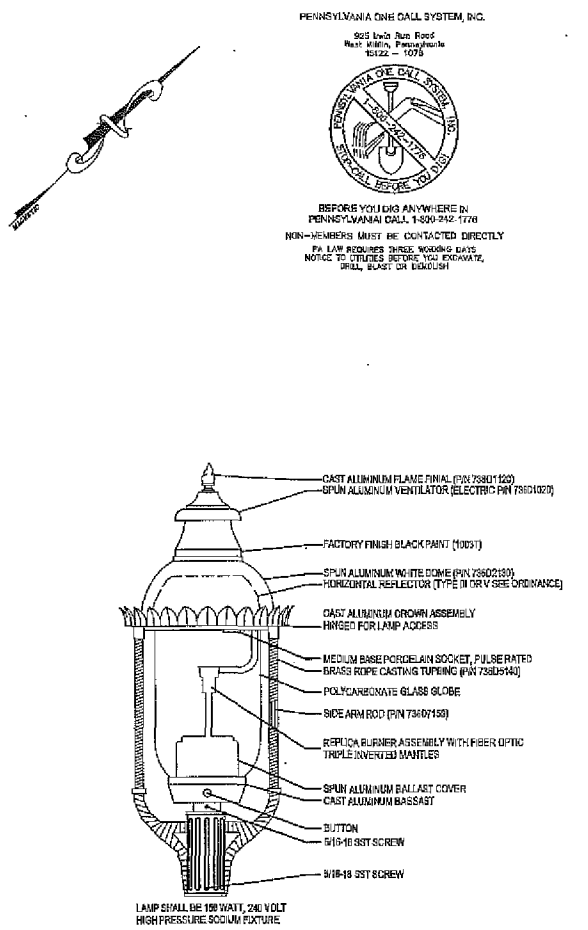
  
Eileen Silver, Chairman

ATTEST:

  
Larry Weinstein Secretary



**NOTE:**  
LOCATIONS OF PROPOSED LIGHTS ARE APPROXIMATE.  
FINAL LOCATION AND NUMBER OF FIXTURES SHALL  
BE DETERMINED IN THE FIELD BY THE TOWNSHIP AND  
TOWNSHIP ENGINEER.

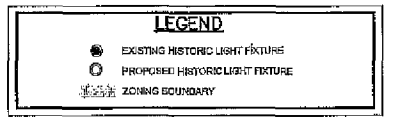


LIGHT FIXTURE SHALL BE MANUFACTURED BY THE PENNSYLVANIA  
 GLOBE GASLIGHT COMPANY, 300 BROADWAY, NORTH BAYFORD,  
 OTTUMPA, OHIO 44770. MODEL "GLOBE" OR APPROVED  
 EQUAL. LIGHT POST SHALL BE MANUFACTURED BY THE PENNSYLVANIA  
 GLOBE GASLIGHT COMPANY, TRADITIONAL FLUTED POST (FIN 75801103)  
 APPROVED EQUAL. LIGHT FIXTURE SHALL BE MOUNTED AT A  
 HEIGHT OF TWELVE (12) FEET. ALL OTHER INSTALLATION REQUIREMENTS  
 SHALL CONFORM WITH THE NORTHAMPTON TOWNSHIP ORDINANCES.

**LIGHT FIXTURE DETAIL**

**NOTE:**  
 WHERE PROPOSED LIGHTING CAN NOT BE PLACED AS SHOWN ON THIS PLAN DUE TO EXISTING  
 PHYSICAL INFRASTRUCTURE (OVERHEADS, UTILITIES, SIGNAGE, ETC.) THE LIGHTING SHALL BE  
 INSTALLED AS CLOSE TO THE LOCATION SHOWN AS POSSIBLE TO ENSURE UNIFORM LIGHTING  
 DISTRIBUTION. THE PROPOSED LIGHTING SHALL NOT BE SPACED AT INTERVALS GREATER THAN 176  
 FEET APART, AND NOT LESS THAN 143 FEET. WHERE EXISTING LIGHTING FIXTURES EXIST, THEY  
 SHALL BE REPLACED WITH THE SPECIFIED LIGHTING FIXTURE EXCEPT WHEN THE LIGHTING FIXTURE  
 IN QUESTION IS INSTALLED AS A MEANS OF SECURITY LIGHTING.

THE LOCATION OF EXISTING LIGHTING IS APPROXIMATE



**NORTHAMPTON TOWNSHIP**  
**BUCKS COUNTY, PENNSYLVANIA**

FEBRUARY 20, 2005  
 REVISED: APRIL 2005



**GILMORE & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 200 EAST BUCKLE ROAD, SUITE 100, WILMINGTON, DE 19801  
 104 WEST MAIN STREET, SUITE 100, WILMINGTON, DE 19801  
 701 EAST BALTIMORE PIKE, SUITE F, KENNY SQUARE, PA 15116



**HISTORIC STREET LIGHT**  
**IMPLEMENTATION PLAN**



ORDINANCE NO. 569

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 27, KNOWN AS THE NORTHAMPTON  
TOWNSHIP ZONING ORDINANCE, FOR THE PURPOSE OF AMENDING  
SECTIONS RELATED TO THE PLANNED INDUSTRIAL/OFFICE  
DISTRICT (I-1)

NOW, THEREFORE, BE IT ENACTED and ORDAINED by the Board of Supervisors of Northampton Township as follows:

SECTION 1. PART 6, I-1 Planned Industrial/Office District, is hereby amended as follows:

**§27-601. Specific Intent.**

It is the intention of Northampton Township for this district to be a thriving business and technology center to further enhance the local and regional economy. It is further a goal and objective to provide adequate sites for selected industrial uses which will not cause adverse environmental impacts. It is further the specific intent to encourage development that is compatible, unified, and coordinated for all members of the center.

**§27-602. Use regulations.**

Use regulations in the I-1 District shall be as follows:

A. *Uses by Right.* The following uses are permitted by right:

- (1.) Administrative and business offices.
- (2.) Medical and professional offices.
- (3.) Medical research, pharmaceutical, scientific, and laboratory facilities.
- (4.) Printing and publishing plants.
- (5.) Packaging and final assembly uses.
- (6.) Wholesale storage, distribution, and warehousing, provided all products are contained in a fully enclosed structure.
- (7.) Light manufacturing uses; excluding the manufacturing of new products from raw materials and textiles.
- (8.) Construction trade shops, including builders, plumbers, electricians, earthmovers, and utility contractors.

- (9.) Motor and automotive repair and assembly.
- (10.) Municipal uses.
- (11.) Bank or financial establishment.
- (12.) Restaurant/Eating place.
- (13.) Daycare and childcare facility.
- (14.) Personal service shops, specifically limited to the following uses and no others:
  - (a.) Pick up and delivery shops for dry cleaning.
  - (b.) Shipping and mail service uses.
  - (c.) Hair styling.
  - (d.) Nail shops.
  - (e.) Tailor shops.

B. *Conditional Uses.* The following conditional uses may be permitted or may be denied by the Board of Supervisors, subject to the provisions of Sections §27-901, 27-902, and 27-903 of this Code and subject to each specific conditional use requirement listed herein:

- (1.) Adult uses.
- (2.) Any storage of fireworks, explosives and the like.
  - (a.) Use shall be located in a freestanding building having no other occupants.
  - (b.) Lot size – Six (6) acre minimum.
  - (c.) Minimum front, side, and rear yard distances – 250 feet each.
  - (d.) Use shall meet the requirements of §27-1103.3.A. of this Chapter and all applicable State and Federal regulations, which shall be submitted with the conditional use filing.
- (3.) Heliport (private or public).
  - (a.) Minimum front, side, and rear yards – 300 feet each for any landing pads.
  - (b.) Approach zone studies and an analysis of operational hours and environmental noise impact studies shall be required. In addition, all State and Federal requirements shall be satisfied, and proof of Federal Aviation Administration regulation conformance shall be submitted to the Township at the time the applicant files the conditional use application.

- (4.) Telecommunications facility, subject to the provisions of §27-1116, 27-1123 and the specific criteria listed below:
  - (a.) The applicant shall present a site plan showing the following items:
    - 1.) Locations of all existing uses and proposed telecommunications facilities.
    - 2.) Elevations of any existing uses and proposed telecommunications facilities.
    - 3.) Vehicular access, fencing and any easements for access and utilities.
  - (b.) The telecommunications facility shall comply with all State and Federal laws and regulations concerning aviation safety.
- (5.) Hotel/motel.

C. *Uses by Special Exception.*

- (1.) The following uses shall be permitted by special exception when approved by the Zoning Hearing Board:
  - (a.) Dry-cleaning plant.
  - (b.) Incineration or reduction of garbage.
  - (c.) Leather processing.
  - (d.) Heavy manufacturing, including, but not limited to the manufacturing of asphalt, cork, explosives, fertilizer, illuminating gas, glue, ink, iron or steel (including rubber and synthetic processing), soap and petroleum refining, and other similar heavy manufacturing as determined by the Township.
  - (e.) Manufacturing, processing or storage of chemicals.
  - (f.) Quarry; stone processing.
  - (g.) Storage of crude oil or any of its volatile products or other flammable liquids.
  - (h.) Wood or wood pulp processing.
  - (i.) Other similar types of uses not specifically noted herein.
- (2.) Special exception uses are subject to the specific criteria listed below:
  - (a.) Such uses shall be located in a separate freestanding building having no other occupants on a lot having not less than 5 acres in area and a lot width of not less than 400 feet, with front, side and rear yards of not less than 100 feet each and with total impervious surface coverage not to exceed 40 percent of the lot.

- (b.) An environmental impact study will be required for any use involving the handling of raw materials which appear on the Environmental Protection Agency's or Department of Environmental Protection's hazardous and toxic materials list.
- (c.) Specific air pollution and/or groundwater pollution control devices shall be in accordance with Environmental Protection Agency and Pennsylvania Department of Environmental Protection's requirements. The applicant shall submit device plans and the approved permit to the Township with the special exception application.
- (d.) Copies of Environmental Protection Agency or Department of Environmental Protection's permits or evidence of application for Environmental Protection Agency and Department of Environmental Protection's permits shall be required for specific uses.

D. *Accessory Uses.* Any use which is customarily incidental and subordinate to the above permitted uses and is located on the same lot or parcel; provided, that:

- (1.) Storage and dispensing of any volatile oil product or any possible and/or highly flammable liquid where such storage is in minor quantities and it is required as an incidental use for any use noted above shall be stored in a manner approved by the Fire Marshal.
- (2.) Any outdoor storage, including temporary storage of materials and equipment, must be fully fenced with a solid-type fencing and other material, which fully screens such storage from adjacent properties. If applicable, storage must be in accordance with the approved land development plan. No storage shall be located past the front façade of the building.
- (3.) Retail sales are permitted, provided that such use does not exceed a maximum of ten (10) percent of gross floor area of the building. There shall be no retail sales outside of the building.

**§27-603. Area and Development Regulations.**

- A. Any use allowed in the Planned Industrial/Office District will be permitted only after an adequate water supply and a satisfactory method of sewage and wastewater treatment have been both approved by the Pennsylvania Department of Environmental Protection and the Bucks County Health Department.
- B. The following development regulations shall apply:
  - (1.) Minimum overall site area for planned industrial office use: 10 acres.
  - (2.) Minimum lot area for individual principal buildings within the above site: 2 acres.
  - (3.) Minimum lot width at building setback line: 200 feet.
  - (4.) Minimum lot width at the street right-of-way line (for cul-de-sacs only): 75 feet.
  - (5.) Maximum building coverage: 30 percent of lot area.
  - (6.) Maximum impervious surface ratio: 70 percent of lot area.
  - (7.) Minimum setback for principal or accessory structure from any street: 100 feet.
  - (8.) Minimum yard required (side or rear) abutting an agricultural or residential district: 75 feet.
  - (9.) Minimum side or rear yard not abutting any agricultural or residential district: 40 feet.
- C. A buffer area (see Part 11) shall be required along any property line abutting any other zoning district.

**§27-604. Off-Street Parking and Loading.**

- A. Separate off-street storage spaces shall be provided for each delivery vehicle or other vehicle routinely stored on the site (where permitted). Such spaces shall not qualify as off-street parking spaces otherwise required by §27-1110 of this Code.

B. Off-street loading shall be in accordance with Part 11.

**SECTION 2. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

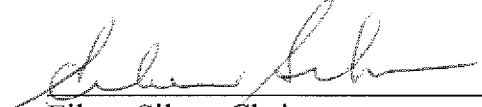
**SECTION 3. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 26<sup>th</sup> day of February, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

ATTEST:

  
Larry Weinstein, Secretary

1/15/14

Ordinance Number 570

AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, CREATING A VETERANS ADVISORY COMMISSION; PROVIDING FOR THE MEMBERSHIP, RESIDENCY AND COMPENSATION OF THE MEMBERS; PROVIDING FOR THE ELECTION OF OFFICERS; AND SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION.

WHEREAS, the Board of Supervisors of Northampton Township desires to create a permanent Veterans Advisory Commission to advise and assist the Board in those areas that affect the veterans and active-duty military communities of Northampton Township; and

WHEREAS, the Veterans Advisory Commission will work to create awareness of the issues faced by veterans, active-duty members of the military and their families; provide support to veterans and military families in the community; develop methods to recognize the service of veterans and resident military; and provide a forum for veterans and their families to provide feedback on issues that affect their lives; and

WHEREAS, the Board of Supervisors of Northampton Township now desires to formally establish a Veterans Advisory Commission and specifically set forth its duties and responsibilities; and

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Northampton Township, Bucks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

- I. The Code of Ordinances of Northampton Township at Part 1, Administration and Government is hereby amended to add a new Chapter 7 entitled "Veterans Advisory Commission," which reads as follows:

**Chapter 7 - Veterans Advisory Commission**

**§7-1 Establishment of Commission.** There is hereby created the Veterans Advisory Commission of Northampton Township which shall be an advisory Commission to the Board of Supervisors.

**§7-2 Membership.** The Veterans Advisory Commission shall consist of seven (7) members who shall be appointed by a voting majority of the Board of Supervisors for staggered terms of three (3) years. Initial terms of appointment will have three members (3) serving three-year terms, two (2) members serving two-year terms, and two (2) members serving one-year terms.

**§7-3 Residency and Compensation.** All members of the Veterans Advisory Commission shall be residents of Northampton Township and serve without compensation other than for such expenses in connection with their duties on said Commission, as the Board of Supervisors shall approve in advance.

**§7-4 Quorum; Taking Action.** A quorum shall consist of four (4) members. Actions may only be taken by affirmative vote of a quorum of the Commission.

**§7-5 Election of Officers.** The Veterans Advisory Commission shall elect from its members, at the first meeting thereof, and at the annual meeting in January of each and every year thereafter,

a Chairman, Vice Chairman, Secretary and such other officers as the said Commission may deem necessary, by a majority vote of the members present at such meeting constituting a quorum. Notice of the annual meeting shall be sent to each member by the Secretary at least five (5) days prior to said meeting. Regular or special meetings shall convene at the call of the Chairman, or in such other manner as the members may, by a majority vote, designate, or at the request of the Board of Supervisors.

**§7-6 Duties and Responsibilities.** The Veterans Advisory Commission shall undertake the following duties and responsibilities in connection with advising the Board of Supervisors on issues faced by resident veterans and active-duty personnel; and provide support to veterans and military families in the community:

- (A) Manage the Township Patriots Flag Program, Memorial Day ceremony, Flag Day ceremony, Veterans Day ceremony, and other patriotic programs
- (B) Recommend plans and programs for the support of Township veterans and their families whenever feasible.
- (C) Implement veteran-related tasks as requested by the Board of Supervisors in accordance with the purposes of the Commission.

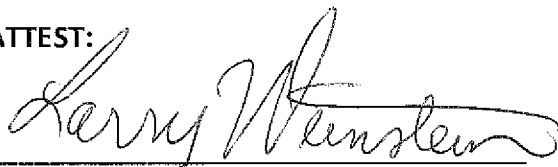
**§7-7 Meetings.** The Veterans Advisory Commission shall meet at least quarterly throughout the calendar year. The Secretary shall prepare minutes of each meeting and, upon approval, forward a copy to the Board of Supervisors.

**§7-8 Reports.** The Veterans Advisory Commission shall make such reports from time to time as requested by the Board of Supervisors.


- II. All Ordinances unaffected by this Ordinance are declared to be in full force and effect. Any provisions of other Ordinances and Resolutions inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.
- III. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code of Ordinances of Northampton Township.

ORDAINED AND ENACTED this 23<sup>rd</sup> day of January 2014.

ATTEST:

  
Larry Weinstein, Secretary

NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman



**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PENNSYLVANIA**

**Ordinance Number 571**

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, DESIGNATING AN AREA OF THE TOWNSHIP IN WHICH NEW CONSTRUCTION OF INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY AND IMPROVEMENTS TO INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY ARE ELIGIBLE FOR A TAX EXEMPTION PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT, AS AMENDED; PROVIDING FOR AN EXEMPTION ON THE ASSESSMENT ATTRIBUTABLE TO THE ACTUAL COST OF SUCH NEW CONSTRUCTION OR IMPROVEMENTS; AND PROVIDING FOR THE EFFECTIVENESS OF THIS ORDINANCE**

**WHEREAS**, the General Assembly of Pennsylvania passed Act No. 76 of 1977 (72 P.S. §4722 et seq.), known as the Local Economic Revitalization Tax Assistance Act (LERTA), which authorizes local taxing authorities to exempt from real property taxation, within certain limitations, the assessed valuation of improvements to, and new construction of, industrial, commercial and other business property in areas designated for such purpose by the governing body of the appropriate city, borough, incorporated town or township; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton, being a "municipal governing body" within the meaning of LERTA, proposes to establish an area within the boundaries of the Township as an area in which such tax exemption may be granted by the local taxing authorities; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton held a public hearing for the purpose of determining the boundaries of the designated area in which such exemptions may be granted by the local taxing authorities; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton with due consideration having been given to the recommendations and comments made at such public hearing by the local taxing authorities and other knowledgeable and interested public and private agencies and individuals regarding the establishment of the boundaries of an area in the Township within its jurisdiction may grant tax exemption to new construction or improvements to industrial, commercial, and other business property in accordance with LERTA, has determined that the area hereinafter designated meets one or more of the criteria under the Act.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, and it is enacted and ordained by the Board of Supervisors of the Township of Northampton, Bucks County, Pennsylvania that Chapter 24 of the Northampton Township Code of Ordinances is hereby amended to add the following:

**Part 4 – Local Economic Revitalization Tax Assistance Act (LERTA)**

**§24-401 Definitions.** As used in this ordinance, the following words and phrases shall have the meaning set forth below:

**"Act" or "LERTA"** – Local Economic Revitalization Tax Assistance Act of the Commonwealth, Act No. 1977-76, as amended;

**"Board of Supervisors"** – The Board of Supervisors of Northampton Township

**"Commonwealth"** – the Commonwealth of Pennsylvania;

**"County"** – County of Bucks, Pennsylvania, acting by and through its Board of County Commissioners, or, acting by and through its authorized representatives

**"Designated Area"** – the area within the Township identified in this Ordinance;

**"Eligible Property"** – any industrial, commercial or other business property located in the Designated Area;

**"Improvement"** – repair, construction, or reconstruction, including alterations and additions, having the effect of rehabilitating any industrial, commercial or other business property owned by any individual, association or corporation and located in the Designated Area; "Improvements" does not include any ordinary upkeep or maintenance;

**"Local Taxing Authorities"** – the Township of Northampton, the County of Bucks, and the Council Rock School District

**"Person"** – any individual, partnership, company, association, society, trust, corporation, municipality, municipal authority, or other group or entity;

**"School District"** – Council Rock School District, Bucks County, Pennsylvania, acting by its Board of School Directors, or, in appropriate cases, acting by and through its authorized representatives

**"Township"** – Township of Northampton, Bucks County, Pennsylvania, acting by and through its Board of Supervisors, or acting by and through its authorized representatives

**§24-402 Designated Area.**

- (A) The Township does hereby designate the area within the following boundaries as determined within the meaning of the Act, and one in which the Local Taxing Authorities may grant a tax exemption pursuant to the provisions of the Act: All properties within the I-1 zoning district; the areas bounded by the Richboro Village Overlay District; the areas bounded by the Holland Village Overlay District; and the Spring Mill Country Club property as shown on the map attached hereto as "Exhibit A".

- (B) Any discrepancy between the description of the Designated Area in this section and the area designated in the LERTA District Resolution shall be resolved in favor of the LERTA District Resolution, it being the intent of the Township to grant exemption to all new construction and Improvements to Eligible Property within the area designated by the Resolution.

**§24-403 Exemption Amount.**

- (A) There is hereby exempted from all real estate property taxes that portion of additional assessment attributable to the actual costs of new construction or Improvements to Eligible Property for which proper application has been made in accordance with this Ordinance.
- (B) The exemption authorized by this Ordinance shall be in accordance with the provisions and limitations hereinafter set forth.
- (C) The schedule of real property taxes to be exempted shall be in accordance with the following percentage of the assessed valuation of new construction or Improvements to Eligible Property:

<u>Tax Year(s) Following</u> <u>Completion of Construction</u>	<u>Exemption Portion of</u> <u>Assessed Valuation</u>
1	100%
2	100%
3	100%
4	100%
5	100%

- (D) A tax exemption granted under this Ordinance shall become effective for a five (5) year period from the date of issuance of a Certificate of Occupancy for any Improvements.
- (E) A tax exemption granted under this Ordinance shall not terminate upon the sale or exchange of the property.
- (F) Any Person who is an owner of Eligible Property and who desires tax exemption pursuant to this Ordinance shall apply in writing for such exemption on a form to be provided by the Township at the principal office of the Township, and must be received by the Township within sixty (60) days following the date of issuance of a building permit for any new construction or Improvements.
- (G) The Township shall make available to any Person desiring to apply for a tax exemption in accordance with this Ordinance an application form (the "Application") which shall require such Person to supply the following information:
- The name of the owner or owners of the Eligible Property;

- ii. The location of the Eligible Property, including the tax parcel identification number assigned to such property for real property tax purposes;
- iii. The type of new construction or Improvements to be made on the Eligible Property;
- iv. The nature of the Improvements to be made on the Eligible Property;
- v. The date on which the relevant building permit was issue, the date on which construction commenced or the estimated date on which it shall commence;
- vi. The cost or estimated cost of the new construction or Improvements;
- vii. Such additional information as the Township may reasonably require.

(H) The appropriate official of the Township shall forward a copy of such completed Application to the County and School District within thirty (30) days following the date on which such Application is filed.

(I) The cost of new construction or Improvements to be exempted and the schedule of taxes exempted at the time of an initial request for tax exemption made in accordance with the provisions of this Ordinance shall be applicable to that exemption request, and any subsequent amendment to this Ordinance, if any, shall not apply to Applications filed with the Township prior to their adoption.


**§24-406 Expiration.** The provisions of this Ordinance shall expire upon the fifth (5<sup>th</sup>) anniversary of its enactment, unless extended by ordinance duly adopted. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according to the exemption schedule even if this Ordinance expires or is repealed.

**§24-404 Severability.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being intent of the Township that such remainder shall be and shall remain in full force and effect.

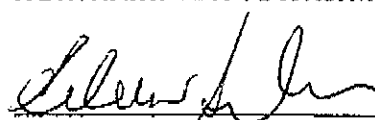
**§24-407 Effective Date.** This Ordinance shall become effective immediately.

ORDAINED AND ENACTED this 27<sup>th</sup> day of August, 2014.

ATTEST:

  
Larry Weinstein, Secretary

NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

**ORDINANCE NO. 572****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 2, ANIMALS, CHAPTER 6, CONDUCT, CHAPTER  
10, HEALTH AND SAFETY, CHAPTER 13, LICENSES, PERMITS AND  
GENERAL BUSINESS REGULATIONS, CHAPTER 15, MOTOR VEHICLES  
AND TRAFFIC, CHAPTER 16, PARKS AND RECREATION, AND CHAPTER  
21, STREETS AND SIDEWALKS, FOR THE PURPOSE OF ADDING,  
DELETING, AND AMENDING SECTIONS RELATED TO  
SOLICITING AND VIOLATIONS AND PENALTIES**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 2, ANIMALS, Part 2, Other Animals**, is hereby amended to delete **Section §2-205., Violations and Penalties.**, which is rewritten as follows:

**§2-205. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 2. CHAPTER 6, CONDUCT, Part 1, D. Enforcement,** is hereby amended to delete **Section §6-142., Violations and Penalties.,** which is rewritten as follows:

**§6-142. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 3. CHAPTER 10, HEALTH AND SAFETY, Part 2, Air Pollution Control,** is hereby amended to delete **Section §10-206., Penalties.,** which is rewritten as follows:

**§10-206. Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.
3. The Board may institute an action in equity for an injunction to restrain any violation of this Part.

**SECTION 4. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 1, Alarm System Registration, is hereby amended to delete Section §13-105., Violations and Penalties., which is rewritten as follows:**

**§13-105. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 5. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting,** is hereby amended to delete **Section §13-313., Violations and Penalties.,** which is rewritten as follows:

**§13-313. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 6. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations,** is hereby amended to delete **Section §15-412., Penalties.,** which is rewritten as follows:

**§15-412. Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.



2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 7. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property,** is hereby amended to delete **Section §16-106., Violations and Penalties.,** which is rewritten as follows:

**§16-106. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 8. CHAPTER 21, STREETS AND SIDEWALKS, Part 1, Openings and Excavations,** is hereby amended to delete **Section §21-119., Violations and Penalties.,** which is rewritten as follows:

**§21-119. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 9. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 10. REPEALER.**

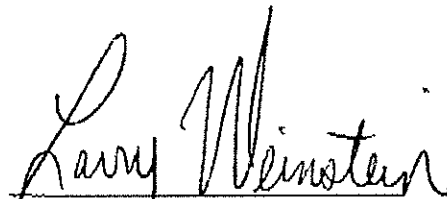
All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 17<sup>th</sup> day of September, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
Larry Weinstein, Secretary

  
Eileen Silver, Chairman

**ORDINANCE NO. 573****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, BY ESTABLISHING SPEED LIMITS ON UPPER HOLLAND ROAD, EAST HOLLAND ROAD AND KNOWLES AVENUE**

**IT IS ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 2, Traffic Regulations, Section §15-201., Maximum Speed Limits Established on Certain Streets,** is hereby amended by deleting the following streets and rewriting them as follows:

<u>Street</u>	<u>Between</u>	<u>Direction of Travel</u>	<u>Maximum Speed Limit</u>
East Holland Road	Entire Length	All	35
Knowles Road	Entire Length	All	35
Upper Holland Road	Entire Length	All	35

**SECTION 2. SEVERABILITY**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 3. REPEALER**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED and ENACTED** by the Board of Supervisors of Northampton Township this 19<sup>th</sup> day of November, 2014.

ATTEST:

  
Larry Weinstein, Secretary**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**  
Eileen Silver, Chairman

**ORDINANCE NO. 574****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA****AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 13, LICENSES, PERMITS AND GENERAL  
BUSINESS REGULATIONS, AND CHAPTER 16, PARKS AND RECREATION,  
FOR THE PURPOSE OF ADDING, DELETING, AND  
AMENDING SECTIONS RELATED TO SOLICITING**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-303., Application for License., is hereby amended to add subsection 1.G. and 4:**

- G. A statement permitting the Township to conduct both a criminal background check and a Child Abuse Clearance Check of the applicant and any other person assisting in soliciting and/or peddling in the Township.
- 4. All peddling and soliciting is subject to the requirements of Section §16-104.

**SECTION 2. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-306., Hours of Conduct of Business., is hereby amended to delete "8 p.m." and replace it with "Sunset."**

**SECTION 3. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property, is hereby amended to delete Section §16-104., Soliciting Prohibited., and to rewrite the section as follows:**

**§16-104. Parks and Recreation: Soliciting and Peddling.**

- 1. Soliciting and peddling under this section shall be subject to the same definitions, licensing and other requirements of Chapter 13, Part 3, governing Peddling and Soliciting in the Township.

2. There shall be no soliciting or peddling of any kind in any park, recreation or open space owned or controlled by the Township, unless authorized by the Township or as permitted pursuant to paragraph 4 below.
3. When concession facilities owned or controlled by the Township are open in Township parks, the sale of any and all food and/or beverages by vendors is prohibited, unless authorized by the Township.
4. When concession facilities owned and/or controlled by the Township are closed, vendors may only sell or offer for sale food and/or beverages from any legal parking space. Vendors are prohibited from moving through the park and stopping or pausing to sell or offer for sale food and/or beverages. Vendors' vehicles shall not block the passage of other vehicles or block other legally parked vehicles. Vendors are subject to all the terms, conditions, and licensing requirements as more fully set forth in §13-303.
5. The use of any Township park, recreation or open space for commercial or profit-making activities is prohibited, except by permit issued by the Township.

#### SECTION 4. SEVERABILITY.


In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

#### SECTION 5. REPEALER.

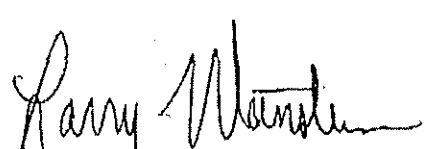
All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

ORDAINED and ENACTED by the Board of Supervisors of Northampton Township  
this 19<sup>th</sup> day of November, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

ATTEST:

  
Larry Weinstein, Secretary

ORDINANCE NO. 577

**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 27, KNOWN AS THE NORTHAMPTON  
TOWNSHIP ZONING ORDINANCE, FOR THE PURPOSE OF DELETING  
SECTIONS RELATED TO THE FP FLOODPLAIN AND FLOOD HAZARD  
DISTRICT AND THE ZONING HEARING BOARD RELATED TO THE  
FLOODPLAIN**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. Part 2, Definitions, Section 27-201.4.** is hereby amended to delete definitions including *Floodplain or Flood Hazard Area (or District)*, *Floodplain soil*, *Floodproofing*, *Lowest floor*, *One-hundred-year recurrence or intermediate regional flood (as defined by United States Army Corps of Engineers)* and *Standard project flood (as defined by the United States Army Corps of Engineers)*.

**SECTION 2. Part 7, FP Floodplain and Flood Hazard District.,** is hereby deleted in its entirety and rewritten as follows:

**Part 7  
FP Floodplain and Flood Hazard District**

Please reference Ordinance 576 for regulations regarding the FP Floodplain and Flood Hazard District.

**SECTION 3. Part 14, Zoning Hearing Board, Section 27-1402.5.** is hereby deleted in its entirety.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 5. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


**SECTION 6. EFFECTIVE DATE.**

This ordinance shall be effective on March 16, 2015.

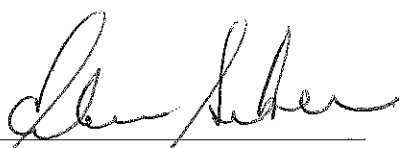
**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 28<sup>th</sup> day of JANUARY, 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Barry Moore, Chairman

ATTEST:

  
Eileen Silver, Secretary



**NORTHAMPTON TOWNSHIP**  
**ORDINANCE NO. 578**

**AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS,  
BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR  
ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE  
ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN  
MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND  
DEVELOPMENT WITHIN AREAS OF THE NORTHAMPTON  
TOWNSHIP WHICH ARE SUBJECT TO FLOODING; AND  
ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR  
REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS  
OF THIS ORDINANCE.**

**ARTICLE I. STATUTORY AUTHORIZATION**

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Board of Supervisors of the Township of Northampton does hereby order as follows.

**ARTICLE II. GENERAL PROVISIONS**

**Section 2.01 Intent**

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- E. Comply with federal and state floodplain management requirements.

**Section 2.02 Applicability**

- A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Special Flood Hazard Area of Northampton Township unless a Permit has been obtained from the

Floodplain Administrator.

B. A Permit shall not be required for minor repairs to existing buildings or structures.

#### Section 2.03 Abrogation and Greater Restrictions

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

#### Section 2.04 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

#### Section 2.05 Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of Northampton Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

### ARTICLE III. ADMINISTRATION

#### Section 3.01 Designation of the Floodplain Administrator

The Zoning Officer is hereby appointed to administer and enforce this ordinance and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may: (A) Fulfill the duties and responsibilities set forth in these regulations, (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or (C) Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

In the absence of a designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the Township Manager.

### Section 3.02 Permits Required

A Permit shall be required before any construction or development is undertaken within any Special Flood Hazard Area of the Township of Northampton.

### Section 3.03 Duties and Responsibilities of the Floodplain Administrator

- A. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
- B. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
- C. In the case of existing structures, prior to the issuance of any Permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss concerns can be addressed before the permit is issued.
- D. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
- E. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
- F. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Board of Supervisors for whatever action it considers necessary.
- G. The Floodplain Administrator shall maintain in perpetuity all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
- H. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program.

- I. The responsibility, authority and means to implement the commitments of the Floodplain Administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the Floodplain Administrator.
- J. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

#### Section 3.04 Application Procedures and Requirements

- A. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by Northampton Township. Such application shall contain the following:
  - 1. Name and address of applicant.
  - 2. Name and address of owner of land on which proposed construction is to occur.
  - 3. Name and address of contractor.
  - 4. Site location including address.
  - 5. Listing of other permits required.
  - 6. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
  - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
  - 1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
  - 2. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
  - 3. adequate drainage is provided so as to reduce exposure to flood hazards;
  - 4. structures will be anchored to prevent floatation, collapse, or lateral movement;

5. building materials are flood-resistant;
  6. appropriate practices that minimize flood damage have been used; and
  7. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
- C. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
1. A completed Permit Application Form.
  2. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
    - a. north arrow, scale, and date;
    - b. topographic contour lines, if available;
    - c. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
    - d. the location of all existing streets, drives, and other access ways; and
    - e. the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
  3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
    - a. the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
    - b. the elevation of the base flood;
    - c. supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC or latest revisions thereof.
  4. The following data and documentation:
    - a. detailed information concerning any proposed floodproofing measures and corresponding elevations.

- b. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood; and Floodway Area (See section 4.02 A) when combined with all other existing and anticipated development, will not increase the base flood elevation at any point.
- c. documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE Area/District without floodway (See Section 4.02 B) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1) foot at any point within the community.
- d. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.

Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

- e. detailed information needed to determine compliance with Section 5.03 F., Storage, and Section 5.04, Development Which May Endanger Human Life, including:
  - i. the amount, location and purpose of any materials or substances referred to in Sections 5.03 F. and 5.04 which are intended to be used, produced, stored or otherwise maintained on site.
  - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 5.04 during a base flood.
- f. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- g. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

D. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain

Administrator.

Section 3.05 Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

Section 3.06 Changes

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

Section 3.07 Placards

In addition to the Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit, the date of its issuance, and be signed by the Floodplain Administrator.

Section 3.08 Start of Construction

Work on the proposed construction or development shall begin within 180 days after the date of issuance of the development permit. Work shall also be completed within twelve (12) months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The issuance of development permit does not refer to the zoning approval.

The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request and the original permit is compliant with the ordinance & FIRM/FIS in effect at the time the extension is granted.

### Section 3.09    Enforcement

#### A. Notices

Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

1. be in writing;
2. include a statement of the reasons for its issuance;
3. allow a reasonable time not to exceed a period of thirty (30) days for the performance of any act it requires;
4. be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State;
5. contain an outline of remedial actions which, if taken, will effect compliance with the provisions of this Ordinance.

#### B. Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a summary offense and upon conviction shall pay a fine to Northampton Township, of not less than Twenty-five Dollars (\$25.00) nor more than Six Hundred Dollars (\$600.00) plus costs of prosecution. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with this Ordinance shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Ordinance may be declared by the Board of Supervisors to be a public nuisance and abatable as such.



### Section 3.10 Appeals

- A. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this Ordinance, may appeal to the Zoning Hearing Board. Such appeal must be filed, in writing, within thirty (30) days after the decision, determination or action of the Floodplain Administrator.
- B. Upon receipt of such appeal the Zoning Hearing Board shall consider the appeal in accordance with the Municipal Planning Code and any other local ordinance.
- C. Any person aggrieved by any decision of the *Zoning Hearing Board* may seek relief therefrom by appeal to court, as provided by the laws of this State including the Pennsylvania Flood Plain Management Act.

## ARTICLE IV. IDENTIFICATION OF FLOODPLAIN AREAS

### Section 4.01 Identification

The identified floodplain area shall be:

- A. any areas of Northampton Township, classified as Special Flood Hazard Areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 16, 2015 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,
- B. any Community Identified Flood Hazard Areas.

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by Northampton Township and declared to be a part of this ordinance.

### Section 4.02 Description and Special Requirements of Identified Floodplain Areas

The identified floodplain area shall consist of the following specific areas:

- A. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.
  - 1. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment

would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- B. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
1. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
  2. AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.
    - i. No permit shall be granted for any construction, development, use, or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
    - ii. No new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

- C. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.

D. Community Identified Flood Hazard Areas shall be areas having Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002, as amended. Floodplain soils include the following soils:

1. Bowmansville-Knauers silt loam (Bo)
2. Delaware loam (DaA, DaB)
3. Fluvaquents (FI)
4. Hatboro silt loam (Ha)
5. Holly silt loam (Ho)
6. Linden loam (Lt)
7. Nanticoke-Hatboro silt loam (Na)
8. Psammments (Ps)
9. Rowland silt loam (Ro)
10. Urban land, occasionally flooded (Ufw)
11. Urban land, Delaware complex (UIB)

#### Section 4.03 Changes in Identification of Area

The Identified Floodplain Area may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data. See 5.01 (B) for situations where FEMA notification is required.

#### Section 4.04 Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Floodplain Administrator and any party aggrieved by this decision or determination may appeal to the Zoning Hearing Board. The burden of proof shall be on the appellant.

#### Section 4.05 Jurisdictional Boundary Changes

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

## ARTICLE V. TECHNICAL PROVISIONS

### Section 5.01 General

#### A. Alteration or Relocation of Watercourse

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have first been obtained from the Department of Environmental Protection Regional Office.
2. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
3. In addition, FEMA and the Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

#### B. When a community proposes to permit the following encroachments:

- any development that causes a rise in the base flood elevations within the floodway; or
- any development occurring in Zones A1-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or
- alteration or relocation of a stream (including but not limited to installing culverts and bridges)

the applicant shall (as per 44 CFR Part 65.12):

1. apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.
2. Upon receipt of the Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and / or revised floodway reflecting the post-project condition.
3. Upon completion of the proposed encroachments, a community shall provide as-built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.

- C. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations.

## Section 5.02 Elevation and Floodproofing Requirements

### A. Residential Structures

1. In AE and A1-30 Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
2. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with Section 4.02.C of this ordinance.
3. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

### B. Non-residential Structures

1. In AE and A1-30 Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
  - a. is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
  - b. has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
2. In A Zones, where no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with Section 4.02.C of this ordinance.
3. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972,

as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

4. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

#### C. Space below the lowest floor

1. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
2. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - b. the bottom of all openings shall be no higher than one (1) foot above grade.
  - c. openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

#### D. Historic Structures

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

#### E. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

1. the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
2. floor area shall not exceed 600 square feet.
3. The structure will have a low damage potential.
4. the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
5. power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
6. permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
7. sanitary facilities are prohibited.
8. the structure shall be adequately anchored to prevent flotation, collapse, and lateral movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - b. the bottom of all openings shall be no higher than one (1) foot above grade.
  - c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

#### Section 5.03 Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

#### A. Fill

If fill is used, it shall:

1. extend laterally at least fifteen (15) feet beyond the building line from all points;
2. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
3. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
4. be no steeper than one (1) vertical to two (2) horizontal feet unless substantiated data justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and
5. be used to the extent to which it does not adversely affect adjacent properties.

#### B. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

#### C. Water and Sanitary Sewer Facilities and Systems

1. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
3. No part of any on-site waste disposal system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
4. The design and construction provisions of the UCC and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.



#### D. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

#### E. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

#### F. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 5.04, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation or floodproofed to the maximum extent possible.

#### G. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

#### H. Anchoring

1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

#### I. Floors, Walls and Ceilings

1. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
2. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
4. Windows, doors, and other components at or below the regulatory flood elevation

shall be made of metal or other "water-resistant" material.

J. Paints and Adhesives

1. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
2. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a "marine" or "water-resistant" paint or other finishing material.

K. Electrical Components

1. Electrical distribution panels shall be at least three (3) feet above the base flood elevation.
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

L. Equipment

Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

M. Fuel Supply Systems

All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

N. Uniform Construction Code Coordination

The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and supplement the requirements of this ordinance.

International Building Code (IBC) 2009 or the latest edition thereof:  
Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

International Residential Building Code (IRC) 2009 or the latest edition thereof:

Secs. R104, R105, R109, R322, Appendix E, and Appendix J.

Section 5.04 Development Which May Endanger Human Life

Within any Identified Floodplain Area, any structure of the kind described in Subsection A., below, shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII, then the following provisions apply: (5.04 B, C, & D)

A. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

1. will be used for the production or storage of any of the following dangerous materials or substances; or,
2. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
3. will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:

- Acetone
- Ammonia
- Benzene
- Calcium carbide
- Carbon disulfide
- Celluloid
- Chlorine
- Hydrochloric acid
- Hydrocyanic acid
- Magnesium
- Nitric acid and oxides of nitrogen
- Petroleum products (gasoline, fuel oil, etc.)
- Phosphorus
- Potassium
- Sodium
- Sulphur and sulphur products
- Pesticides (including insecticides, fungicides, and rodenticides)
- Radioactive substances, insofar as such substances are not otherwise regulated.

- B. Within any Identified Floodplain Area, any new or substantially improved structure of the kind described in Subsection A., above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- C. Within any Floodway Area, any structure of the kind described in Subsection A., above, shall be prohibited. Where permitted within any Identified Floodplain Area, any new or substantially improved residential structure of the kind described in Section 5.04 (A), above, shall be elevated to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation and built in accordance with Sections 5.01, 5.02 and 5.03.
- D. Where permitted within any Identified Floodplain Area, any new or substantially improved non-residential structure of the kind described in Section 5.04 (A) above, shall be built in accordance with Sections 5.01, 5.02 and 5.03 including:
  - 1. elevated, or designed and constructed to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation, and
  - 2. designed to prevent pollution from the structure or activity during the course of a base flood.

Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

#### Section 5.05 Special Requirements for Subdivisions and Development

All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision and Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

#### Section 5.06 Special Requirements for Manufactured Homes

Within any Identified Floodplain Area manufactured homes shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII, then the following provisions apply:

- A. Where permitted by variance within any Identified Floodplain Area, all manufactured homes, and any improvements thereto, shall be:
  - 1. placed on a permanent foundation;

2. elevated so that the lowest floor of the manufactured home is at least one and one half (1 ½) feet above base flood elevation;
  3. and anchored to resist flotation, collapse, or lateral movement.
  4. and have all ductwork and utilities including HVAC/heat pump elevated to the Regulatory Flood Elevation.
- B. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 "International Residential Building Code" or the "U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing," 1984 Edition, draft or latest revision thereto and 34 PA Code Chapter 401-405 shall apply.
- C. Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC or the most recent revisions thereto and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the proposed unit(s) installation.

#### Section 5.07 Special Requirements for Recreational Vehicles

- A. Recreational vehicles in Zones A and AE must either:
1. be on the site for fewer than 180 consecutive days, and
  2. be fully licensed and ready for highway use,
- or
3. meet the permit requirements for manufactured homes in Section 5.06.

### ARTICLE VI. PROHIBITED ACTIVITIES

#### Section 6.01 General

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any Identified Floodplain Area:

- A. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:

1. Hospitals
2. Nursing homes
3. Jails or prisons

- B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

## ARTICLE VII EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

### Section 7.01 Existing Structures

The provisions of this Ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Section 7.02 shall apply.

### Section 7.02 Improvements

The following provisions shall apply whenever any improvement is made to an existing structure located within any Identified Floodplain Area:

- A. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area/District that would cause any increase in BFE.
- B. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
- C. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
- D. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2009 IBC and the 2009 IRC or latest revision thereof.
- E. Within any Floodway Area/District (See Section 4.02 A), no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- F. Within any AE Area/District without Floodway (See Section 4.02 B), no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

- G. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than fifty (50) percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
- H. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this ordinance.

## ARTICLE VIII VARIANCES

### Section 8.01 General

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, Northampton Township may, upon request, grant relief from the strict application of the requirements.

### Section 8.02 Variance Procedures and Conditions

Requests for variances shall be considered by Northampton Township in accordance with the procedures contained in Section 3.10 and the following:

- A. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
- B. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
- C. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to Development Which May Endanger Human Life (Section 5.04).
- D. No variance will be granted for Prohibited Activities (Article VI) in the Identified Floodplain Area.
- E. If granted, a variance shall involve only the least modification necessary to provide relief.
- F. In granting any variance, Northampton Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Ordinance.
- G. Whenever a variance is granted, Northampton Township Zoning Hearing Board shall notify the applicant in writing that:
  - 1. The granting of the variance may result in increased premium rates for flood insurance.

2. Such variances may increase the risks to life and property.
- H. In reviewing any request for a variance, Northampton Township shall consider, at a minimum, the following:
1. That there is good and sufficient cause.
  2. That failure to grant the variance would result in exceptional hardship to the applicant.
  3. That the granting of the variance will
    - a. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
    - b. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- I. A complete record of all variance requests and related actions shall be maintained by Northampton Township. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent (1%) annual chance flood.

## ARTICLE IX. DEFINITIONS

### Section 9.01 General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its' most reasonable application.

### Section 9.02 Specific Definitions

1. *Accessory use or structure* - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
2. *Base flood* - a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one-percent (1%) annual chance flood).
3. *Base flood discharge* - the volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).
4. *Base flood elevation (BFE)* - the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.



5. *Basement* - any area of the building having its floor below ground level on all sides.
6. *Building* - a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
7. *Development* - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
8. *Existing manufactured home park or subdivision* - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
9. *Expansion to an existing manufactured home park or subdivision* - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. *Flood* - a temporary inundation of normally dry land areas.
11. *Flood Insurance Rate Map (FIRM)* - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
12. *Flood Insurance Study (FIS)* - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
13. *Floodplain area* - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
14. *Floodproofing* - any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
15. *Floodway* - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

16. *Historic structures* – any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
  - i. By an approved state program as determined by the Secretary of the Interior or
  - ii. Directly by the Secretary of the Interior in states without approved programs.

17. *Identified Floodplain Area* - this term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance Study, but may include additional areas identified by the community. See Sections 4.01 and 4.02 for the specifics on what areas the community has included in the Identified Floodplain Area.

18. *Lowest floor* - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

19. *Manufactured home* - a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

20. *Manufactured home park or subdivision* – a parcel (or contiguous parcels) of land divided

into two or more manufactured home lots for rent or sale.

21. *Minor repair* - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring, mechanical or other work affecting public health or general safety.
22. *New construction* - structures for which the start of construction commenced on or after March 16, 2015 and includes any subsequent improvements to such structures. Any construction started after April 6, 1977 and before March 16, 2015 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
23. *New manufactured home park or subdivision* – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
24. *Person* - an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
25. *Post-FIRM Structure* - is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map (FIRM) dated 02/15/1980, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
26. *Pre-FIRM Structure* - is a structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map (FIRM) dated 02/15/1980, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.
27. *Recreational vehicle* - a vehicle which is:
  - a. built on a single chassis;
  - b. not more than 400 square feet, measured at the largest horizontal projections;

- c. designed to be self-propelled or permanently towable by a light-duty truck,
  - d. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
28. *Regulatory flood elevation* - the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet.
29. *Repetitive loss* – flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
30. *Special flood hazard area (SFHA)* - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.
31. *Start of construction* - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
32. *Structure* – a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
33. *Subdivision* - the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any

residential dwelling, shall be exempted.

34. *Substantial damage* - damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
35. *Substantial improvement* - any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" or "repetitive loss" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
36. *Uniform Construction Code (UCC)* – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.
37. *Variance* - A grant of relief by a community from the terms of a floodplain management regulation.
38. *Violation* - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

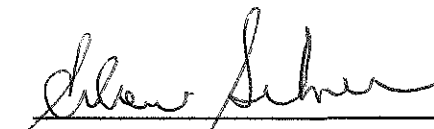
ARTICLE X. ENACTMENT

Section 10.01 Adoption


This Ordinance shall be effective on *March 16, 2015* and shall remain in force until modified, amended or rescinded by Northampton Township, Bucks County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Supervisors this 28<sup>th</sup> day of JANUARY,  
2015.

ATTEST:

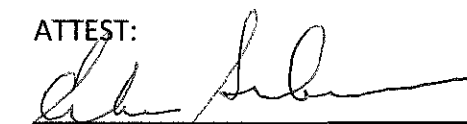
  
\_\_\_\_\_  
Eileen Silver, Secretary  
Northampton Township

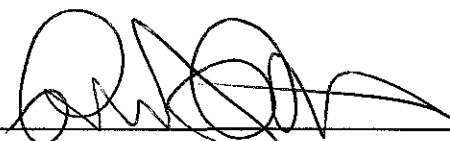
BOARD OF SUPERVISORS OF THE TOWNSHIP OF  
NORTHAMPTON

By:   
\_\_\_\_\_  
Barry Moore, Chairman  
Board of Supervisors

APPROVED, this 28<sup>th</sup> day of JANUARY, by the Township Manager, Northampton  
Township

ATTEST:

  
\_\_\_\_\_  
Eileen Silver, Secretary  
Northampton Township

  
\_\_\_\_\_  
Robert M. Pellegrino, Township Manager

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PENNSYLVANIA**

**Ordinance Number 579**

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS  
COUNTY, PENNSYLVANIA PROHIBITING SMOKING ON  
TOWNSHIP PROPERTY AS DEFINED HEREIN EXCEPT IN  
DESIGNATED AREAS**

**WHEREAS**, the Board of Supervisors of Township of Northampton recognizes that smoking is one of the leading causes of preventable disease and death in the United States; and

**WHEREAS**, in addition to the deleterious effects upon smokers, tobacco smoke is a substantial health hazard to the public, and an annoyance and a nuisance to the nonsmoking public; and

**WHEREAS**, tobacco smoke also creates a substantial health hazard to residents of the Township who may be participating in activities or events in or around buildings owned or leased by the Township; and

**WHEREAS**, the Board of Supervisors of Township of Northampton understands while it is not in its public policy to deny anyone the right to smoke, a balance must be struck between the right of smokers to smoke and the right of nonsmokers to breathe clean air; and

**WHEREAS**, the Board of Supervisors of Township of Northampton concludes the right of nonsmokers to breathe clean air outweighs the right of smokers to smoke on Township property; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Township of Northampton, Bucks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

- I. The Code of Ordinances of Northampton Township at Chapter 10, Health and Safety, is hereby amended to add a new Part 3 entitled "Smoke-Free Environment," which reads as follows:

**Part 3**

**Smoke-Free Environment**

**§10-301. Title.**

This Part shall be known and may be cited as the "Northampton Township Smoke-Free Environment Ordinance of 2015."

**§10-302. Definitions.**

*Smoke* - the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts. The term "smoke" includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

*Smoking* - engaging in an act that generates smoke, such as, without limitation, possessing a lighted pipe, a lighted hookah pipe, an operating electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, cigar, or cigarette of any kind.

*Township Property* - All properties, buildings, and vehicles owned and leased by the Township of Northampton. Properties include, but are not limited to, the Administration Building, Fire Stations, Rescue Squad Buildings, Public Works Building, Police Station, The Free Library of Northampton Township, The James E. Kinney Senior Center, the Civic Center and all parks and recreation fields.

**§10-303. Regulations.**

Smoking shall be prohibited on all Township Property as defined in §10-302 of this Ordinance, excepting only those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted. Any and all such areas located on Township Property on which Smoking shall be permitted shall be determined by the Township Manager or his designee, and shall be identified by a conspicuously posted sign indicating that the area is an area on which Smoking is permitted.

**§10-304. Posting of Signs.**

"No Smoking" signs, "Smoke-Free" signs, or signs bearing the international "No Smoking" symbol shall be clearly, sufficiently and conspicuously posted on all Township Property at such locations as shall be determined by the Township Manager or his designee. Such signs shall also indicate that violators are subject to the penalty provisions set forth in §10-305. "Smoking Permitted Area" signs shall be clearly, sufficiently and conspicuously posted at those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted in accordance with §10-304.

**§10-305. Penalties.**

Any person who violates any provision of this ordinance shall be subject to a fine of not less than twenty-five (\$25) dollars and not more than five hundred (\$500) dollars.

**§10-306. Repealer.**

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.



**§10-307. Severability.**


If any section, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be and shall remain valid and enforceable.

**§10-308. Effective Date.**

This Ordinance shall take effect upon final adoption, publication, and as otherwise provided by law.

**ORDAINED AND ENACTED** this 28th day of January 2015.

**ATTEST:**

  
\_\_\_\_\_  
Eileen Silver, Secretary

**NORTHAMPTON TOWNSHIP**

  
\_\_\_\_\_  
Barry Moore, Chairman

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PA**

**ORDINANCE NO. 580**

**AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' PENSION PLAN  
OF NORTHAMPTON TOWNSHIP TO CLARIFY THE ADMINISTRATIVE INTENT  
CONCERNING OPTIONAL RETIREMENT PROVISIONS AND ADDING A NEW  
DEFINED CONTRIBUTION PLAN COMPONENT FOR NEWLY HIRED EMPLOYEES**

This Amendment to the Township of Northampton Non-Uniformed Employees' Pension Plan is made by the Township of Northampton, Bucks County, Pennsylvania (the "Township").

**W I T N E S S E T H:**

**WHEREAS**, the Board of Supervisors of the Township of Northampton (the "Township") has previously adopted a Resolution establishing the Township of Northampton Non-Uniformed Employees' Pension Plan (the "Plan"); and

**WHEREAS**, the Plan was amended and restated, effective January 1, 2009;

**WHEREAS**, the Township reserved the right to amend the Plan pursuant to section 13.1;

**WHEREAS**, the Township desires to amend the Plan in order set forth a new defined contribution program for newly hired, non-uniformed, non-union, full-time employees (the "Defined Contribution Program"); and

**WHEREAS**, the Township now desires that the Plan be further amended to add a defined contribution component to the Plan for certain employees hired on or after January 1, 2015, revise the definition of actuarial equivalent, revise the early retirement provisions, clarify that all deferred vested payments begin upon a participant attaining age 65, and to make other clarifying and conforming changes to the Plan.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP THAT ORDINANCE NUMBER 548 KNOWN AS THE NON-UNIFORMED EMPLOYEES' PENSION PLAN IS HEREBY AMENDED AS FOLLOWS:**

1. Section 2.4, Definitions is amended to read as follows:

2.4 "Actuarial Equivalent" shall mean a benefit or an amount of actuarial present value on a specified date computed, except as otherwise specified herein, on the basis of the UP-1994 Mortality Table and interest at the rate of seven percent per annum.

2. A new Section 2.10.1 is added to the Plan as follows:

2.10.1 "Early Retirement Age" shall mean age fifty-five (55) and completion of ten (10) Years of Service.

3. A new Section 2.10.2 is added to the Plan as follows:

2.10.2 "Early Retirement Date" shall mean the first day of the calendar month coinciding with or next following the date on which the Participant attains Early Retirement Age.

4. A new Section 2.20.1 is added to the Plan as follows:

2.20.1 "Alternate Normal Retirement Age" shall mean age sixty (60) and completion of thirty (30) Years of Service.

5. A new Section 2.20.2 is added to the Plan as follows:

2.20.2 "Alternate Normal Retirement Date" shall mean the first day of the calendar month coinciding with or next following the date on which the Participant attains Alternate Normal Retirement Age.

6. Section 5.1 to the Plan is amended to read as follows:

An Active Participant whose Covered Employment terminates on or after his attainment of Normal Retirement Age and before his Normal Retirement Date or Alternate Normal Retirement Age and before his Alternate Normal Retirement Date shall be eligible to receive, in the manner set forth in Article VII the normal Retirement Income set forth in Section 6.2.

7. Section 5.2 to the Plan is amended to read as follows:

An Active Participant or Inactive participant who terminates his Covered Employment on or after his Normal Retirement Date or Alternate Normal Retirement Date shall be eligible to receive, in the manner set forth in Article VII, the postponed Retirement Income set forth in Section 6.3.

8. Section 6.1(a) to the Plan is amended to read as follows:

- (a) For a Participant whose Employment began before January 1, 1994, basic Retirement Income, expressed in terms of a monthly amount payable in the form of a single life annuity commencing on his Normal Retirement Date or Alternate Normal Retirement Date, shall be equal to the greater amount of the amount determined under subsection (b) of this Section of an amount equal to greater of:

- (1) 1.0 percent of his Final Monthly Average Salary not in excess of 1,000 dollars, plus, 1.75 percent of his Final Monthly Average Salary in excess of 1,000 dollars,

multiplied by his Years of Service; or

- (2) ten dollars multiplied by his Years of Service.

9. Section 6.1(b) to the Plan is amended to read as follows:

- (b) For a Participant whose Employment began on or after January 1, 1994, basic Retirement Income, expressed in terms of a monthly amount payable in the form of a single life annuity commencing on his Normal Retirement Date or Alternate Normal Retirement Date, shall be equal to:
  - (1) 1.5 percent of his Final Monthly Average Salary multiplied by his Years of Service not in excess 30 years; plus
  - (2) 1.0 percent of his Final Monthly Average Salary multiplied by his Years of Service in excess of 30.

10. Section 6.3(b) to the Plan is amended to read as follows:

- (b) For a Participant whose Employment began before January 1, 1994, the Participant's postponed Retirement Income shall not be less than the normal Retirement Income he would have received under Section 6.2 had he retired and begun to receive normal Retirement Income on his Normal Retirement Date or Alternate Normal Retirement Date, but increased by one-half of one percent for each month from and after the Normal Retirement Date or Alternate Normal Retirement Date that payment of the Participant's Retirement Income is postponed.

11. Current Section 6.4(a) of the Plan is removed in its entirety and Section 6.4 shall be amended to read as follows:

**6.4 Early Retirement Income.** Each Participant may retire on or after his Early Retirement Age. The benefit payable at the Early Retirement Date shall be the benefit described in Section - 6.1, reduced by one-half of one percent for each month that the Early Retirement Date precedes the Normal Retirement Date.

12. Effective January 1, 2015, a new Appendix A shall be added to the Plan as follows:

**Applicability:** This Appendix A shall apply only to Eligible Employees as defined in Section A-1.08.

**TOWNSHIP OF NORTHAMPTON  
MONEY PURCHASE PENSION PLAN  
(Effective January 1, 2015)**

**ARTICLE A-I  
DEFINITIONS**

- Sec. A-1.01** “**Account**” shall mean the entire interest of a Participant in the Plan. Unless otherwise specified, the value of a Participant’s Account shall be determined as of the Valuation Date coincident with or next following the occurrence of the event to which reference is made. A Participant’s Account shall consist of such of the following as the Participant has under the Plan: (a) Employer Contribution Account; and (b) Employee Contribution Account.
- Sec. A-1.02** “**Anniversary Date**” shall mean the last day of the Plan Year.
- Sec. A-1.03** “**Beneficiary**” shall mean the persons or entities designated by the Participant in writing to be his/her Beneficiaries hereunder in accordance with Section A-7.02.
- Sec. A-1.04** “**Benefit Commencement Date**” shall mean the first day of the first period for which an amount is paid in any form.
- Sec. A-1.05** “**Compensation**” shall mean:
- (a) In General. “Compensation” shall mean the Participant’s gross pay before any payroll deductions. Compensation shall exclude any amounts paid after termination of employment.
  - (b) Limitation on Applicable Compensation. In addition to other applicable limitations set forth in the Plan, and notwithstanding any other provision of the Plan to the contrary, the Compensation of each Participant taken into account under the Plan shall not exceed \$200,000, as adjusted by the Commissioner of Internal Revenue for increases in the cost of living in accordance with Internal Revenue Code Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which compensation is determined (determination period) beginning with or within such calendar year. If a determination period consists of fewer than 12 months, the annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12. Notwithstanding the foregoing, Compensation may not include amounts that are not included in compensation for purposes of the limit imposed under Section A-4.01.
- Sec. A-1.06** “**Computation Period**” shall mean the period of twelve (12) consecutive months designated as the Vesting Computation Period, as indicated by the context of usage.
- Sec. A-1.07** “**Effective Date**” shall mean January 1, 2015.

- Sec. A-1.08** “**Eligible Class Employee**” shall mean any person hired by the Employer on or after January 1, 2015 as either; (i) a non-union Employee or (ii) a union Employee who is permitted to participate in the Plan pursuant to the terms of an applicable collective bargaining agreement with the Employer employed on a full-time basis (at least 37.5 hours per week); and is not a police officer. Any Union Employee that is employed by the Employer on January 1, 2015 is not an Eligible Class Employee unless otherwise so provided pursuant to the terms of the applicable collective bargaining agreement with the Employer. Part-time employees subsequently hired on a full-time basis shall be eligible to participate in the Plan as of the date of hire as a full-time employee and time worked as a part-time employee shall not count toward participation in the Plan.
- Sec. A-1.09** “**Employee**” shall mean each person in the employ of the Employer and is not a police officer.
- Sec. A-1.10** “**Employer**” shall mean the Township of Northampton, Bucks County, Pennsylvania, its successors and assigns.
- Sec. A-1.11** “**Employer Contribution Account**” shall mean that portion of a Participant’s Account consisting of Employer contributions pursuant to Section A-3.01(b) of the Plan, and the earnings and accretions attributable thereto.
- Sec. A-1.12** “**Internal Revenue Code**” or “**Code**” shall mean the Internal Revenue Code of 1986 as the same may be amended from time to time.
- Sec. A-1.13** “**Normal Retirement Age**” shall mean the date on which the Participant attains age sixty-five (65).
- Sec. A-1.14** “**Participant**” shall mean any person who has been or who is an Eligible Class Employee of the Employer and who has been admitted to participation in this Plan pursuant to the provisions of Article II. The term “Participant” shall include Active Participants (those who are currently eligible to share in Employer contributions to the Plan), Retired Participants (those former Employees presently receiving benefits under the Plan or immediately entitled to receive such benefits), and Vested Participants (Employees and former Employees who are no longer Active Participants, any of whom are or may become entitled at some future date to the distribution of benefits from this Plan by reason of their having been Active Participants herein).
- Sec. A-1.15** “**Participant Contribution Account**” shall mean that portion of a Participant’s Account consisting of Employee contributions pursuant to Section A-3.01(a) of the Plan, and the earnings and accretions attributable thereto.
- Sec. A-1.16** “**Plan**” shall mean the Township of Northampton Money Purchase Pension Plan as set forth in this Appendix A and as the same may from time to time hereafter be amended. This Plan is intended to satisfy the requirements of Section 401(a) of the Internal Revenue Code as a governmental money purchase pension plan. For

purposes of the Code, the Plan is a separate plan from the Non-Uniformed Employees' Pension Plan of the Township of Northampton ("Pension Plan") and assets held in trust under this Plan may not be commingled with or otherwise used to pay benefits under the Pension Plan.

**Sec. A-1.17 "Plan Administrator"** shall mean the person or committee named as such pursuant to the provisions hereof, or, in the absence of any such appointment, the Employer.

**Sec. A-1.18 "Plan Year"** shall mean the twelve-month period commencing each January 1 and ending on the subsequent December 31.

**Sec. A-1.19 "Required Beginning Date"** shall mean the April 1 of the calendar year next following the calendar year in which the Participant attains age 70½, or if later, the April 1 of the calendar year next following the calendar year in which he/she retires.

**Sec. A-1.20 "Spouse"** shall mean (a) the person to whom the Participant was married on his/her Benefit Commencement Date, or (b) if the Participant's Benefit Commencement Date had not occurred at the time of his/her death, the person to whom the Participant was married at the time of his/her death.

**Sec. A-1.21 "Valuation Date"** shall mean the last day of the Plan Year (the "Annual Valuation Date") and each other interim date during the Plan Year on which a valuation of the Fund is made.

**Sec. A-1.22 "Vesting Computation Period"** shall mean each 12 month period of employment with the Employer beginning on the Employee's date of hire and ending on the Employee's date of termination of employment.

**Sec. A-1.23 "Year of Service"** shall have the following meanings when used in this Plan:

- (a) When applied to vesting provisions, a "Year of Service" shall mean each Vesting Computation Period.

## **ARTICLE A-II PARTICIPATION ELIGIBILITY**

**Sec. A-2.01 Initial Eligibility.** Every Eligible Class Employee shall become eligible for Plan participation on his/her date of hire as a full-time employee working at least 37.5 hours each week.

**Sec. A-2.02 Procedure for and Effect of Admission.** Each Eligible Class Employee who becomes eligible for admission to participation in this Plan shall complete such forms and provide such data as are reasonably required by the Plan Administrator in order to become a Participant. By becoming a Participant, each Employee shall for all purposes be deemed conclusively to have assented to the terms and provisions of this Plan and to all Plan amendments.

**Sec. A-2.03 Changes in Status.** In the event that a person who has been in the employ of the Employer in a category of employment not eligible for participation in this Plan subsequently becomes an Eligible Class Employee of the Employer by reason of a change in status to a category of employment eligible for participation, he/she shall, subject to Section A-2.02, become a Participant as of the date on which occurs such change to Eligible Class Employee status.

**Sec. A-2.04 Defined Benefit Plan Limitation.** An Eligible Employee that participates in the Township of Northampton Money Purchase Pension Plan as set forth in this Appendix A shall not be eligible to participate in the defined benefit component of the Non-Uniformed Employees' Pension Plan of Northampton Township.

### **ARTICLE A-III CONTRIBUTIONS**

**Sec. A-3.01 Determination of Amount.**

- (a) Participant Contributions. Participants are required to contribute an amount equal to five percent (5.0%) of Participant's Compensation at each bi-weekly payroll period into their Account on a pre-tax basis under Internal Revenue Code Section 414(h)(2).

Effective January 1, 2015, the Employer shall "pick-up" the required Participant Contributions hereunder pursuant to the provisions of Internal Revenue Code Section 414(h)(2) which shall cause the Participant contributions to be reclassified from Employee Contributions to Employer contributions and shall not cause any increase in the amount of an Employee's Compensation.

- (b) Employer Contributions. The Employer shall contribute an amount equal to five percent (5.0%) of each Participant's Compensation at each bi-weekly payroll period into the Account of each plan participant.
- (c) Rollover Contributions. Participants shall be entitled to contribute Rollover Amounts to the Plan in accordance with procedures established by the Plan Administrator.

**Sec. A-3.02 Timing of Contributions.** Employer shall pay its contribution made with respect to any payroll period on or before the last day of the sixth complete month following the last day of the payroll period.

**Sec. A-3.03 Contingent Nature of Contributions.** Each contribution made by the Employer pursuant to the provisions of Section A-3.01 hereof is hereby made expressly contingent on the exclusion thereof for Federal income tax purposes with respect to the Participants for whom contribution is made.



**Sec. A-3.04 Exclusive Benefit; Refund of Contributions.** All contributions made by the Employer are made for the exclusive benefit of the Participants and their Beneficiaries, and such contributions shall not be used for nor diverted to purposes other than for the exclusive benefit of the Participants and their Beneficiaries (including the costs of maintaining and administering the Plan). Notwithstanding the foregoing, to the extent that such refunds do not, in themselves, deprive the Plan of its qualified status, refunds of contributions shall be made to the Employer under the following circumstances and subject to the foregoing limitations:

- (a) Mistake of Fact. In the case of a contribution which is made in whole or in part by reason of a mistake of fact (for example, incorrect information as to the eligibility or compensation of an Participant, or a mathematical error), so much of the Employer contribution as is attributable to the mistake of fact shall be returnable to the Employer upon demand. Repayment must be effectuated within one (1) year after the payment of the contribution to which the mistake applies.
- (b) Exclusive Benefit; Refund of Contributions. In the event that any refund of amounts contributed pursuant to Section A-3.01(a) or Section A-3.01(b) is paid to the Employer hereunder, such refund shall be made without interest and shall be deducted from among the Employer Contribution Accounts or Participant Contribution Accounts of the Participants, as the case may be, except to the extent that the amount of the refund can be identified to one or more specific Participants (as in the case of certain mistakes of fact) in which case the amount of the refund identifiable to each such Participant's Account shall be deducted directly from such Account.

#### **ARTICLE A-IV LIMITATIONS ON CONTRIBUTIONS**

**Sec. A-4.01 Annual Additions Limitations.**

- (a) Incorporation of Code section 415 by Reference. Notwithstanding anything contained in this Section A-4.01 to the contrary, the limitations, adjustments, and other requirements prescribed in Section A-4.01 shall at all times comply with the provisions of Internal Revenue Code section 415 and the Regulations thereunder (as such apply to governmental plans), the terms of which are specifically incorporated herein by reference.
- (b) Compliance with Treasury Regulations. The Plan will comply with the final Treasury regulations under Internal Revenue Code section 415, which are incorporated into the Plan by reference. Consistent with those regulations, a Participant's compensation for purposes of the limit imposed under this Section A-4.01 includes regular compensation for services during an employee's regular working hours, or compensation for services outside of regular working hours (such as overtime and shift differential), commissions, bonuses or other similar payments if (i) such amounts would have been paid to the employee prior to severance of employment if employment had continued and (ii) such amounts are actually paid by

the later of 2½ months after severance of employment or the end of the limitation year in which severance of employment occurs (the “latest permissible date”). Compensation for purposes of the limit imposed under this Section A-4.01 includes:

- (1) Any payments for unused accrued bona fide sick, vacation or other leave if (i) the employee would have been able to use the leave if employment had continued and (ii) such payments were actually paid by the latest permissible date.
  - (2) Any amounts received by an employee pursuant to a nonqualified deferred compensation plan if (i) the amount would have been paid to the employee if the employee had continued employment, (ii) only to the extent the amounts are includible in the employee’s gross income and (iii) such payments were actually paid by the latest permissible date.
  - (3) Any amounts of salary continuation payments made to an individual during periods in which the individual does not perform services due to qualified military service (as defined in Section 414(u)(1) of the Code) to the extent the payments do not exceed the amounts the individual would have received if the individual would have continued performing services.
  - (4) Any amounts of salary continuation payments made to an individual who is permanently and totally disabled (as defined in Section 22(e)(3) of the Code).
- (c) Compensation Includes Differential Pay. Notwithstanding anything contained in this Section A-4.01 to the contrary, a Participant’s Compensation, for purposes of the limit imposed under this Section A-4.01, includes military wage differential payments (as such term is used in IRS Notice 2010-15).

**Sec. A-4.02 Elimination of Excess Amount.** In the event that the limit imposed under Section A-4.01 is exceeded with respect to any Participant for a limitation year, the Plan shall eliminate such excess amount in accordance with the Internal Revenue Service’s Employee Plans Compliance Resolution System or pursuant to any other correction method permitted by law.

## ARTICLE A-V ADMINISTRATIVE PROVISIONS

**Sec. A-5.01 Investment of Assets.** All contributions shall be invested in accordance with the Plan.

**Sec. A-5.02 Investment Direction By Participants.**

- (a) Rights of Participants. To the extent that the Plan Administrator has established investment categories for Participant investment direction, each Participant shall have the right to designate the investment category or categories in which the Plan is

to invest amounts allocated to such Participant's Account from contributions made by the Employer.

- (b) Changes in Investment Directions. Any designation of investment categories by a Participant shall be made in the manner prescribed by the Plan Administrator and shall be made at such reasonable times as shall be determined by the Plan Administrator.
- (c) Available Investment Categories. There shall be offered such investment categories as shall be determined in accordance with uniform non-discriminatory rules prescribed by the Plan Administrator from time to time.
- (d) Limitations on Division of Investments. Any Participant may elect as to the allocation among investment categories for the investment of future contributions in such percentages and at such time as shall be determined in accordance with uniform non-discriminatory rules prescribed by the Plan Administrator.
- (e) Failure to Elect Investment Categories. In the absence of any written designation of investment category preference, the Plan Administrator shall invest all funds received on account of any Participant in the investment category selected by the Plan Administrator. Any designation of investment category by any Participant shall, on its effective date, cancel any prior designation by that Participant with respect to investment of future contributions.
- (f) Annuity Contract or Trust. Notwithstanding any instruction from any Participant, the terms of any applicable annuity or trust agreement shall control investment of Plan assets.

## **ARTICLE A-VI RETIREMENT BENEFITS**

- Sec. A-6.01 Normal Retirement Benefit.** The Normal Retirement Benefit payable with respect to any Participant retiring at his/her Normal Retirement Age shall be equal to one hundred percent (100%) of his/her Account as of the appropriate Valuation Date coincident with or following the Participant's Normal Retirement Age.
- Sec. A-6.02 Deferred Vested Benefits.** A Participant shall be entitled to receive deferred vested benefits in accordance with Section A-9.02(c).
- Sec. A-6.03 Late Retirement.** A Participant may continue to work beyond his Normal Retirement Date subject to the Employer's rules and regulations regarding retirement age. If a participant who has met the requirements of Section A-6.01 shall continue to work beyond his Normal Retirement Date, there shall be no retirement benefits paid until employment ceases and retirement begins.

**Sec. A-6.04 Disability Retirement.** A Participant who is unable to perform any customary duties of employment with the Employer due to mental or physical injury or illness and qualifies for Social Security Disability benefits shall be entitled to a disability retirement benefit equal to the Participant's Normal Retirement Benefit calculated in accordance with Section A-6.01.

## **ARTICLE A-VII DEATH BENEFITS**

**Sec. A-7.01 Payment of Death Benefits.** Except as provided below, upon the death of a Participant, a death benefit equal to the balance of the Participant's vested interest in his/her Account shall be paid to the Participant's Beneficiary.

**Sec. A-7.02 Beneficiary Designation.**

- (a) Beneficiary Designation Right. Each Participant shall have the right to designate one or more primary and one or more contingent Beneficiaries to receive any benefit becoming payable pursuant to this Article A-VII. All Beneficiary designations shall be in writing in a form satisfactory to the Plan Administrator. Each Participant shall be entitled to change his/her Beneficiaries at any time in accordance with procedures established by the Plan Administrator.

In the event a Participant does not designate a Beneficiary, the primary Beneficiary of each married Participant shall be his/her spouse, and if there is no spouse or if the Participant is unmarried, the Participant's estate.

- (b) Termination of Beneficiary Designation. Any designation of Beneficiary by a Participant pursuant to Paragraph (a) of this section shall become null and void upon the marriage of the Participant subsequent to the date on which such designation was made.
- (c) Miscellaneous. Changes in Beneficiary designations shall become effective only upon receipt of a form by the Plan Administrator, but upon such receipt the change shall relate back to and take effect as of the date the Participant signed the request (which shall be presumed to be the date appearing on such form, or, if there be none, then the date of the Participant's death) whether or not the Participant is living at the time of such receipt. The Plan Administrator shall not be liable by reason for any payment of the Participant's death benefit made before the receipt of any acceptable form designating or changing the designation of the Beneficiary.

Any change of Beneficiary designation filed in proper form with the Plan Administrator shall revoke all prior Beneficiary designations. The Plan Administrator shall be the sole determinant of the acceptability of a Beneficiary designation or change of Beneficiary designation.

## ARTICLE A-VIII VESTING PROVISIONS

**Sec. A-8.01 Full and Immediate Vested Interests.** All Participants shall at all times be fully vested in their respective Employees Contributions and Rollover Amounts.

**Sec. A-8.02 Deferred Vested Interests.** The Participant's vested interest in his/her Employer Matching Contribution Account and his/her Employer Base Contribution Account shall be determined from the following table as of any date of reference:

<u>Participant's Years of Service</u>	<u>Participant's Vested Percentage</u>
Less than 5 Years of Service	0%
5 years but less than 6 years	50%
6 years but less than 7 years	60%
7 years but less than 8 years	70%
8 years but less than 9 years	80%
9 years but less than 10 years	90%
10 years or more	100%

**Sec. A-8.03 Forfeiture of Non-Vested Accounts.** Accounts of non-vested Participants shall be forfeited upon termination of employment and shall not be subject to reinstatement.

**Sec. A-8.04 Allocation of Forfeitures.** Any forfeitures arising under the Plan shall be used to reduce the Employer contributions as required to be made pursuant to Sec. A-3.01.

## ARTICLE A-IX METHODS AND TIMING OF BENEFIT DISTRIBUTIONS

**Sec. A-9.01 Forms of Benefit Payments.**

- (a) Normal Form of Benefits. Benefits shall normally be paid as a single lump sum distribution.

**Sec. A-9.02 Benefit Commencement Dates.**

- (a) Retirement Benefits. Benefits payable by reason of a Participant's retirement are payable as soon as administratively practicable following the Valuation Date of the Plan coincident with or next following the event entitling the Participant to such distribution. However, if a Participant does not submit a request describing the date that his benefit is to commence, the Participant will be deemed to have elected to postpone benefit commencement until the time such Participant elects (in the form and manner prescribed by the Plan Administrator) to commence benefit payments. Notwithstanding the foregoing, the Participant's Benefit Commencement Date shall in no event be later than his/her Required Beginning Date.

- (b) Death Benefits. Upon the beneficiary's election, benefits payable by reason of the death of the Participant shall commence and be paid within one (1) year of the date of the Participant's death in a single lump sum.
- (b) Deferred Vested Benefits. Benefits payable to a Participant by reason of a separation from service (other than due to retirement or death) prior to his/her retirement shall be payable, as of the date that would have been the Participant's Normal Retirement Age, and shall not, in any event, be deferred beyond the Participant's Required Beginning Date. Notwithstanding the foregoing, a terminated Vested Participant shall have the right to request a distribution of any benefit to which he/she is entitled pursuant to Article A-VIII as of any earlier Valuation Date coincident with or next following the date of such request, and the Plan Administrator shall have the right to pay any such benefit, if the Participant consents to such benefit distribution in writing. No distribution of such benefit shall occur prior to a termination of employment.

**Sec. A-9.03 Direct Rollover.**

- (a) In General. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this section, a Distributee may elect, at the time and in the manner prescribed by the Plan Administrator, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover.
- (b) For purposes of this section, the following definitions shall apply:
  - (1) "Eligible Rollover Distribution" is any distribution of all or any portion of the balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee or the joint lives (or joint life expectancies) of the Distributee and the Distributee's designated beneficiary, or for a specified period of ten (10) years or more; any distribution to the extent such distribution is required under Code section 401(a)(9); and the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities).

For purposes of the direct rollover provisions in this section of the Plan, a portion of a distribution shall not fail to be an Eligible Rollover Distribution merely because the portion consists of after-tax employee contributions that are not includible in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code or any qualified trust or Code section 403(b) plan that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

- (2) "Eligible Retirement Plan" is a qualified trust described in Code section 401(a), an individual retirement account described in Code section 408(a), an individual retirement annuity described in Code section 408(b), an annuity plan described in Code section 403(a), an annuity contract described in Code section 403(b), an eligible plan under section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this plan.
  - (3) "Distributee" includes a Participant or former Participant. In addition, the Participant's or former Participant's surviving spouse and the Participant's or former Participant's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code section 414(p), are Distributees with regard to the interest of the spouse or former spouse.
  - (4) "Direct Rollover" is a payment by the Plan to the eligible retirement plan specified by the Distributee or the Plan Administrator, if the Distributee does not make an election.
  - (5) Direct Rollovers may be made to a Roth IRA described in Section 408A of the Internal Revenue Code to the extent that the applicable requirements of Code section 408A are satisfied with respect to any direct rollover to such Roth IRA.
- (c) Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Non-spouse Beneficiary's election under this section, a Nonspouse Beneficiary may elect to have any portion of a Plan distribution (that is payable to such Non-spouse Beneficiary due to a Participant's death) paid in a direct trustee-to-trustee transfer to an individual retirement account described in Code section 408(a) or to an individual retirement annuity described in Section 408(b) (other than an endowment contract) that has been established for the purposes of receiving the distribution on behalf of such Non-spouse Beneficiary. For these purposes, a "Non-spouse Beneficiary" is an individual who is a designated beneficiary (as defined by Section 401(a)(9)(E) of the Internal Revenue Code) of a Participant and who is not the surviving spouse of such Participant.

#### **Sec. A-9.04 Required Distributions.**

- (a) Notwithstanding any other provision of this Plan, the entire benefit of any Participant who becomes entitled to benefits prior to death shall be distributed either:
  - (1) not later than the Required Beginning Date, or

- (2) over a period beginning not later than the Required Beginning Date and extending over the life of such Participant or over the lives of such Participant and a designated Beneficiary (or over a period not extending beyond the life expectancy of such Participant, or the joint life expectancies of such Participant and a designated Beneficiary).

If a Participant who is entitled to benefits under this Plan dies prior to the date when the entire interest has been distributed after distribution of the benefits has begun in accordance with paragraph (2) above, the remaining portion of such benefit shall be distributed at least as rapidly as under the method of distribution being used under paragraph (2) as of the date of the death.

- (b) If a Participant who is entitled to benefits under this Plan dies before distribution of the benefit has begun, the entire interest of such Participant shall be distributed within five (5) years of the death of such Participant, unless the following sentence is applicable. If any portion of the Participant's interest is payable to (or for the benefit of) a designated Beneficiary, such portion shall be distributed over the life of such designated Beneficiary (or over a period not extending beyond the life expectancy of such Beneficiary), and such distributions begin not later than one (1) year after the date of the Participant's death or such later date as provided by regulations issued by the Secretary of the Treasury, then for purposes of the five-year rule set forth in the preceding sentence, the benefit payable to the Beneficiary shall be treated as distributed on the date on which such distributions begin. Provided, however, that notwithstanding the preceding sentence, if the designated Beneficiary is the surviving spouse of the Participant, then the date on which distributions are required to begin shall not be earlier than the date upon which the Participant would have attained age seventy and one-half (70½) and, further provided, if the surviving spouse dies before the distributions to such spouse begin, this subparagraph shall be applied as if the surviving spouse were the Participant.
- (c) For purposes of this section, the following definitions and procedures shall apply:
  - (1) "Required Beginning Date" shall mean April 1 of the calendar year following the later of the calendar year in which the Participant attains age seventy and one-half (70½), or the calendar year in which the Participant retires.
  - (2) The phrase "designated Beneficiary" shall mean any individual designated by the Participant under this Plan according to its rules.
  - (3) Any amount paid to a child shall be treated as if it had been paid to the surviving spouse if such amount will become payable to the surviving spouse upon such child's reaching majority (or other designated event permitted under regulations issued by the Secretary of the Treasury).
  - (4) For purposes of this section, the life expectancy of a Participant or the Participant's spouse (other than in the case of a life annuity) may be re-determined but not more frequently than annually.



- (d) General Rules. The requirements of this Section A-9.04 will take precedence over any inconsistent provisions of the Plan. All distributions required under this Section A-9.04 will be determined and made in accordance with Section 401(a)(9) of the Internal Revenue Code and the Treasury regulations thereunder, and the Employer's good faith interpretation of such Code and Regulations.

**Sec. A-9.05 Veterans' Survivor Benefits.** Notwithstanding any other provision of the Plan to the contrary, in the case of the death of a Participant while performing qualified military service (as defined in Code section 414(u)), the survivors of the Participant are entitled to any additional benefits under the Plan (if any, other than benefit accruals related to the period of such service which wouldn't otherwise be credited) had the Participant resumed and then terminated employment on account of death.

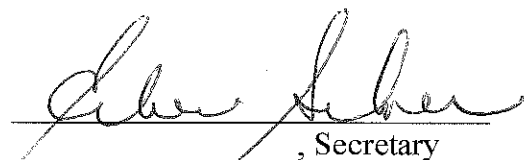
#### **ARTICLE A-X ADMINISTRATION**

The Plan is administrated in accordance with Article XII and Article XV of the Non-Uniformed Employees' Pension Plan of the Township of Northampton. In order to maintain the terms of the Plan in a single document, this Amendment may be incorporated into the most recent restatement of the Plan.

In all other respects the Non-Uniformed Employee's Pension Plan of Northampton Township is continued in full force and effect.

**ORDAINED AND ENACTED** by the Board of Supervisors of Northampton Township this 28<sup>th</sup> Day of January 2015.

#### **BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP**

  
\_\_\_\_\_, Secretary

  
\_\_\_\_\_, Chairman

ORDINANCE NO. 581

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, FOR THE  
PURPOSE OF ADDING AND AMENDING SECTIONS RELATED TO  
PROHIBITED PARKING AND ESTABLISHING PENALTIES AND CHAPTER  
16, PARKS AND RECREATION, FOR THE PURPOSE OF AMENDING RULES  
RELATED TO PARKS AND RECREATION**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations**, is hereby amended to add the following to **Section §15-403., Parking Prohibited in Certain Locations, Certain Days and Hours**. All other language of said section shall remain unchanged.

**§15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.**

Street	Side	Between	Days	Hours
Revere Drive	East	125 feet north and 250 feet south of Marion Court	School Days	9 a.m. to 12 p.m.

**SECTION 2. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations**, is hereby amended to delete **Section §15-412., Penalties.**, and to rewrite it as follows:

**§15-412. Penalties.**

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the appropriate official all violations of any provision of this Part indicating, in each the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report

to the office of the Chief of Police and pay the sum of \$15 within 48 hours after the time of the notice that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this Section.

**SECTION 3. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property,** is hereby amended to delete **Section §16-101.L., Unlawful Activities.,** and to rewrite it as follows:

**§16-101.L. Unlawful Activities.**

L. Take part in or abet the playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins, horseshoes, quoits, model airplanes, drones, unmanned aerial vehicles, or similar flying vehicles, except in those areas set apart for such forms of recreation. Games such as football, baseball, golf and lacrosse are prohibited except on the fields and courts or areas provided expressly therefor. The athletic fields, courts, and field equipment are to only be used for their intended purposes unless prior approval is granted.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 5. REPEALER.**

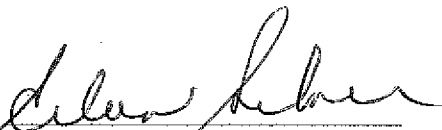
All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 22<sup>nd</sup> day of July, 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Barry Moore, Chairman

ATTEST:   
Eileen Silver, Secretary

6/24/15

**ORDINANCE NO. 5167**

**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 2, ANIMALS, CHAPTER 13, LICENSES, PERMITS  
AND GENERAL BUSINESS REGULATIONS, CHAPTER 15, MOTOR  
VEHICLES AND TRAFFIC, AND CHAPTER 21, STREETS AND SIDEWALKS,  
FOR THE PURPOSE OF ADDING, DELETING, AND AMENDING SECTIONS  
RELATED TO STRAY ANIMALS, TOWNSHIP ADDRESSES, PEDDLING AND  
SOLICITING, METERD PARKING, OBSTURCTIONS AND OVERHANGING  
VEGETATION, AND VIOLATIONS AND PENALTIES**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 2, ANIMALS, Part 2, Other Animals,** is hereby amended to add **Section §2-201.A., Stray Animals.**

**§2-201.A. Stray Animals.**

It is unlawful for any person to feed stray/homeless animals. The presence of stray animals should be reported to the Northampton Township Police Department or the Code Enforcement Department. Concerned citizens may humanely trap stray animals and deliver them to an animal control shelter.

**SECTION 2. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 1, Alarm System Registration, Section §13-105.1., Violations and Penalties.,** is hereby amended to delete *55 Township Road* and replace it with *50 Township Road.*

**SECTION 3. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-313., Violations and Penalties.,** is hereby deleted and rewritten as follows:

**§13-313. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall

voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the ~~manner provided for the enforcement of summary offenses under the~~ Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 4. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 5, On-Street Metered Parking, Part 6, Off-Street Metered Parking, and Part 7, Off-Street Unmetered Parking, are hereby deleted and marked as *Reserved*.**

**SECTION 5. CHAPTER 21, STREETS AND SIDEWALKS, Part 1, Openings and Excavations, Section §21-114., Obstructions; Overhanging Vegetation is hereby deleted and rewritten as follows:**

**§21-114. Obstructions; Overhanging Vegetation.**

1. It shall be unlawful for any person or persons to erect, set up, place or maintain any gasoline pump, oil tank or other obstructions, including, but not limited to, dumpsters, trailers, pods or other similar obstructions that are deemed a hazard, or to plant any trees, shrubbery or similar obstruction within the boundaries of any public highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Northampton.
2. Trees and hedges overhanging the sidewalk and/or roadway shall be trimmed to provide clear passage of not less than 12 feet above the sidewalk or roadway. In addition, all obstructions at intersections that create visibility problems, as determined by the Code Enforcement Officer or Police Department, shall be removed.
3. Any such obstruction shall be removed promptly by the property owner whenever notice to remove such obstruction is given by the Zoning/Code Enforcement Director and/or the Police Department. If the owner fails to comply with such notice, the Township may remove the obstruction and charge the cost thereof to the owner.

4. No commercial vehicle may be parked on a Township street except for service and delivery to said residence. A commercial vehicle shall be defined as any means of conveyance as defined as such in the Pennsylvania Vehicle Code, 75 Pa. C.S.A. §102, as amended: bus, combination, farm vehicle, limousine, semitrailer, special mobile equipment, taxi, trailer, truck and wrecker, or similar vehicle, which exceeds 22 feet in length and/or 12,000 pounds.

**SECTION 6. CHAPTER 21, STREETS AND SIDEWALKS, Part 2, Snow and Ice Removal, Section §21-203.2.** is hereby amended to delete *55 Township Road* and replace it with *50 Township Road*. *\$15* is hereby deleted and replaced with *\$25*.

**SECTION 7. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

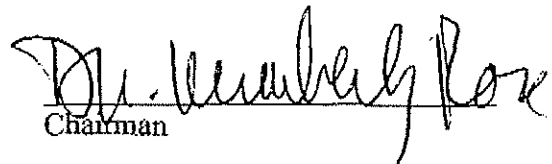
**SECTION 8. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED and ENACTED** by the Board of Supervisors of Northampton Township

this 11<sup>th</sup> day of December, 2013.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Chairman

ATTEST: 

10/14/13

ORDINANCE NO. 568

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 22, KNOWN AS THE NORTHAMPTON  
TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, FOR  
THE PURPOSE OF AMENDING APPENDIX 22-A TO ADD A LIGHTING PLAN  
TO THE VILLAGE OVERLAY DESIGN STANDARDS

NOW, THEREFORE, BE IT ENACTED and ORDAINED by the Board of  
Supervisors of Northampton Township as follows:

**SECTION 1. APPENDIX 22-A, Village Overlay Design Standards,** is hereby  
amended to add the following document prepared by Gilmore & Associates, Inc:

1. Historic Street Light Implementation Plan – Dated 2/20/05 (revised 4/05)

**SECTION 2. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be  
declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such  
declaration shall not prevent or otherwise foreclose enforcement of any of the remaining  
portions of this ordinance.

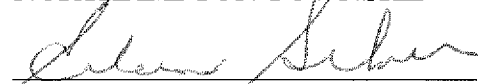
**SECTION 3. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the  
specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are  
hereby specifically repealed.


**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 26<sup>th</sup> day of February, 2014.

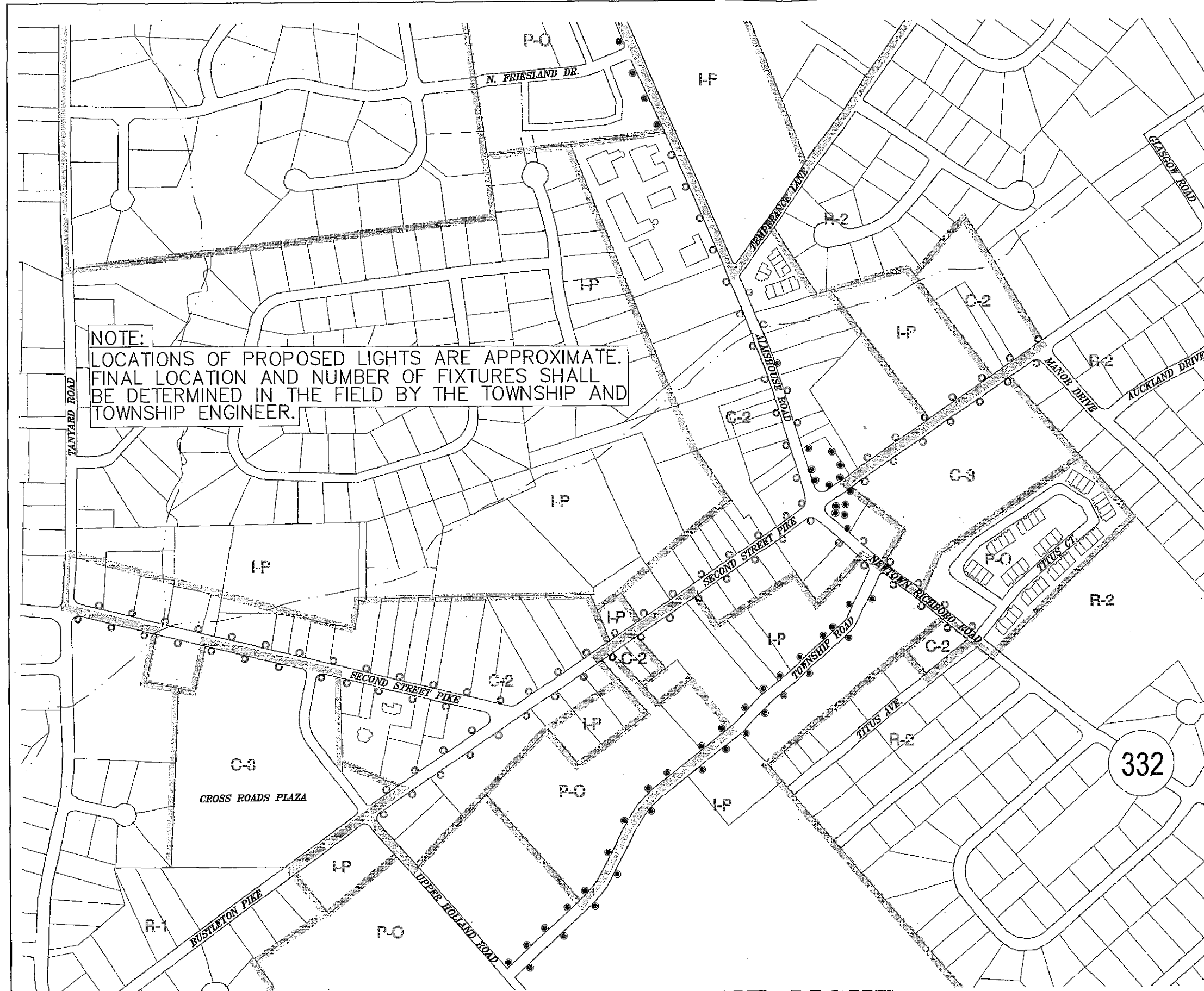
BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

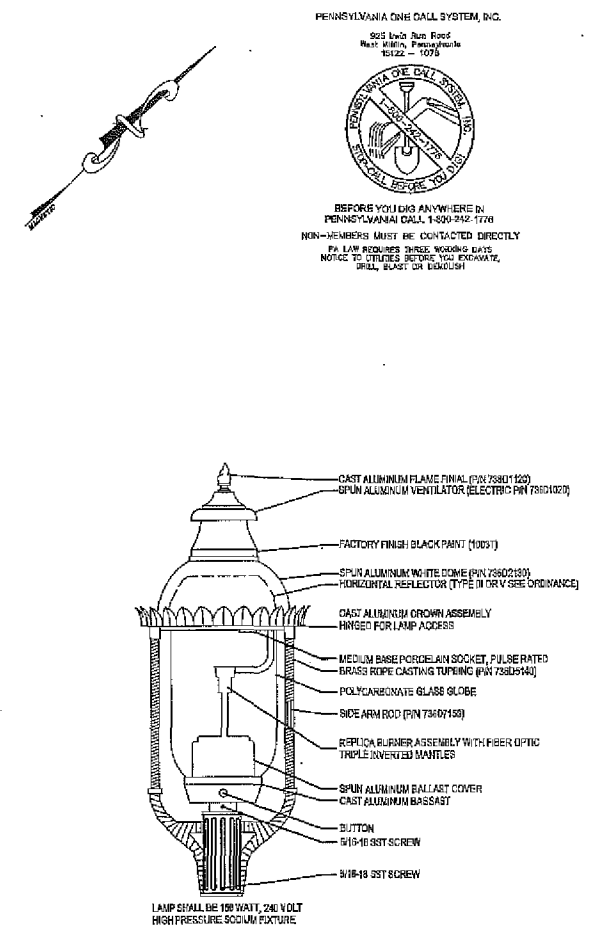
ATTEST:

  
Larry Weinstein Secretary





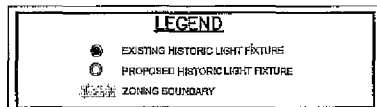
**NOTE:**  
LOCATIONS OF PROPOSED LIGHTS ARE APPROXIMATE.  
FINAL LOCATION AND NUMBER OF FIXTURES SHALL  
BE DETERMINED IN THE FIELD BY THE TOWNSHIP AND  
TOWNSHIP ENGINEER.



LIGHT FIXTURE SHALL BE MANUFACTURED BY THE PENNSYLVANIA  
 GLOBE GASLIGHT COMPANY, 300 BROADWAY, NORTH BAYFORD,  
 OHIO 44064. (283464-770). MODEL "GLOBE" OR APPROVED  
 EQUAL. LIGHT POST SHALL BE MANUFACTURED BY THE PENNSYLVANIA  
 GLOBE GASLIGHT COMPANY, TRADITIONAL FLUTED POST (FIN 75801103) OR  
 APPROVED EQUAL. LIGHT FIXTURE SHALL BE MOUNTED AT A  
 HEIGHT OF TWELVE (12) FEET. ALL OTHER INSTALLATION REQUIREMENTS  
 SHALL CONFORM WITH THE NORTHAMPTON TOWNSHIP ORDINANCES.

**LIGHT FIXTURE DETAIL**

**NOTE:**  
 WHERE PROPOSED LIGHTING CAN NOT BE PLACED AS SHOWN ON THIS PLAN DUE TO EXISTING  
 PHYSICAL INFRASTRUCTURE (OVERHEADS, UTILITIES, SIGNAGE, ETC.) THE LIGHTING SHALL BE  
 INSTALLED AS CLOSE TO THE LOCATION SHOWN AS POSSIBLE TO ENSURE UNIFORM LIGHTING  
 DISTRIBUTION. THE PROPOSED LIGHTING SHALL NOT BE SPACED AT INTERVALS GREATER THAN 176  
 FEET APART, AND NOT LESS THAN 143 FEET. WHERE EXISTING LIGHTING FIXTURES EXIST, THEY  
 SHALL BE REPLACED WITH THE SPECIFIED LIGHTING FIXTURE EXCEPT WHEN THE LIGHTING FIXTURE  
 IN QUESTION IS INSTALLED AS A MEANS OF SECURITY LIGHTING.  
 THE LOCATION OF EXISTING LIGHTING IS APPROXIMATE



**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

FEBRUARY 20, 2005  
 REVISED: APRIL 2005



**GILMORE & ASSOCIATES, INC.**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 200 EAST BUCKLE HILL ROAD, SUITE 100, PLYMOUTH, PA 19002  
 104 WEST MAIN STREET, SUITE 100, TOWNE, PA 19006  
 701 EAST BALTIMORE PIKE, SUITE F, KENNY SQUARE, PA 19350



**HISTORIC STREET LIGHT  
IMPLEMENTATION PLAN**

ORDINANCE NO. 569

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 27, KNOWN AS THE NORTHAMPTON  
TOWNSHIP ZONING ORDINANCE, FOR THE PURPOSE OF AMENDING  
SECTIONS RELATED TO THE PLANNED INDUSTRIAL/OFFICE  
DISTRICT (I-1)

NOW, THEREFORE, BE IT ENACTED and ORDAINED by the Board of Supervisors of Northampton Township as follows:

SECTION 1. PART 6, I-1 Planned Industrial/Office District, is hereby amended as follows:

**§27-601. Specific Intent.**

It is the intention of Northampton Township for this district to be a thriving business and technology center to further enhance the local and regional economy. It is further a goal and objective to provide adequate sites for selected industrial uses which will not cause adverse environmental impacts. It is further the specific intent to encourage development that is compatible, unified, and coordinated for all members of the center.

**§27-602. Use regulations.**

Use regulations in the I-1 District shall be as follows:

A. *Uses by Right.* The following uses are permitted by right:

- (1.) Administrative and business offices.
- (2.) Medical and professional offices.
- (3.) Medical research, pharmaceutical, scientific, and laboratory facilities.
- (4.) Printing and publishing plants.
- (5.) Packaging and final assembly uses.
- (6.) Wholesale storage, distribution, and warehousing, provided all products are contained in a fully enclosed structure.
- (7.) Light manufacturing uses; excluding the manufacturing of new products from raw materials and textiles.
- (8.) Construction trade shops, including builders, plumbers, electricians, earthmovers, and utility contractors.

- (9.) Motor and automotive repair and assembly.
- (10.) Municipal uses.
- (11.) Bank or financial establishment.
- (12.) Restaurant/Eating place.
- (13.) Daycare and childcare facility.
- (14.) Personal service shops, specifically limited to the following uses and no others:
  - (a.) Pick up and delivery shops for dry cleaning.
  - (b.) Shipping and mail service uses.
  - (c.) Hair styling.
  - (d.) Nail shops.
  - (e.) Tailor shops.

B. *Conditional Uses.* The following conditional uses may be permitted or may be denied by the Board of Supervisors, subject to the provisions of Sections §27-901, 27-902, and 27-903 of this Code and subject to each specific conditional use requirement listed herein:

- (1.) Adult uses.
- (2.) Any storage of fireworks, explosives and the like.
  - (a.) Use shall be located in a freestanding building having no other occupants.
  - (b.) Lot size – Six (6) acre minimum.
  - (c.) Minimum front, side, and rear yard distances – 250 feet each.
  - (d.) Use shall meet the requirements of §27-1103.3.A. of this Chapter and all applicable State and Federal regulations, which shall be submitted with the conditional use filing.
- (3.) Heliport (private or public).
  - (a.) Minimum front, side, and rear yards – 300 feet each for any landing pads.
  - (b.) Approach zone studies and an analysis of operational hours and environmental noise impact studies shall be required. In addition, all State and Federal requirements shall be satisfied, and proof of Federal Aviation Administration regulation conformance shall be submitted to the Township at the time the applicant files the conditional use application.

- (4.) Telecommunications facility, subject to the provisions of §27-1116, 27-1123 and the specific criteria listed below:
  - (a.) The applicant shall present a site plan showing the following items:
    - 1.) Locations of all existing uses and proposed telecommunications facilities.
    - 2.) Elevations of any existing uses and proposed telecommunications facilities.
    - 3.) Vehicular access, fencing and any easements for access and utilities.
  - (b.) The telecommunications facility shall comply with all State and Federal laws and regulations concerning aviation safety.
- (5.) Hotel/motel.

C. *Uses by Special Exception.*

- (1.) The following uses shall be permitted by special exception when approved by the Zoning Hearing Board:
  - (a.) Dry-cleaning plant.
  - (b.) Incineration or reduction of garbage.
  - (c.) Leather processing.
  - (d.) Heavy manufacturing, including, but not limited to the manufacturing of asphalt, cork, explosives, fertilizer, illuminating gas, glue, ink, iron or steel (including rubber and synthetic processing), soap and petroleum refining, and other similar heavy manufacturing as determined by the Township.
  - (e.) Manufacturing, processing or storage of chemicals.
  - (f.) Quarry; stone processing.
  - (g.) Storage of crude oil or any of its volatile products or other flammable liquids.
  - (h.) Wood or wood pulp processing.
  - (i.) Other similar types of uses not specifically noted herein.
- (2.) Special exception uses are subject to the specific criteria listed below:
  - (a.) Such uses shall be located in a separate freestanding building having no other occupants on a lot having not less than 5 acres in area and a lot width of not less than 400 feet, with front, side and rear yards of not less than 100 feet each and with total impervious surface coverage not to exceed 40 percent of the lot.

- (b.) An environmental impact study will be required for any use involving the handling of raw materials which appear on the Environmental Protection Agency's or Department of Environmental Protection's hazardous and toxic materials list.
- (c.) Specific air pollution and/or groundwater pollution control devices shall be in accordance with Environmental Protection Agency and Pennsylvania Department of Environmental Protection's requirements. The applicant shall submit device plans and the approved permit to the Township with the special exception application.
- (d.) Copies of Environmental Protection Agency or Department of Environmental Protection's permits or evidence of application for Environmental Protection Agency and Department of Environmental Protection's permits shall be required for specific uses.

D. *Accessory Uses.* Any use which is customarily incidental and subordinate to the above permitted uses and is located on the same lot or parcel; provided, that:

- (1.) Storage and dispensing of any volatile oil product or any possible and/or highly flammable liquid where such storage is in minor quantities and it is required as an incidental use for any use noted above shall be stored in a manner approved by the Fire Marshal.
- (2.) Any outdoor storage, including temporary storage of materials and equipment, must be fully fenced with a solid-type fencing and other material, which fully screens such storage from adjacent properties. If applicable, storage must be in accordance with the approved land development plan. No storage shall be located past the front façade of the building.
- (3.) Retail sales are permitted, provided that such use does not exceed a maximum of ten (10) percent of gross floor area of the building. There shall be no retail sales outside of the building.

**§27-603. Area and Development Regulations.**

- A. Any use allowed in the Planned Industrial/Office District will be permitted only after an adequate water supply and a satisfactory method of sewage and wastewater treatment have been both approved by the Pennsylvania Department of Environmental Protection and the Bucks County Health Department.
- B. The following development regulations shall apply:
  - (1.) Minimum overall site area for planned industrial office use: 10 acres.
  - (2.) Minimum lot area for individual principal buildings within the above site: 2 acres.
  - (3.) Minimum lot width at building setback line: 200 feet.
  - (4.) Minimum lot width at the street right-of-way line (for cul-de-sacs only): 75 feet.
  - (5.) Maximum building coverage: 30 percent of lot area.
  - (6.) Maximum impervious surface ratio: 70 percent of lot area.
  - (7.) Minimum setback for principal or accessory structure from any street: 100 feet.
  - (8.) Minimum yard required (side or rear) abutting an agricultural or residential district: 75 feet.
  - (9.) Minimum side or rear yard not abutting any agricultural or residential district: 40 feet.
- C. A buffer area (see Part 11) shall be required along any property line abutting any other zoning district.

**§27-604. Off-Street Parking and Loading.**

- A. Separate off-street storage spaces shall be provided for each delivery vehicle or other vehicle routinely stored on the site (where permitted). Such spaces shall not qualify as off-street parking spaces otherwise required by §27-1110 of this Code.

B. Off-street loading shall be in accordance with Part 11.

**SECTION 2. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

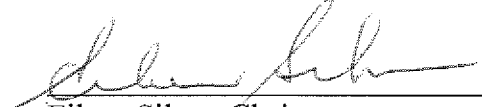
**SECTION 3. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 26<sup>th</sup> day of February, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

ATTEST:

  
Larry Weinstein, Secretary

1/15/14

Ordinance Number 570

AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, CREATING A VETERANS ADVISORY COMMISSION; PROVIDING FOR THE MEMBERSHIP, RESIDENCY AND COMPENSATION OF THE MEMBERS; PROVIDING FOR THE ELECTION OF OFFICERS; AND SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION.

WHEREAS, the Board of Supervisors of Northampton Township desires to create a permanent Veterans Advisory Commission to advise and assist the Board in those areas that affect the veterans and active-duty military communities of Northampton Township; and

WHEREAS, the Veterans Advisory Commission will work to create awareness of the issues faced by veterans, active-duty members of the military and their families; provide support to veterans and military families in the community; develop methods to recognize the service of veterans and resident military; and provide a forum for veterans and their families to provide feedback on issues that affect their lives; and

WHEREAS, the Board of Supervisors of Northampton Township now desires to formally establish a Veterans Advisory Commission and specifically set forth its duties and responsibilities; and

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Northampton Township, Bucks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

- I. The Code of Ordinances of Northampton Township at Part 1, Administration and Government is hereby amended to add a new Chapter 7 entitled "Veterans Advisory Commission," which reads as follows:

**Chapter 7 - Veterans Advisory Commission**

**§7-1 Establishment of Commission.** There is hereby created the Veterans Advisory Commission of Northampton Township which shall be an advisory Commission to the Board of Supervisors.

**§7-2 Membership.** The Veterans Advisory Commission shall consist of seven (7) members who shall be appointed by a voting majority of the Board of Supervisors for staggered terms of three (3) years. Initial terms of appointment will have three members (3) serving three-year terms, two (2) members serving two-year terms, and two (2) members serving one-year terms.

**§7-3 Residency and Compensation.** All members of the Veterans Advisory Commission shall be residents of Northampton Township and serve without compensation other than for such expenses in connection with their duties on said Commission, as the Board of Supervisors shall approve in advance.

**§7-4 Quorum; Taking Action.** A quorum shall consist of four (4) members. Actions may only be taken by affirmative vote of a quorum of the Commission.

**§7-5 Election of Officers.** The Veterans Advisory Commission shall elect from its members, at the first meeting thereof, and at the annual meeting in January of each and every year thereafter,



a Chairman, Vice Chairman, Secretary and such other officers as the said Commission may deem necessary, by a majority vote of the members present at such meeting constituting a quorum. Notice of the annual meeting shall be sent to each member by the Secretary at least five (5) days prior to said meeting. Regular or special meetings shall convene at the call of the Chairman, or in such other manner as the members may, by a majority vote, designate, or at the request of the Board of Supervisors.

**§7-6 Duties and Responsibilities.** The Veterans Advisory Commission shall undertake the following duties and responsibilities in connection with advising the Board of Supervisors on issues faced by resident veterans and active-duty personnel; and provide support to veterans and military families in the community:

- (A) Manage the Township Patriots Flag Program, Memorial Day ceremony, Flag Day ceremony, Veterans Day ceremony, and other patriotic programs
- (B) Recommend plans and programs for the support of Township veterans and their families whenever feasible.
- (C) Implement veteran-related tasks as requested by the Board of Supervisors in accordance with the purposes of the Commission.

**§7-7 Meetings.** The Veterans Advisory Commission shall meet at least quarterly throughout the calendar year. The Secretary shall prepare minutes of each meeting and, upon approval, forward a copy to the Board of Supervisors.

**§7-8 Reports.** The Veterans Advisory Commission shall make such reports from time to time as requested by the Board of Supervisors.


- II. All Ordinances unaffected by this Ordinance are declared to be in full force and effect. Any provisions of other Ordinances and Resolutions inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.
- III. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code of Ordinances of Northampton Township.

ORDAINED AND ENACTED this 23<sup>rd</sup> day of January 2014.

ATTEST:

  
Larry Weinstein, Secretary

NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PENNSYLVANIA**

**Ordinance Number 571**

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, DESIGNATING AN AREA OF THE TOWNSHIP IN WHICH NEW CONSTRUCTION OF INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY AND IMPROVEMENTS TO INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY ARE ELIGIBLE FOR A TAX EXEMPTION PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT, AS AMENDED; PROVIDING FOR AN EXEMPTION ON THE ASSESSMENT ATTRIBUTABLE TO THE ACTUAL COST OF SUCH NEW CONSTRUCTION OR IMPROVEMENTS; AND PROVIDING FOR THE EFFECTIVENESS OF THIS ORDINANCE**

**WHEREAS**, the General Assembly of Pennsylvania passed Act No. 76 of 1977 (72 P.S. §4722 et seq.), known as the Local Economic Revitalization Tax Assistance Act (LERTA), which authorizes local taxing authorities to exempt from real property taxation, within certain limitations, the assessed valuation of improvements to, and new construction of, industrial, commercial and other business property in areas designated for such purpose by the governing body of the appropriate city, borough, incorporated town or township; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton, being a "municipal governing body" within the meaning of LERTA, proposes to establish an area within the boundaries of the Township as an area in which such tax exemption may be granted by the local taxing authorities; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton held a public hearing for the purpose of determining the boundaries of the designated area in which such exemptions may be granted by the local taxing authorities; and

**WHEREAS**, the Board of Supervisors of the Township of Northampton with due consideration having been given to the recommendations and comments made at such public hearing by the local taxing authorities and other knowledgeable and interested public and private agencies and individuals regarding the establishment of the boundaries of an area in the Township within its jurisdiction may grant tax exemption to new construction or improvements to industrial, commercial, and other business property in accordance with LERTA, has determined that the area hereinafter designated meets one or more of the criteria under the Act.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, and it is enacted and ordained by the Board of Supervisors of the Township of Northampton, Bucks County, Pennsylvania that Chapter 24 of the Northampton Township Code of Ordinances is hereby amended to add the following:

**Part 4 – Local Economic Revitalization Tax Assistance Act (LERTA)**

**§24-401 Definitions.** As used in this ordinance, the following words and phrases shall have the meaning set forth below:

"Act" or "LERTA" - Local Economic Revitalization Tax Assistance Act of the Commonwealth, Act No. 1977-76, as amended;

"Board of Supervisors" – The Board of Supervisors of Northampton Township

"Commonwealth" – the Commonwealth of Pennsylvania;

"County" – County of Bucks, Pennsylvania, acting by and through its Board of County Commissioners, or, acting by and through its authorized representatives

"Designated Area" – the area within the Township identified in this Ordinance;

"Eligible Property" – any industrial, commercial or other business property located in the Designated Area;

"Improvement" – repair, construction, or reconstruction, including alterations and additions, having the effect of rehabilitating any industrial, commercial or other business property owned by any individual, association or corporation and located in the Designated Area; "Improvements" does not include any ordinary upkeep or maintenance;

"Local Taxing Authorities" – the Township of Northampton, the County of Bucks, and the Council Rock School District

"Person" – any individual, partnership, company, association, society, trust, corporation, municipality, municipal authority, or other group or entity;

"School District" – Council Rock School District, Bucks County, Pennsylvania, acting by its Board of School Directors, or, in appropriate cases, acting by and through its authorized representatives

"Township" – Township of Northampton, Bucks County, Pennsylvania, acting by and through its Board of Supervisors, or acting by and through its authorized representatives

**§24-402 Designated Area.**

- (A) The Township does hereby designate the area within the following boundaries as determined within the meaning of the Act, and one in which the Local Taxing Authorities may grant a tax exemption pursuant to the provisions of the Act: All properties within the I-1 zoning district; the areas bounded by the Richboro Village Overlay District; the areas bounded by the Holland Village Overlay District; and the Spring Mill Country Club property as shown on the map attached hereto as "Exhibit A".

- (B) Any discrepancy between the description of the Designated Area in this section and the area designated in the LERTA District Resolution shall be resolved in favor of the LERTA District Resolution, it being the intent of the Township to grant exemption to all new construction and Improvements to Eligible Property within the area designated by the Resolution.

**§24-403 Exemption Amount.**

- (A) There is hereby exempted from all real estate property taxes that portion of additional assessment attributable to the actual costs of new construction or Improvements to Eligible Property for which proper application has been made in accordance with this Ordinance.
- (B) The exemption authorized by this Ordinance shall be in accordance with the provisions and limitations hereinafter set forth.
- (C) The schedule of real property taxes to be exempted shall be in accordance with the following percentage of the assessed valuation of new construction or Improvements to Eligible Property:

<u>Tax Year(s) Following Completion of Construction</u>	<u>Exemption Portion of Assessed Valuation</u>
1	100%
2	100%
3	100%
4	100%
5	100%

- (D) A tax exemption granted under this Ordinance shall become effective for a five (5) year period from the date of issuance of a Certificate of Occupancy for any Improvements.
- (E) A tax exemption granted under this Ordinance shall not terminate upon the sale or exchange of the property.
- (F) Any Person who is an owner of Eligible Property and who desires tax exemption pursuant to this Ordinance shall apply in writing for such exemption on a form to be provided by the Township at the principal office of the Township, and must be received by the Township within sixty (60) days following the date of issuance of a building permit for any new construction or Improvements.
- (G) The Township shall make available to any Person desiring to apply for a tax exemption in accordance with this Ordinance an application form (the "Application") which shall require such Person to supply the following information:
- The name of the owner or owners of the Eligible Property;

- ii. The location of the Eligible Property, including the tax parcel identification number assigned to such property for real property tax purposes;
- iii. The type of new construction or Improvements to be made on the Eligible Property;
- iv. The nature of the Improvements to be made on the Eligible Property;
- v. The date on which the relevant building permit was issue, the date on which construction commenced or the estimated date on which it shall commence;
- vi. The cost or estimated cost of the new construction or Improvements;
- vii. Such additional information as the Township may reasonably require.

(H) The appropriate official of the Township shall forward a copy of such completed Application to the County and School District within thirty (30) days following the date on which such Application is filed.

(I) The cost of new construction or Improvements to be exempted and the schedule of taxes exempted at the time of an initial request for tax exemption made in accordance with the provisions of this Ordinance shall be applicable to that exemption request, and any subsequent amendment to this Ordinance, if any, shall not apply to Applications filed with the Township prior to their adoption.


**§24-406 Expiration.** The provisions of this Ordinance shall expire upon the fifth (5<sup>th</sup>) anniversary of its enactment, unless extended by ordinance duly adopted. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according to the exemption schedule even if this Ordinance expires or is repealed.

**§24-404 Severability.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being intent of the Township that such remainder shall be and shall remain in full force and effect.

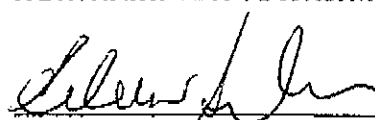
**§24-407 Effective Date.** This Ordinance shall become effective immediately.

ORDAINED AND ENACTED this 27<sup>th</sup> day of August, 2014.

ATTEST:

  
Larry Weinstein, Secretary

NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

**ORDINANCE NO. 572****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 2, ANIMALS, CHAPTER 6, CONDUCT, CHAPTER  
10, HEALTH AND SAFETY, CHAPTER 13, LICENSES, PERMITS AND  
GENERAL BUSINESS REGULATIONS, CHAPTER 15, MOTOR VEHICLES  
AND TRAFFIC, CHAPTER 16, PARKS AND RECREATION, AND CHAPTER  
21, STREETS AND SIDEWALKS, FOR THE PURPOSE OF ADDING,  
DELETING, AND AMENDING SECTIONS RELATED TO  
SOLICITING AND VIOLATIONS AND PENALTIES**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 2, ANIMALS, Part 2, Other Animals**, is hereby amended to delete **Section §2-205., Violations and Penalties.**, which is rewritten as follows:

**§2-205. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 2. CHAPTER 6, CONDUCT, Part 1, D. Enforcement,** is hereby amended to delete **Section §6-142., Violations and Penalties.,** which is rewritten as follows:

**§6-142. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 3. CHAPTER 10, HEALTH AND SAFETY, Part 2, Air Pollution Control,** is hereby amended to delete **Section §10-206., Penalties.,** which is rewritten as follows:

**§10-206. Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.
3. The Board may institute an action in equity for an injunction to restrain any violation of this Part.

**SECTION 4. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 1, Alarm System Registration, is hereby amended to delete Section §13-105., Violations and Penalties., which is rewritten as follows:**

**§13-105. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.



**SECTION 5. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting,** is hereby amended to delete **Section §13-313., Violations and Penalties.,** which is rewritten as follows:

**§13-313. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 6. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations,** is hereby amended to delete **Section §15-412., Penalties.,** which is rewritten as follows:

**§15-412. Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.

2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 7. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property, is hereby amended to delete Section §16-106., Violations and Penalties., which is rewritten as follows:**

**§16-106. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 8. CHAPTER 21, STREETS AND SIDEWALKS, Part 1, Openings and Excavations,** is hereby amended to delete **Section §21-119., Violations and Penalties.,** which is rewritten as follows:

**§21-119. Violations and Penalties.**

1. In the event of a violation of this Part, any police officer of the Township of Northampton may present to the owner, tenant or occupant a notice indicating the nature of the offense and bearing the statement that no prosecution shall be instituted for 48 hours hereafter if, during said 48-hour period, the offender shall voluntarily appear at the office of the Police Department of the Township of Northampton, 50 Township Road, Richboro, Pennsylvania 18954, and voluntarily enter a plea of guilty and pay a penalty of \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense to the Township. In the event such persons fail to comply with such notice, the offense will thereafter be prosecuted and the penalty collected in a manner prescribed by existing laws.
2. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

**SECTION 9. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 10. REPEALER.**

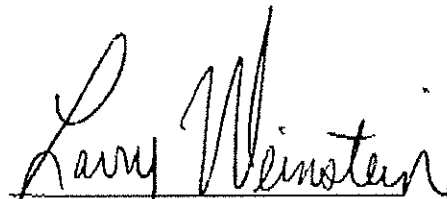
All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 17<sup>th</sup> day of September, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
Larry Weinstein, Secretary

  
Eileen Silver, Chairman

**ORDINANCE NO. 573****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, BY ESTABLISHING SPEED LIMITS ON UPPER HOLLAND ROAD, EAST HOLLAND ROAD AND KNOWLES AVENUE**

**IT IS ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 2, Traffic Regulations, Section §15-201., Maximum Speed Limits Established on Certain Streets,** is hereby amended by deleting the following streets and rewriting them as follows:

<u>Street</u>	<u>Between</u>	<u>Direction of Travel</u>	<u>Maximum Speed Limit</u>
East Holland Road	Entire Length	All	35
Knowles Road	Entire Length	All	35
Upper Holland Road	Entire Length	All	35

**SECTION 2. SEVERABILITY**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 3. REPEALER**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED and ENACTED** by the Board of Supervisors of Northampton Township this 19<sup>th</sup> day of November, 2014.

ATTEST:

  
Larry Weinstein, Secretary**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**  
Eileen Silver, Chairman

**ORDINANCE NO. 574****NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA****AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 13, LICENSES, PERMITS AND GENERAL  
BUSINESS REGULATIONS, AND CHAPTER 16, PARKS AND RECREATION,  
FOR THE PURPOSE OF ADDING, DELETING, AND  
AMENDING SECTIONS RELATED TO SOLICITING**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-303., Application for License., is hereby amended to add subsection 1.G. and 4:**

- G. A statement permitting the Township to conduct both a criminal background check and a Child Abuse Clearance Check of the applicant and any other person assisting in soliciting and/or peddling in the Township.
- 4. All peddling and soliciting is subject to the requirements of Section §16-104.

**SECTION 2. CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, Part 3, Peddling and Soliciting, Section §13-306., Hours of Conduct of Business., is hereby amended to delete "8 p.m." and replace it with "Sunset."**

**SECTION 3. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property, is hereby amended to delete Section §16-104., Soliciting Prohibited., and to rewrite the section as follows:**

**§16-104. Parks and Recreation: Soliciting and Peddling.**

- 1. Soliciting and peddling under this section shall be subject to the same definitions, licensing and other requirements of Chapter 13, Part 3, governing Peddling and Soliciting in the Township.

2. There shall be no soliciting or peddling of any kind in any park, recreation or open space owned or controlled by the Township, unless authorized by the Township or as permitted pursuant to paragraph 4 below.
3. When concession facilities owned or controlled by the Township are open in Township parks, the sale of any and all food and/or beverages by vendors is prohibited, unless authorized by the Township.
4. When concession facilities owned and/or controlled by the Township are closed, vendors may only sell or offer for sale food and/or beverages from any legal parking space. Vendors are prohibited from moving through the park and stopping or pausing to sell or offer for sale food and/or beverages. Vendors' vehicles shall not block the passage of other vehicles or block other legally parked vehicles. Vendors are subject to all the terms, conditions, and licensing requirements as more fully set forth in §13-303.
5. The use of any Township park, recreation or open space for commercial or profit-making activities is prohibited, except by permit issued by the Township.

#### SECTION 4. SEVERABILITY.

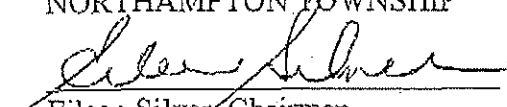
In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

#### SECTION 5. REPEALER.


All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

ORDAINED and ENACTED by the Board of Supervisors of Northampton Township  
this 19<sup>th</sup> day of November, 2014.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Eileen Silver, Chairman

ATTEST:

  
Larry Weinstein, Secretary

ORDINANCE NO. 577

**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 27, KNOWN AS THE NORTHAMPTON  
TOWNSHIP ZONING ORDINANCE, FOR THE PURPOSE OF DELETING  
SECTIONS RELATED TO THE FP FLOODPLAIN AND FLOOD HAZARD  
DISTRICT AND THE ZONING HEARING BOARD RELATED TO THE  
FLOODPLAIN**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. Part 2, Definitions, Section 27-201.4.** is hereby amended to delete definitions including *Floodplain or Flood Hazard Area (or District)*, *Floodplain soil*, *Floodproofing*, *Lowest floor*, *One-hundred-year recurrence or intermediate regional flood (as defined by United States Army Corps of Engineers)* and *Standard project flood (as defined by the United States Army Corps of Engineers)*.

**SECTION 2. Part 7, FP Floodplain and Flood Hazard District.,** is hereby deleted in its entirety and rewritten as follows:

**Part 7  
FP Floodplain and Flood Hazard District**

Please reference Ordinance 576 for regulations regarding the FP Floodplain and Flood Hazard District.

**SECTION 3. Part 14, Zoning Hearing Board, Section 27-1402.5.** is hereby deleted in its entirety.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.



**SECTION 5. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


**SECTION 6. EFFECTIVE DATE.**

This ordinance shall be effective on March 16, 2015.

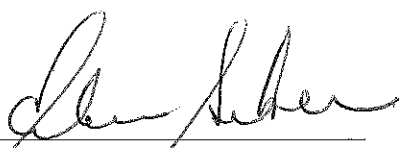
**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 28<sup>th</sup> day of JANUARY, 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Barry Moore, Chairman

ATTEST:

  
Eileen Silver, Secretary

**NORTHAMPTON TOWNSHIP**  
**ORDINANCE NO. 578**

**AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS,  
BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR  
ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE  
ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN  
MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND  
DEVELOPMENT WITHIN AREAS OF THE NORTHAMPTON  
TOWNSHIP WHICH ARE SUBJECT TO FLOODING; AND  
ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR  
REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS  
OF THIS ORDINANCE.**

**ARTICLE I. STATUTORY AUTHORIZATION**

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Board of Supervisors of the Township of Northampton does hereby order as follows.

**ARTICLE II. GENERAL PROVISIONS**

**Section 2.01 Intent**

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- E. Comply with federal and state floodplain management requirements.

**Section 2.02 Applicability**

- A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Special Flood Hazard Area of Northampton Township unless a Permit has been obtained from the

Floodplain Administrator.

B. A Permit shall not be required for minor repairs to existing buildings or structures.

#### Section 2.03 Abrogation and Greater Restrictions

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

#### Section 2.04 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

#### Section 2.05 Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of Northampton Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

### ARTICLE III. ADMINISTRATION

#### Section 3.01 Designation of the Floodplain Administrator

The Zoning Officer is hereby appointed to administer and enforce this ordinance and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may: (A) Fulfill the duties and responsibilities set forth in these regulations, (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or (C) Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

In the absence of a designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the Township Manager.

### Section 3.02 Permits Required

A Permit shall be required before any construction or development is undertaken within any Special Flood Hazard Area of the Township of Northampton.

### Section 3.03 Duties and Responsibilities of the Floodplain Administrator

- A. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
- B. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
- C. In the case of existing structures, prior to the issuance of any Permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss concerns can be addressed before the permit is issued.
- D. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
- E. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
- F. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Board of Supervisors for whatever action it considers necessary.
- G. The Floodplain Administrator shall maintain in perpetuity all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
- H. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program.

- I. The responsibility, authority and means to implement the commitments of the Floodplain Administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the Floodplain Administrator.
- J. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

#### Section 3.04 Application Procedures and Requirements

- A. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by Northampton Township. Such application shall contain the following:
  - 1. Name and address of applicant.
  - 2. Name and address of owner of land on which proposed construction is to occur.
  - 3. Name and address of contractor.
  - 4. Site location including address.
  - 5. Listing of other permits required.
  - 6. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
  - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
  - 1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
  - 2. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
  - 3. adequate drainage is provided so as to reduce exposure to flood hazards;
  - 4. structures will be anchored to prevent floatation, collapse, or lateral movement;

5. building materials are flood-resistant;
  6. appropriate practices that minimize flood damage have been used; and
  7. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
- C. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
1. A completed Permit Application Form.
  2. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
    - a. north arrow, scale, and date;
    - b. topographic contour lines, if available;
    - c. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
    - d. the location of all existing streets, drives, and other access ways; and
    - e. the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
  3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
    - a. the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
    - b. the elevation of the base flood;
    - c. supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC or latest revisions thereof.
  4. The following data and documentation:
    - a. detailed information concerning any proposed floodproofing measures and corresponding elevations.

- b. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood; and Floodway Area (See section 4.02 A) when combined with all other existing and anticipated development, will not increase the base flood elevation at any point.
- c. documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE Area/District without floodway (See Section 4.02 B) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1) foot at any point within the community.
- d. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.

Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

- e. detailed information needed to determine compliance with Section 5.03 F., Storage, and Section 5.04, Development Which May Endanger Human Life, including:
  - i. the amount, location and purpose of any materials or substances referred to in Sections 5.03 F. and 5.04 which are intended to be used, produced, stored or otherwise maintained on site.
  - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 5.04 during a base flood.
- f. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- g. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

D. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain

Administrator.

Section 3.05 Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

Section 3.06 Changes

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

Section 3.07 Placards

In addition to the Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit, the date of its issuance, and be signed by the Floodplain Administrator.

Section 3.08 Start of Construction

Work on the proposed construction or development shall begin within 180 days after the date of issuance of the development permit. Work shall also be completed within twelve (12) months after the date of issuance of the permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The issuance of development permit does not refer to the zoning approval.

The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request and the original permit is compliant with the ordinance & FIRM/FIS in effect at the time the extension is granted.



### Section 3.09    Enforcement

#### A. Notices

Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

1. be in writing;
2. include a statement of the reasons for its issuance;
3. allow a reasonable time not to exceed a period of thirty (30) days for the performance of any act it requires;
4. be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State;
5. contain an outline of remedial actions which, if taken, will effect compliance with the provisions of this Ordinance.

#### B. Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a summary offense and upon conviction shall pay a fine to Northampton Township, of not less than Twenty-five Dollars (\$25.00) nor more than Six Hundred Dollars (\$600.00) plus costs of prosecution. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with this Ordinance shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Ordinance may be declared by the Board of Supervisors to be a public nuisance and abatable as such.

### Section 3.10 Appeals

- A. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this Ordinance, may appeal to the Zoning Hearing Board. Such appeal must be filed, in writing, within thirty (30) days after the decision, determination or action of the Floodplain Administrator.
- B. Upon receipt of such appeal the Zoning Hearing Board shall consider the appeal in accordance with the Municipal Planning Code and any other local ordinance.
- C. Any person aggrieved by any decision of the *Zoning Hearing Board* may seek relief therefrom by appeal to court, as provided by the laws of this State including the Pennsylvania Flood Plain Management Act.

## ARTICLE IV. IDENTIFICATION OF FLOODPLAIN AREAS

### Section 4.01 Identification

The identified floodplain area shall be:

- A. any areas of Northampton Township, classified as Special Flood Hazard Areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 16, 2015 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,
- B. any Community Identified Flood Hazard Areas.

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by Northampton Township and declared to be a part of this ordinance.

### Section 4.02 Description and Special Requirements of Identified Floodplain Areas

The identified floodplain area shall consist of the following specific areas:

- A. The Floodway Area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.
  - 1. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment

would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- B. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
1. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
  2. AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.
    - i. No permit shall be granted for any construction, development, use, or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
    - ii. No new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

- C. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.

D. Community Identified Flood Hazard Areas shall be areas having Floodplain soils, as identified in the Soil Survey of Bucks County, Pennsylvania, United States Department of Agriculture, Natural Resources Conservation Service, in cooperation with the Pennsylvania State University, College of Agricultural Sciences; the Pennsylvania Department of Environmental Protection; the Pennsylvania Department of Agriculture; and the Bucks County Conservation District, dated September 2002, as amended. Floodplain soils include the following soils:

1. Bowmansville-Knauers silt loam (Bo)
2. Delaware loam (DaA, DaB)
3. Fluvaquents (FI)
4. Hatboro silt loam (Ha)
5. Holly silt loam (Ho)
6. Linden loam (Lt)
7. Nanticoke-Hatboro silt loam (Na)
8. Psammments (Ps)
9. Rowland silt loam (Ro)
10. Urban land, occasionally flooded (Ufw)
11. Urban land, Delaware complex (UIB)

#### Section 4.03 Changes in Identification of Area

The Identified Floodplain Area may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data. See 5.01 (B) for situations where FEMA notification is required.

#### Section 4.04 Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Floodplain Administrator and any party aggrieved by this decision or determination may appeal to the Zoning Hearing Board. The burden of proof shall be on the appellant.

#### Section 4.05 Jurisdictional Boundary Changes

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

## ARTICLE V. TECHNICAL PROVISIONS

### Section 5.01 General

#### A. Alteration or Relocation of Watercourse

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have first been obtained from the Department of Environmental Protection Regional Office.
2. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
3. In addition, FEMA and the Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

#### B. When a community proposes to permit the following encroachments:

- any development that causes a rise in the base flood elevations within the floodway; or
- any development occurring in Zones A1-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or
- alteration or relocation of a stream (including but not limited to installing culverts and bridges)

the applicant shall (as per 44 CFR Part 65.12):

1. apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.
2. Upon receipt of the Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and / or revised floodway reflecting the post-project condition.
3. Upon completion of the proposed encroachments, a community shall provide as-built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.

- C. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations.

## Section 5.02 Elevation and Floodproofing Requirements

### A. Residential Structures

1. In AE and A1-30 Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
2. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with Section 4.02.C of this ordinance.
3. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

### B. Non-residential Structures

1. In AE and A1-30 Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
  - a. is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
  - b. has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
2. In A Zones, where no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with Section 4.02.C of this ordinance.
3. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972,

as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

4. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

#### C. Space below the lowest floor

1. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
2. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - b. the bottom of all openings shall be no higher than one (1) foot above grade.
  - c. openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

#### D. Historic Structures

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

#### E. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

1. the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
2. floor area shall not exceed 600 square feet.
3. The structure will have a low damage potential.
4. the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
5. power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
6. permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
7. sanitary facilities are prohibited.
8. the structure shall be adequately anchored to prevent flotation, collapse, and lateral movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
  - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - b. the bottom of all openings shall be no higher than one (1) foot above grade.
  - c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

#### Section 5.03 Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:



#### A. Fill

If fill is used, it shall:

1. extend laterally at least fifteen (15) feet beyond the building line from all points;
2. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
3. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
4. be no steeper than one (1) vertical to two (2) horizontal feet unless substantiated data justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and
5. be used to the extent to which it does not adversely affect adjacent properties.

#### B. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

#### C. Water and Sanitary Sewer Facilities and Systems

1. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
3. No part of any on-site waste disposal system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
4. The design and construction provisions of the UCC and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.

#### D. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

#### E. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

#### F. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 5.04, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation or floodproofed to the maximum extent possible.

#### G. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

#### H. Anchoring

1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

#### I. Floors, Walls and Ceilings

1. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
2. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
4. Windows, doors, and other components at or below the regulatory flood elevation

shall be made of metal or other "water-resistant" material.

J. Paints and Adhesives

1. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
2. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a "marine" or "water-resistant" paint or other finishing material.

K. Electrical Components

1. Electrical distribution panels shall be at least three (3) feet above the base flood elevation.
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

L. Equipment

Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

M. Fuel Supply Systems

All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

N. Uniform Construction Code Coordination

The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and supplement the requirements of this ordinance.

International Building Code (IBC) 2009 or the latest edition thereof:  
Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

International Residential Building Code (IRC) 2009 or the latest edition thereof:

Secs. R104, R105, R109, R322, Appendix E, and Appendix J.

Section 5.04 Development Which May Endanger Human Life

Within any Identified Floodplain Area, any structure of the kind described in Subsection A., below, shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII, then the following provisions apply: (5.04 B, C, & D)

A. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

1. will be used for the production or storage of any of the following dangerous materials or substances; or,
2. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
3. will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:

- Acetone
- Ammonia
- Benzene
- Calcium carbide
- Carbon disulfide
- Celluloid
- Chlorine
- Hydrochloric acid
- Hydrocyanic acid
- Magnesium
- Nitric acid and oxides of nitrogen
- Petroleum products (gasoline, fuel oil, etc.)
- Phosphorus
- Potassium
- Sodium
- Sulphur and sulphur products
- Pesticides (including insecticides, fungicides, and rodenticides)
- Radioactive substances, insofar as such substances are not otherwise regulated.

- B. Within any Identified Floodplain Area, any new or substantially improved structure of the kind described in Subsection A., above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- C. Within any Floodway Area, any structure of the kind described in Subsection A., above, shall be prohibited. Where permitted within any Identified Floodplain Area, any new or substantially improved residential structure of the kind described in Section 5.04 (A), above, shall be elevated to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation and built in accordance with Sections 5.01, 5.02 and 5.03.
- D. Where permitted within any Identified Floodplain Area, any new or substantially improved non-residential structure of the kind described in Section 5.04 (A) above, shall be built in accordance with Sections 5.01, 5.02 and 5.03 including:
  - 1. elevated, or designed and constructed to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation, and
  - 2. designed to prevent pollution from the structure or activity during the course of a base flood.

Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

#### Section 5.05 Special Requirements for Subdivisions and Development

All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision and Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

#### Section 5.06 Special Requirements for Manufactured Homes

Within any Identified Floodplain Area manufactured homes shall be prohibited. If a variance is obtained in accordance with the criteria in Article VIII, then the following provisions apply:

- A. Where permitted by variance within any Identified Floodplain Area, all manufactured homes, and any improvements thereto, shall be:
  - 1. placed on a permanent foundation;

2. elevated so that the lowest floor of the manufactured home is at least one and one half (1 ½) feet above base flood elevation;
  3. and anchored to resist flotation, collapse, or lateral movement.
  4. and have all ductwork and utilities including HVAC/heat pump elevated to the Regulatory Flood Elevation.
- B. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 "International Residential Building Code" or the "U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing," 1984 Edition, draft or latest revision thereto and 34 PA Code Chapter 401-405 shall apply.
- C. Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC or the most recent revisions thereto and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the proposed unit(s) installation.

#### Section 5.07 Special Requirements for Recreational Vehicles

- A. Recreational vehicles in Zones A and AE must either:
1. be on the site for fewer than 180 consecutive days, and
  2. be fully licensed and ready for highway use,
- or
3. meet the permit requirements for manufactured homes in Section 5.06.

### ARTICLE VI. PROHIBITED ACTIVITIES

#### Section 6.01 General

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any Identified Floodplain Area:

- A. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:

1. Hospitals
2. Nursing homes
3. Jails or prisons

- B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

## ARTICLE VII EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

### Section 7.01 Existing Structures

The provisions of this Ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Section 7.02 shall apply.

### Section 7.02 Improvements

The following provisions shall apply whenever any improvement is made to an existing structure located within any Identified Floodplain Area:

- A. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area/District that would cause any increase in BFE.
- B. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
- C. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
- D. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2009 IBC and the 2009 IRC or latest revision thereof.
- E. Within any Floodway Area/District (See Section 4.02 A), no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- F. Within any AE Area/District without Floodway (See Section 4.02 B), no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

- G. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than fifty (50) percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
- H. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this ordinance.

## ARTICLE VIII VARIANCES

### Section 8.01 General

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, Northampton Township may, upon request, grant relief from the strict application of the requirements.

### Section 8.02 Variance Procedures and Conditions

Requests for variances shall be considered by Northampton Township in accordance with the procedures contained in Section 3.10 and the following:

- A. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
- B. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
- C. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to Development Which May Endanger Human Life (Section 5.04).
- D. No variance will be granted for Prohibited Activities (Article VI) in the Identified Floodplain Area.
- E. If granted, a variance shall involve only the least modification necessary to provide relief.
- F. In granting any variance, Northampton Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Ordinance.
- G. Whenever a variance is granted, Northampton Township Zoning Hearing Board shall notify the applicant in writing that:
  - 1. The granting of the variance may result in increased premium rates for flood insurance.



2. Such variances may increase the risks to life and property.
- H. In reviewing any request for a variance, Northampton Township shall consider, at a minimum, the following:
1. That there is good and sufficient cause.
  2. That failure to grant the variance would result in exceptional hardship to the applicant.
  3. That the granting of the variance will
    - a. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
    - b. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- I. A complete record of all variance requests and related actions shall be maintained by Northampton Township. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent (1%) annual chance flood.

## ARTICLE IX. DEFINITIONS

### Section 9.01 General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its' most reasonable application.

### Section 9.02 Specific Definitions

1. *Accessory use or structure* - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
2. *Base flood* - a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one-percent (1%) annual chance flood).
3. *Base flood discharge* - the volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).
4. *Base flood elevation (BFE)* - the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

5. *Basement* - any area of the building having its floor below ground level on all sides.
6. *Building* - a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
7. *Development* - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
8. *Existing manufactured home park or subdivision* - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
9. *Expansion to an existing manufactured home park or subdivision* - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. *Flood* - a temporary inundation of normally dry land areas.
11. *Flood Insurance Rate Map (FIRM)* - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
12. *Flood Insurance Study (FIS)* - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
13. *Floodplain area* - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
14. *Floodproofing* - any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
15. *Floodway* - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

16. *Historic structures* – any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
  - i. By an approved state program as determined by the Secretary of the Interior or
  - ii. Directly by the Secretary of the Interior in states without approved programs.

17. *Identified Floodplain Area* - this term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance Study, but may include additional areas identified by the community. See Sections 4.01 and 4.02 for the specifics on what areas the community has included in the Identified Floodplain Area.

18. *Lowest floor* - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

19. *Manufactured home* - a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

20. *Manufactured home park or subdivision* – a parcel (or contiguous parcels) of land divided

into two or more manufactured home lots for rent or sale.

21. *Minor repair* - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring, mechanical or other work affecting public health or general safety.
22. *New construction* - structures for which the start of construction commenced on or after March 16, 2015 and includes any subsequent improvements to such structures. Any construction started after April 6, 1977 and before March 16, 2015 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
23. *New manufactured home park or subdivision* – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
24. *Person* - an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
25. *Post-FIRM Structure* - is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map (FIRM) dated 02/15/1980, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
26. *Pre-FIRM Structure* - is a structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map (FIRM) dated 02/15/1980, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.
27. *Recreational vehicle* - a vehicle which is:
  - a. built on a single chassis;
  - b. not more than 400 square feet, measured at the largest horizontal projections;

- c. designed to be self-propelled or permanently towable by a light-duty truck,
  - d. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
28. *Regulatory flood elevation* - the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet.
29. *Repetitive loss* – flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
30. *Special flood hazard area (SFHA)* - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.
31. *Start of construction* - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
32. *Structure* – a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
33. *Subdivision* - the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any

residential dwelling, shall be exempted.

34. *Substantial damage* - damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
35. *Substantial improvement* - any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" or "repetitive loss" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
36. *Uniform Construction Code (UCC)* – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.
37. *Variance* - A grant of relief by a community from the terms of a floodplain management regulation.
38. *Violation* - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

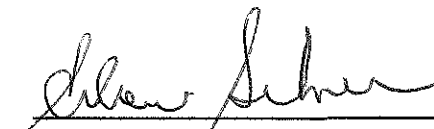
ARTICLE X. ENACTMENT

Section 10.01 Adoption

This Ordinance shall be effective on *March 16, 2015* and shall remain in force until modified, amended or rescinded by Northampton Township, Bucks County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Supervisors this 28<sup>th</sup> day of JANUARY,  
2015.

ATTEST:

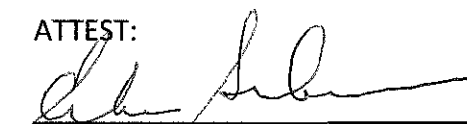
  
\_\_\_\_\_  
Eileen Silver, Secretary  
Northampton Township

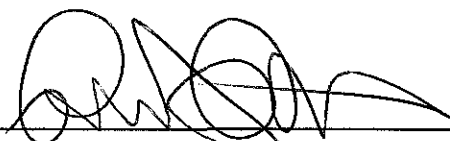
BOARD OF SUPERVISORS OF THE TOWNSHIP OF  
NORTHAMPTON

By:   
\_\_\_\_\_  
Barry Moore, Chairman  
Board of Supervisors

APPROVED, this 28<sup>th</sup> day of JANUARY, by the Township Manager, Northampton  
Township

ATTEST:

  
\_\_\_\_\_  
Eileen Silver, Secretary  
Northampton Township

  
\_\_\_\_\_  
Robert M. Pellegrino, Township Manager

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PENNSYLVANIA**

**Ordinance Number 579**

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS  
COUNTY, PENNSYLVANIA PROHIBITING SMOKING ON  
TOWNSHIP PROPERTY AS DEFINED HEREIN EXCEPT IN  
DESIGNATED AREAS**

**WHEREAS**, the Board of Supervisors of Township of Northampton recognizes that smoking is one of the leading causes of preventable disease and death in the United States; and

**WHEREAS**, in addition to the deleterious effects upon smokers, tobacco smoke is a substantial health hazard to the public, and an annoyance and a nuisance to the nonsmoking public; and

**WHEREAS**, tobacco smoke also creates a substantial health hazard to residents of the Township who may be participating in activities or events in or around buildings owned or leased by the Township; and

**WHEREAS**, the Board of Supervisors of Township of Northampton understands while it is not in its public policy to deny anyone the right to smoke, a balance must be struck between the right of smokers to smoke and the right of nonsmokers to breathe clean air; and

**WHEREAS**, the Board of Supervisors of Township of Northampton concludes the right of nonsmokers to breathe clean air outweighs the right of smokers to smoke on Township property; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Township of Northampton, Bucks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

- I. The Code of Ordinances of Northampton Township at Chapter 10, Health and Safety, is hereby amended to add a new Part 3 entitled "Smoke-Free Environment," which reads as follows:

**Part 3**

**Smoke-Free Environment**

**§10-301. Title.**

This Part shall be known and may be cited as the "Northampton Township Smoke-Free Environment Ordinance of 2015."



**§10-302. Definitions.**

*Smoke* - the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts. The term "smoke" includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

*Smoking* - engaging in an act that generates smoke, such as, without limitation, possessing a lighted pipe, a lighted hookah pipe, an operating electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, cigar, or cigarette of any kind.

*Township Property* - All properties, buildings, and vehicles owned and leased by the Township of Northampton. Properties include, but are not limited to, the Administration Building, Fire Stations, Rescue Squad Buildings, Public Works Building, Police Station, The Free Library of Northampton Township, The James E. Kinney Senior Center, the Civic Center and all parks and recreation fields.

**§10-303. Regulations.**

Smoking shall be prohibited on all Township Property as defined in §10-302 of this Ordinance, excepting only those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted. Any and all such areas located on Township Property on which Smoking shall be permitted shall be determined by the Township Manager or his designee, and shall be identified by a conspicuously posted sign indicating that the area is an area on which Smoking is permitted.

**§10-304. Posting of Signs.**

"No Smoking" signs, "Smoke-Free" signs, or signs bearing the international "No Smoking" symbol shall be clearly, sufficiently and conspicuously posted on all Township Property at such locations as shall be determined by the Township Manager or his designee. Such signs shall also indicate that violators are subject to the penalty provisions set forth in §10-305. "Smoking Permitted Area" signs shall be clearly, sufficiently and conspicuously posted at those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted in accordance with §10-304.

**§10-305. Penalties.**

Any person who violates any provision of this ordinance shall be subject to a fine of not less than twenty-five (\$25) dollars and not more than five hundred (\$500) dollars.

**§10-306. Repealer.**

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

**§10-307. Severability.**


If any section, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be and shall remain valid and enforceable.

**§10-308. Effective Date.**

This Ordinance shall take effect upon final adoption, publication, and as otherwise provided by law.

**ORDAINED AND ENACTED** this 28th day of January 2015.

**ATTEST:**

  
\_\_\_\_\_  
Eileen Silver, Secretary

**NORTHAMPTON TOWNSHIP**

  
\_\_\_\_\_  
Barry Moore, Chairman

**TOWNSHIP OF NORTHAMPTON  
BUCKS COUNTY, PA**

**ORDINANCE NO. 580**

**AN ORDINANCE AMENDING THE NON-UNIFORMED EMPLOYEES' PENSION PLAN  
OF NORTHAMPTON TOWNSHIP TO CLARIFY THE ADMINISTRATIVE INTENT  
CONCERNING OPTIONAL RETIREMENT PROVISIONS AND ADDING A NEW  
DEFINED CONTRIBUTION PLAN COMPONENT FOR NEWLY HIRED EMPLOYEES**

This Amendment to the Township of Northampton Non-Uniformed Employees' Pension Plan is made by the Township of Northampton, Bucks County, Pennsylvania (the "Township").

**W I T N E S S E T H:**

**WHEREAS**, the Board of Supervisors of the Township of Northampton (the "Township") has previously adopted a Resolution establishing the Township of Northampton Non-Uniformed Employees' Pension Plan (the "Plan"); and

**WHEREAS**, the Plan was amended and restated, effective January 1, 2009;

**WHEREAS**, the Township reserved the right to amend the Plan pursuant to section 13.1;

**WHEREAS**, the Township desires to amend the Plan in order set forth a new defined contribution program for newly hired, non-uniformed, non-union, full-time employees (the "Defined Contribution Program"); and

**WHEREAS**, the Township now desires that the Plan be further amended to add a defined contribution component to the Plan for certain employees hired on or after January 1, 2015, revise the definition of actuarial equivalent, revise the early retirement provisions, clarify that all deferred vested payments begin upon a participant attaining age 65, and to make other clarifying and conforming changes to the Plan.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP THAT ORDINANCE NUMBER 548 KNOWN AS THE NON-UNIFORMED EMPLOYEES' PENSION PLAN IS HEREBY AMENDED AS FOLLOWS:**

1. Section 2.4, Definitions is amended to read as follows:

2.4 "Actuarial Equivalent" shall mean a benefit or an amount of actuarial present value on a specified date computed, except as otherwise specified herein, on the basis of the UP-1994 Mortality Table and interest at the rate of seven percent per annum.

2. A new Section 2.10.1 is added to the Plan as follows:

2.10.1 "Early Retirement Age" shall mean age fifty-five (55) and completion of ten (10) Years of Service.

3. A new Section 2.10.2 is added to the Plan as follows:

2.10.2 "Early Retirement Date" shall mean the first day of the calendar month coinciding with or next following the date on which the Participant attains Early Retirement Age.

4. A new Section 2.20.1 is added to the Plan as follows:

2.20.1 "Alternate Normal Retirement Age" shall mean age sixty (60) and completion of thirty (30) Years of Service.

5. A new Section 2.20.2 is added to the Plan as follows:

2.20.2 "Alternate Normal Retirement Date" shall mean the first day of the calendar month coinciding with or next following the date on which the Participant attains Alternate Normal Retirement Age.

6. Section 5.1 to the Plan is amended to read as follows:

An Active Participant whose Covered Employment terminates on or after his attainment of Normal Retirement Age and before his Normal Retirement Date or Alternate Normal Retirement Age and before his Alternate Normal Retirement Date shall be eligible to receive, in the manner set forth in Article VII the normal Retirement Income set forth in Section 6.2.

7. Section 5.2 to the Plan is amended to read as follows:

An Active Participant or Inactive participant who terminates his Covered Employment on or after his Normal Retirement Date or Alternate Normal Retirement Date shall be eligible to receive, in the manner set forth in Article VII, the postponed Retirement Income set forth in Section 6.3.

8. Section 6.1(a) to the Plan is amended to read as follows:

- (a) For a Participant whose Employment began before January 1, 1994, basic Retirement Income, expressed in terms of a monthly amount payable in the form of a single life annuity commencing on his Normal Retirement Date or Alternate Normal Retirement Date, shall be equal to the greater amount of the amount determined under subsection (b) of this Section of an amount equal to greater of:

- (1) 1.0 percent of his Final Monthly Average Salary not in excess of 1,000 dollars, plus, 1.75 percent of his Final Monthly Average Salary in excess of 1,000 dollars,

multiplied by his Years of Service; or

(2) ten dollars multiplied by his Years of Service.

9. Section 6.1(b) to the Plan is amended to read as follows:

(b) For a Participant whose Employment began on or after January 1, 1994, basic Retirement Income, expressed in terms of a monthly amount payable in the form of a single life annuity commencing on his Normal Retirement Date or Alternate Normal Retirement Date, shall be equal to:

(1) 1.5 percent of his Final Monthly Average Salary multiplied by his Years of Service not in excess 30 years; plus

(2) 1.0 percent of his Final Monthly Average Salary multiplied by his Years of Service in excess of 30.

10. Section 6.3(b) to the Plan is amended to read as follows:

(b) For a Participant whose Employment began before January 1, 1994, the Participant's postponed Retirement Income shall not be less than the normal Retirement Income he would have received under Section 6.2 had he retired and begun to receive normal Retirement Income on his Normal Retirement Date or Alternate Normal Retirement Date, but increased by one-half of one percent for each month from and after the Normal Retirement Date or Alternate Normal Retirement Date that payment of the Participant's Retirement Income is postponed.

11. Current Section 6.4(a) of the Plan is removed in its entirety and Section 6.4 shall be amended to read as follows:

**6.4 Early Retirement Income.** Each Participant may retire on or after his Early Retirement Age. The benefit payable at the Early Retirement Date shall be the benefit described in Section - 6.1, reduced by one-half of one percent for each month that the Early Retirement Date precedes the Normal Retirement Date.

12. Effective January 1, 2015, a new Appendix A shall be added to the Plan as follows:

**Applicability:** This Appendix A shall apply only to Eligible Employees as defined in Section A-1.08.

**TOWNSHIP OF NORTHAMPTON  
MONEY PURCHASE PENSION PLAN  
(Effective January 1, 2015)**

**ARTICLE A-I  
DEFINITIONS**

- Sec. A-1.01** “**Account**” shall mean the entire interest of a Participant in the Plan. Unless otherwise specified, the value of a Participant’s Account shall be determined as of the Valuation Date coincident with or next following the occurrence of the event to which reference is made. A Participant’s Account shall consist of such of the following as the Participant has under the Plan: (a) Employer Contribution Account; and (b) Employee Contribution Account.
- Sec. A-1.02** “**Anniversary Date**” shall mean the last day of the Plan Year.
- Sec. A-1.03** “**Beneficiary**” shall mean the persons or entities designated by the Participant in writing to be his/her Beneficiaries hereunder in accordance with Section A-7.02.
- Sec. A-1.04** “**Benefit Commencement Date**” shall mean the first day of the first period for which an amount is paid in any form.
- Sec. A-1.05** “**Compensation**” shall mean:
- (a) In General. “Compensation” shall mean the Participant’s gross pay before any payroll deductions. Compensation shall exclude any amounts paid after termination of employment.
  - (b) Limitation on Applicable Compensation. In addition to other applicable limitations set forth in the Plan, and notwithstanding any other provision of the Plan to the contrary, the Compensation of each Participant taken into account under the Plan shall not exceed \$200,000, as adjusted by the Commissioner of Internal Revenue for increases in the cost of living in accordance with Internal Revenue Code Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which compensation is determined (determination period) beginning with or within such calendar year. If a determination period consists of fewer than 12 months, the annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12. Notwithstanding the foregoing, Compensation may not include amounts that are not included in compensation for purposes of the limit imposed under Section A-4.01.
- Sec. A-1.06** “**Computation Period**” shall mean the period of twelve (12) consecutive months designated as the Vesting Computation Period, as indicated by the context of usage.
- Sec. A-1.07** “**Effective Date**” shall mean January 1, 2015.

- Sec. A-1.08** “**Eligible Class Employee**” shall mean any person hired by the Employer on or after January 1, 2015 as either; (i) a non-union Employee or (ii) a union Employee who is permitted to participate in the Plan pursuant to the terms of an applicable collective bargaining agreement with the Employer employed on a full-time basis (at least 37.5 hours per week); and is not a police officer. Any Union Employee that is employed by the Employer on January 1, 2015 is not an Eligible Class Employee unless otherwise so provided pursuant to the terms of the applicable collective bargaining agreement with the Employer. Part-time employees subsequently hired on a full-time basis shall be eligible to participate in the Plan as of the date of hire as a full-time employee and time worked as a part-time employee shall not count toward participation in the Plan.
- Sec. A-1.09** “**Employee**” shall mean each person in the employ of the Employer and is not a police officer.
- Sec. A-1.10** “**Employer**” shall mean the Township of Northampton, Bucks County, Pennsylvania, its successors and assigns.
- Sec. A-1.11** “**Employer Contribution Account**” shall mean that portion of a Participant’s Account consisting of Employer contributions pursuant to Section A-3.01(b) of the Plan, and the earnings and accretions attributable thereto.
- Sec. A-1.12** “**Internal Revenue Code**” or “**Code**” shall mean the Internal Revenue Code of 1986 as the same may be amended from time to time.
- Sec. A-1.13** “**Normal Retirement Age**” shall mean the date on which the Participant attains age sixty-five (65).
- Sec. A-1.14** “**Participant**” shall mean any person who has been or who is an Eligible Class Employee of the Employer and who has been admitted to participation in this Plan pursuant to the provisions of Article II. The term “Participant” shall include Active Participants (those who are currently eligible to share in Employer contributions to the Plan), Retired Participants (those former Employees presently receiving benefits under the Plan or immediately entitled to receive such benefits), and Vested Participants (Employees and former Employees who are no longer Active Participants, any of whom are or may become entitled at some future date to the distribution of benefits from this Plan by reason of their having been Active Participants herein).
- Sec. A-1.15** “**Participant Contribution Account**” shall mean that portion of a Participant’s Account consisting of Employee contributions pursuant to Section A-3.01(a) of the Plan, and the earnings and accretions attributable thereto.
- Sec. A-1.16** “**Plan**” shall mean the Township of Northampton Money Purchase Pension Plan as set forth in this Appendix A and as the same may from time to time hereafter be amended. This Plan is intended to satisfy the requirements of Section 401(a) of the Internal Revenue Code as a governmental money purchase pension plan. For

purposes of the Code, the Plan is a separate plan from the Non-Uniformed Employees' Pension Plan of the Township of Northampton ("Pension Plan") and assets held in trust under this Plan may not be commingled with or otherwise used to pay benefits under the Pension Plan.

**Sec. A-1.17 "Plan Administrator"** shall mean the person or committee named as such pursuant to the provisions hereof, or, in the absence of any such appointment, the Employer.

**Sec. A-1.18 "Plan Year"** shall mean the twelve-month period commencing each January 1 and ending on the subsequent December 31.

**Sec. A-1.19 "Required Beginning Date"** shall mean the April 1 of the calendar year next following the calendar year in which the Participant attains age 70½, or if later, the April 1 of the calendar year next following the calendar year in which he/she retires.

**Sec. A-1.20 "Spouse"** shall mean (a) the person to whom the Participant was married on his/her Benefit Commencement Date, or (b) if the Participant's Benefit Commencement Date had not occurred at the time of his/her death, the person to whom the Participant was married at the time of his/her death.

**Sec. A-1.21 "Valuation Date"** shall mean the last day of the Plan Year (the "Annual Valuation Date") and each other interim date during the Plan Year on which a valuation of the Fund is made.

**Sec. A-1.22 "Vesting Computation Period"** shall mean each 12 month period of employment with the Employer beginning on the Employee's date of hire and ending on the Employee's date of termination of employment.

**Sec. A-1.23 "Year of Service"** shall have the following meanings when used in this Plan:

- (a) When applied to vesting provisions, a "Year of Service" shall mean each Vesting Computation Period.

## **ARTICLE A-II PARTICIPATION ELIGIBILITY**

**Sec. A-2.01 Initial Eligibility.** Every Eligible Class Employee shall become eligible for Plan participation on his/her date of hire as a full-time employee working at least 37.5 hours each week.

**Sec. A-2.02 Procedure for and Effect of Admission.** Each Eligible Class Employee who becomes eligible for admission to participation in this Plan shall complete such forms and provide such data as are reasonably required by the Plan Administrator in order to become a Participant. By becoming a Participant, each Employee shall for all purposes be deemed conclusively to have assented to the terms and provisions of this Plan and to all Plan amendments.



**Sec. A-2.03 Changes in Status.** In the event that a person who has been in the employ of the Employer in a category of employment not eligible for participation in this Plan subsequently becomes an Eligible Class Employee of the Employer by reason of a change in status to a category of employment eligible for participation, he/she shall, subject to Section A-2.02, become a Participant as of the date on which occurs such change to Eligible Class Employee status.

**Sec. A-2.04 Defined Benefit Plan Limitation.** An Eligible Employee that participates in the Township of Northampton Money Purchase Pension Plan as set forth in this Appendix A shall not be eligible to participate in the defined benefit component of the Non-Uniformed Employees' Pension Plan of Northampton Township.

### **ARTICLE A-III CONTRIBUTIONS**

**Sec. A-3.01 Determination of Amount.**

- (a) Participant Contributions. Participants are required to contribute an amount equal to five percent (5.0%) of Participant's Compensation at each bi-weekly payroll period into their Account on a pre-tax basis under Internal Revenue Code Section 414(h)(2).

Effective January 1, 2015, the Employer shall "pick-up" the required Participant Contributions hereunder pursuant to the provisions of Internal Revenue Code Section 414(h)(2) which shall cause the Participant contributions to be reclassified from Employee Contributions to Employer contributions and shall not cause any increase in the amount of an Employee's Compensation.

- (b) Employer Contributions. The Employer shall contribute an amount equal to five percent (5.0%) of each Participant's Compensation at each bi-weekly payroll period into the Account of each plan participant.
- (c) Rollover Contributions. Participants shall be entitled to contribute Rollover Amounts to the Plan in accordance with procedures established by the Plan Administrator.

**Sec. A-3.02 Timing of Contributions.** Employer shall pay its contribution made with respect to any payroll period on or before the last day of the sixth complete month following the last day of the payroll period.

**Sec. A-3.03 Contingent Nature of Contributions.** Each contribution made by the Employer pursuant to the provisions of Section A-3.01 hereof is hereby made expressly contingent on the exclusion thereof for Federal income tax purposes with respect to the Participants for whom contribution is made.

**Sec. A-3.04 Exclusive Benefit; Refund of Contributions.** All contributions made by the Employer are made for the exclusive benefit of the Participants and their Beneficiaries, and such contributions shall not be used for nor diverted to purposes other than for the exclusive benefit of the Participants and their Beneficiaries (including the costs of maintaining and administering the Plan). Notwithstanding the foregoing, to the extent that such refunds do not, in themselves, deprive the Plan of its qualified status, refunds of contributions shall be made to the Employer under the following circumstances and subject to the foregoing limitations:

- (a) Mistake of Fact. In the case of a contribution which is made in whole or in part by reason of a mistake of fact (for example, incorrect information as to the eligibility or compensation of an Participant, or a mathematical error), so much of the Employer contribution as is attributable to the mistake of fact shall be returnable to the Employer upon demand. Repayment must be effectuated within one (1) year after the payment of the contribution to which the mistake applies.
- (b) Exclusive Benefit; Refund of Contributions. In the event that any refund of amounts contributed pursuant to Section A-3.01(a) or Section A-3.01(b) is paid to the Employer hereunder, such refund shall be made without interest and shall be deducted from among the Employer Contribution Accounts or Participant Contribution Accounts of the Participants, as the case may be, except to the extent that the amount of the refund can be identified to one or more specific Participants (as in the case of certain mistakes of fact) in which case the amount of the refund identifiable to each such Participant's Account shall be deducted directly from such Account.

#### **ARTICLE A-IV LIMITATIONS ON CONTRIBUTIONS**

**Sec. A-4.01 Annual Additions Limitations.**

- (a) Incorporation of Code section 415 by Reference. Notwithstanding anything contained in this Section A-4.01 to the contrary, the limitations, adjustments, and other requirements prescribed in Section A-4.01 shall at all times comply with the provisions of Internal Revenue Code section 415 and the Regulations thereunder (as such apply to governmental plans), the terms of which are specifically incorporated herein by reference.
- (b) Compliance with Treasury Regulations. The Plan will comply with the final Treasury regulations under Internal Revenue Code section 415, which are incorporated into the Plan by reference. Consistent with those regulations, a Participant's compensation for purposes of the limit imposed under this Section A-4.01 includes regular compensation for services during an employee's regular working hours, or compensation for services outside of regular working hours (such as overtime and shift differential), commissions, bonuses or other similar payments if (i) such amounts would have been paid to the employee prior to severance of employment if employment had continued and (ii) such amounts are actually paid by

the later of 2½ months after severance of employment or the end of the limitation year in which severance of employment occurs (the “latest permissible date”). Compensation for purposes of the limit imposed under this Section A-4.01 includes:

- (1) Any payments for unused accrued bona fide sick, vacation or other leave if (i) the employee would have been able to use the leave if employment had continued and (ii) such payments were actually paid by the latest permissible date.
  - (2) Any amounts received by an employee pursuant to a nonqualified deferred compensation plan if (i) the amount would have been paid to the employee if the employee had continued employment, (ii) only to the extent the amounts are includible in the employee’s gross income and (iii) such payments were actually paid by the latest permissible date.
  - (3) Any amounts of salary continuation payments made to an individual during periods in which the individual does not perform services due to qualified military service (as defined in Section 414(u)(1) of the Code) to the extent the payments do not exceed the amounts the individual would have received if the individual would have continued performing services.
  - (4) Any amounts of salary continuation payments made to an individual who is permanently and totally disabled (as defined in Section 22(e)(3) of the Code).
- (c) Compensation Includes Differential Pay. Notwithstanding anything contained in this Section A-4.01 to the contrary, a Participant’s Compensation, for purposes of the limit imposed under this Section A-4.01, includes military wage differential payments (as such term is used in IRS Notice 2010-15).

**Sec. A-4.02 Elimination of Excess Amount.** In the event that the limit imposed under Section A-4.01 is exceeded with respect to any Participant for a limitation year, the Plan shall eliminate such excess amount in accordance with the Internal Revenue Service’s Employee Plans Compliance Resolution System or pursuant to any other correction method permitted by law.

## **ARTICLE A-V ADMINISTRATIVE PROVISIONS**

**Sec. A-5.01 Investment of Assets.** All contributions shall be invested in accordance with the Plan.

**Sec. A-5.02 Investment Direction By Participants.**

- (a) Rights of Participants. To the extent that the Plan Administrator has established investment categories for Participant investment direction, each Participant shall have the right to designate the investment category or categories in which the Plan is

to invest amounts allocated to such Participant's Account from contributions made by the Employer.

- (b) Changes in Investment Directions. Any designation of investment categories by a Participant shall be made in the manner prescribed by the Plan Administrator and shall be made at such reasonable times as shall be determined by the Plan Administrator.
- (c) Available Investment Categories. There shall be offered such investment categories as shall be determined in accordance with uniform non-discriminatory rules prescribed by the Plan Administrator from time to time.
- (d) Limitations on Division of Investments. Any Participant may elect as to the allocation among investment categories for the investment of future contributions in such percentages and at such time as shall be determined in accordance with uniform non-discriminatory rules prescribed by the Plan Administrator.
- (e) Failure to Elect Investment Categories. In the absence of any written designation of investment category preference, the Plan Administrator shall invest all funds received on account of any Participant in the investment category selected by the Plan Administrator. Any designation of investment category by any Participant shall, on its effective date, cancel any prior designation by that Participant with respect to investment of future contributions.
- (f) Annuity Contract or Trust. Notwithstanding any instruction from any Participant, the terms of any applicable annuity or trust agreement shall control investment of Plan assets.

## **ARTICLE A-VI RETIREMENT BENEFITS**

- Sec. A-6.01 Normal Retirement Benefit.** The Normal Retirement Benefit payable with respect to any Participant retiring at his/her Normal Retirement Age shall be equal to one hundred percent (100%) of his/her Account as of the appropriate Valuation Date coincident with or following the Participant's Normal Retirement Age.
- Sec. A-6.02 Deferred Vested Benefits.** A Participant shall be entitled to receive deferred vested benefits in accordance with Section A-9.02(c).
- Sec. A-6.03 Late Retirement.** A Participant may continue to work beyond his Normal Retirement Date subject to the Employer's rules and regulations regarding retirement age. If a participant who has met the requirements of Section A-6.01 shall continue to work beyond his Normal Retirement Date, there shall be no retirement benefits paid until employment ceases and retirement begins.

**Sec. A-6.04 Disability Retirement.** A Participant who is unable to perform any customary duties of employment with the Employer due to mental or physical injury or illness and qualifies for Social Security Disability benefits shall be entitled to a disability retirement benefit equal to the Participant's Normal Retirement Benefit calculated in accordance with Section A-6.01.

## **ARTICLE A-VII DEATH BENEFITS**

**Sec. A-7.01 Payment of Death Benefits.** Except as provided below, upon the death of a Participant, a death benefit equal to the balance of the Participant's vested interest in his/her Account shall be paid to the Participant's Beneficiary.

**Sec. A-7.02 Beneficiary Designation.**

- (a) Beneficiary Designation Right. Each Participant shall have the right to designate one or more primary and one or more contingent Beneficiaries to receive any benefit becoming payable pursuant to this Article A-VII. All Beneficiary designations shall be in writing in a form satisfactory to the Plan Administrator. Each Participant shall be entitled to change his/her Beneficiaries at any time in accordance with procedures established by the Plan Administrator.

In the event a Participant does not designate a Beneficiary, the primary Beneficiary of each married Participant shall be his/her spouse, and if there is no spouse or if the Participant is unmarried, the Participant's estate.

- (b) Termination of Beneficiary Designation. Any designation of Beneficiary by a Participant pursuant to Paragraph (a) of this section shall become null and void upon the marriage of the Participant subsequent to the date on which such designation was made.
- (c) Miscellaneous. Changes in Beneficiary designations shall become effective only upon receipt of a form by the Plan Administrator, but upon such receipt the change shall relate back to and take effect as of the date the Participant signed the request (which shall be presumed to be the date appearing on such form, or, if there be none, then the date of the Participant's death) whether or not the Participant is living at the time of such receipt. The Plan Administrator shall not be liable by reason for any payment of the Participant's death benefit made before the receipt of any acceptable form designating or changing the designation of the Beneficiary.

Any change of Beneficiary designation filed in proper form with the Plan Administrator shall revoke all prior Beneficiary designations. The Plan Administrator shall be the sole determinant of the acceptability of a Beneficiary designation or change of Beneficiary designation.

## ARTICLE A-VIII VESTING PROVISIONS

**Sec. A-8.01 Full and Immediate Vested Interests.** All Participants shall at all times be fully vested in their respective Employees Contributions and Rollover Amounts.

**Sec. A-8.02 Deferred Vested Interests.** The Participant's vested interest in his/her Employer Matching Contribution Account and his/her Employer Base Contribution Account shall be determined from the following table as of any date of reference:

<u>Participant's Years of Service</u>	<u>Participant's Vested Percentage</u>
Less than 5 Years of Service	0%
5 years but less than 6 years	50%
6 years but less than 7 years	60%
7 years but less than 8 years	70%
8 years but less than 9 years	80%
9 years but less than 10 years	90%
10 years or more	100%

**Sec. A-8.03 Forfeiture of Non-Vested Accounts.** Accounts of non-vested Participants shall be forfeited upon termination of employment and shall not be subject to reinstatement.

**Sec. A-8.04 Allocation of Forfeitures.** Any forfeitures arising under the Plan shall be used to reduce the Employer contributions as required to be made pursuant to Sec. A-3.01.

## ARTICLE A-IX METHODS AND TIMING OF BENEFIT DISTRIBUTIONS

**Sec. A-9.01 Forms of Benefit Payments.**

- (a) Normal Form of Benefits. Benefits shall normally be paid as a single lump sum distribution.

**Sec. A-9.02 Benefit Commencement Dates.**

- (a) Retirement Benefits. Benefits payable by reason of a Participant's retirement are payable as soon as administratively practicable following the Valuation Date of the Plan coincident with or next following the event entitling the Participant to such distribution. However, if a Participant does not submit a request describing the date that his benefit is to commence, the Participant will be deemed to have elected to postpone benefit commencement until the time such Participant elects (in the form and manner prescribed by the Plan Administrator) to commence benefit payments. Notwithstanding the foregoing, the Participant's Benefit Commencement Date shall in no event be later than his/her Required Beginning Date.

- (b) Death Benefits. Upon the beneficiary's election, benefits payable by reason of the death of the Participant shall commence and be paid within one (1) year of the date of the Participant's death in a single lump sum.
- (b) Deferred Vested Benefits. Benefits payable to a Participant by reason of a separation from service (other than due to retirement or death) prior to his/her retirement shall be payable, as of the date that would have been the Participant's Normal Retirement Age, and shall not, in any event, be deferred beyond the Participant's Required Beginning Date. Notwithstanding the foregoing, a terminated Vested Participant shall have the right to request a distribution of any benefit to which he/she is entitled pursuant to Article A-VIII as of any earlier Valuation Date coincident with or next following the date of such request, and the Plan Administrator shall have the right to pay any such benefit, if the Participant consents to such benefit distribution in writing. No distribution of such benefit shall occur prior to a termination of employment.

**Sec. A-9.03 Direct Rollover.**

- (a) In General. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this section, a Distributee may elect, at the time and in the manner prescribed by the Plan Administrator, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover.
- (b) For purposes of this section, the following definitions shall apply:
  - (1) "Eligible Rollover Distribution" is any distribution of all or any portion of the balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee or the joint lives (or joint life expectancies) of the Distributee and the Distributee's designated beneficiary, or for a specified period of ten (10) years or more; any distribution to the extent such distribution is required under Code section 401(a)(9); and the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities).

For purposes of the direct rollover provisions in this section of the Plan, a portion of a distribution shall not fail to be an Eligible Rollover Distribution merely because the portion consists of after-tax employee contributions that are not includible in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code or any qualified trust or Code section 403(b) plan that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

- (2) "Eligible Retirement Plan" is a qualified trust described in Code section 401(a), an individual retirement account described in Code section 408(a), an individual retirement annuity described in Code section 408(b), an annuity plan described in Code section 403(a), an annuity contract described in Code section 403(b), an eligible plan under section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this plan.
  - (3) "Distributee" includes a Participant or former Participant. In addition, the Participant's or former Participant's surviving spouse and the Participant's or former Participant's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code section 414(p), are Distributees with regard to the interest of the spouse or former spouse.
  - (4) "Direct Rollover" is a payment by the Plan to the eligible retirement plan specified by the Distributee or the Plan Administrator, if the Distributee does not make an election.
  - (5) Direct Rollovers may be made to a Roth IRA described in Section 408A of the Internal Revenue Code to the extent that the applicable requirements of Code section 408A are satisfied with respect to any direct rollover to such Roth IRA.
- (c) Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Non-spouse Beneficiary's election under this section, a Nonspouse Beneficiary may elect to have any portion of a Plan distribution (that is payable to such Non-spouse Beneficiary due to a Participant's death) paid in a direct trustee-to-trustee transfer to an individual retirement account described in Code section 408(a) or to an individual retirement annuity described in Section 408(b) (other than an endowment contract) that has been established for the purposes of receiving the distribution on behalf of such Non-spouse Beneficiary. For these purposes, a "Non-spouse Beneficiary" is an individual who is a designated beneficiary (as defined by Section 401(a)(9)(E) of the Internal Revenue Code) of a Participant and who is not the surviving spouse of such Participant.

#### **Sec. A-9.04 Required Distributions.**

- (a) Notwithstanding any other provision of this Plan, the entire benefit of any Participant who becomes entitled to benefits prior to death shall be distributed either:
  - (1) not later than the Required Beginning Date, or



- (2) over a period beginning not later than the Required Beginning Date and extending over the life of such Participant or over the lives of such Participant and a designated Beneficiary (or over a period not extending beyond the life expectancy of such Participant, or the joint life expectancies of such Participant and a designated Beneficiary).

If a Participant who is entitled to benefits under this Plan dies prior to the date when the entire interest has been distributed after distribution of the benefits has begun in accordance with paragraph (2) above, the remaining portion of such benefit shall be distributed at least as rapidly as under the method of distribution being used under paragraph (2) as of the date of the death.

- (b) If a Participant who is entitled to benefits under this Plan dies before distribution of the benefit has begun, the entire interest of such Participant shall be distributed within five (5) years of the death of such Participant, unless the following sentence is applicable. If any portion of the Participant's interest is payable to (or for the benefit of) a designated Beneficiary, such portion shall be distributed over the life of such designated Beneficiary (or over a period not extending beyond the life expectancy of such Beneficiary), and such distributions begin not later than one (1) year after the date of the Participant's death or such later date as provided by regulations issued by the Secretary of the Treasury, then for purposes of the five-year rule set forth in the preceding sentence, the benefit payable to the Beneficiary shall be treated as distributed on the date on which such distributions begin. Provided, however, that notwithstanding the preceding sentence, if the designated Beneficiary is the surviving spouse of the Participant, then the date on which distributions are required to begin shall not be earlier than the date upon which the Participant would have attained age seventy and one-half (70½) and, further provided, if the surviving spouse dies before the distributions to such spouse begin, this subparagraph shall be applied as if the surviving spouse were the Participant.
- (c) For purposes of this section, the following definitions and procedures shall apply:
  - (1) "Required Beginning Date" shall mean April 1 of the calendar year following the later of the calendar year in which the Participant attains age seventy and one-half (70½), or the calendar year in which the Participant retires.
  - (2) The phrase "designated Beneficiary" shall mean any individual designated by the Participant under this Plan according to its rules.
  - (3) Any amount paid to a child shall be treated as if it had been paid to the surviving spouse if such amount will become payable to the surviving spouse upon such child's reaching majority (or other designated event permitted under regulations issued by the Secretary of the Treasury).
  - (4) For purposes of this section, the life expectancy of a Participant or the Participant's spouse (other than in the case of a life annuity) may be re-determined but not more frequently than annually.

- (d) General Rules. The requirements of this Section A-9.04 will take precedence over any inconsistent provisions of the Plan. All distributions required under this Section A-9.04 will be determined and made in accordance with Section 401(a)(9) of the Internal Revenue Code and the Treasury regulations thereunder, and the Employer's good faith interpretation of such Code and Regulations.

**Sec. A-9.05 Veterans' Survivor Benefits.** Notwithstanding any other provision of the Plan to the contrary, in the case of the death of a Participant while performing qualified military service (as defined in Code section 414(u)), the survivors of the Participant are entitled to any additional benefits under the Plan (if any, other than benefit accruals related to the period of such service which wouldn't otherwise be credited) had the Participant resumed and then terminated employment on account of death.

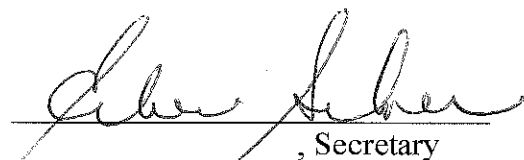
#### **ARTICLE A-X ADMINISTRATION**

The Plan is administrated in accordance with Article XII and Article XV of the Non-Uniformed Employees' Pension Plan of the Township of Northampton. In order to maintain the terms of the Plan in a single document, this Amendment may be incorporated into the most recent restatement of the Plan.

In all other respects the Non-Uniformed Employee's Pension Plan of Northampton Township is continued in full force and effect.

**ORDAINED AND ENACTED** by the Board of Supervisors of Northampton Township this 28<sup>th</sup> Day of January 2015.

#### **BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP**

  
\_\_\_\_\_, Secretary

  
\_\_\_\_\_, Chairman

ORDINANCE NO. 581

NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, FOR THE  
PURPOSE OF ADDING AND AMENDING SECTIONS RELATED TO  
PROHIBITED PARKING AND ESTABLISHING PENALTIES AND CHAPTER  
16, PARKS AND RECREATION, FOR THE PURPOSE OF AMENDING RULES  
RELATED TO PARKS AND RECREATION**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations,** is hereby amended to add the following to **Section §15-403., Parking Prohibited in Certain Locations, Certain Days and Hours.** All other language of said section shall remain unchanged.

**§15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.**

Street	Side	Between	Days	Hours
Revere Drive	East	125 feet north and 250 feet south of Marion Court	School Days	9 a.m. to 12 p.m.

**SECTION 2. CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, Part 4, General Parking Regulations,** is hereby amended to delete **Section §15-412., Penalties.,** and to rewrite it as follows:

**§15-412. Penalties.**

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$50 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the appropriate official all violations of any provision of this Part indicating, in each the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle that if he will report

to the office of the Chief of Police and pay the sum of \$15 within 48 hours after the time of the notice that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this Section.

**SECTION 3. CHAPTER 16, PARKS AND RECREATION, Part 1, Rules for Parks, Recreation Areas, Open Space Areas and Public Property,** is hereby amended to delete **Section §16-101.L., Unlawful Activities.,** and to rewrite it as follows:

**§16-101.L. Unlawful Activities.**

L. Take part in or abet the playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins, horseshoes, quoits, model airplanes, drones, unmanned aerial vehicles, or similar flying vehicles, except in those areas set apart for such forms of recreation. Games such as football, baseball, golf and lacrosse are prohibited except on the fields and courts or areas provided expressly therefor. The athletic fields, courts, and field equipment are to only be used for their intended purposes unless prior approval is granted.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 5. REPEALER.**

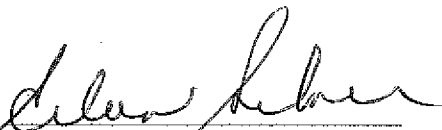
All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this 22<sup>nd</sup> day of July, 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Barry Moore, Chairman

ATTEST:   
Eileen Silver, Secretary

6/24/15

**RESOLUTION NO. R-15-1**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON  
TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, BOND AMOUNTS FOR  
TOWNSHIP OFFICERS**

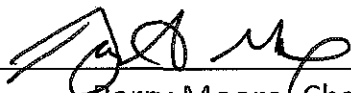
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township setting the following Bond Amounts for Township Officers for 2015 as follows:

Treasurer	\$1,000,000.00
Manager	\$1,000,000.00
Finance Director	\$3,000,000.00

**FURTHER, BE IT RESOLVED**, that any resolution or part of a resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects of this resolution.

**RESOLVED** this 7<sup>th</sup> day of JANUARY, 2015.

**NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

**RESOLUTION NO. R-15-2**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, PENNSYLVANIA, ESTABLISHING REAL ESTATE TAX MILLAGE FOR 2015**

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township to establish the following Real Estate Tax Millage for 2015 as follows:

General Fund	3.9845 mils
Debt Service Fund	4.303 mils
Fire Protection Fund	1 .05 mils
Rescue Squad Fund	.125 mils
Park & Recreation Fund	1.50 mils
Library Fund	1.6 mils
Road Equipment Capital Fund	<u>.365 mils</u>
<b>TOTAL</b>	<b>12.9275 mils</b>

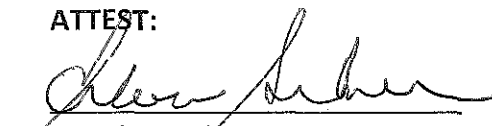
**FURTHER, BE IT RESOLVED**, that any resolution or part of a resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects of this resolution.

**RESOLVED** this 7<sup>th</sup> day of JANUARY, 2015.

**NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

**RESOLUTION R-15-3**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE  
NORTHAMPTON TOWNSHIP FEE SCHEDULE.**

**WHEREAS,** Northampton Township is a legal government entity as provided by the laws of the Commonwealth of Pennsylvania and;

**WHEREAS,** Northampton Township intends to revise its fee schedule.

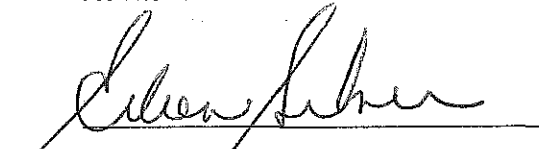
**WHEREAS,** Northampton Township repeals all sections of resolutions establishing fees that are inconsistent with this update, including the following resolutions: R-80-24, R-85-18, R-87-20, R-91-42, R-98-1, R-03-26, R-10-24, R-11-03, R-12-03, and R-14-03.


**NOW, THEREFORE, BE IT RESOLVED** that the Northampton Township fee schedule is adopted with revisions dated December 2014.

**RESOLVED** this 7<sup>th</sup> day of January 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)



RESOLUTION R-15- 4

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE  
NORTHAMPTON TOWNSHIP FEE SCHEDULE.**

**WHEREAS**, Northampton Township is a legal government entity as provided by the laws of the Commonwealth of Pennsylvania and;

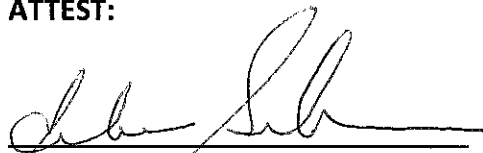
**WHEREAS**, Northampton Township intends to amend its fee schedule adopted on January 7, 2015 by Resolution No. R-15-3;

**NOW, THEREFORE, BE IT RESOLVED** that the Northampton Township fee schedule is hereby amended to add electrical inspection and plan review fees and authorizing United Inspection Agency as the sole electrical provider for Northampton Township.

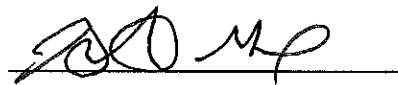
**RESOLVED** this 28<sup>th</sup> day of JANUARY 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**



Eileen Silver, Secretary



Barry Moore, Chair

(Municipal Seal)

**RESOLUTION # R-15- 5**

**A RESOLUTION NAMING TOWNSHIP PROPERTY LOCATED AT  
SECOND STREET PIKE AND TANYARD ROAD IDENTIFIED AS TAX  
MAP PARCEL #31-17-202 AS "IRON WORKS CREEK PARK"**

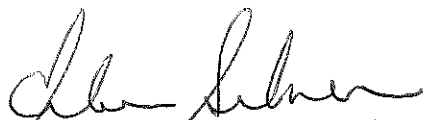
**WHEREAS**, Northampton Township owns an approximate 7 acre property located at Second Street Pike and Tanyard Road identified as Tax Map Parcel #31-17-202 and,

**WHEREAS**, the Board of Supervisors of Northampton Township desire to improve the property and create additional passive recreation opportunities for Township residents and,

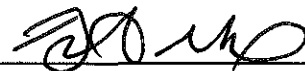
**WHEREAS**, the Board of Supervisors also desires to improve the property to serve as a gateway into the historic village of Richboro,

**NOW THEREFORE IT IS RESOLVED** By the Board of Supervisors of Northampton Township that the property located at Second Street Pike and Tanyard Road identified as Tax Map Parcel #31-17-202 shall be henceforth known as "Iron Works Creek Park".

Resolved this 28<sup>TH</sup> Day of January 2015.



Eileen Silyer, Secretary



Barry Moore, Chairman



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

DEP Code No.  
1-09937-402-3J

## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Gabriel Building Group has proposed the development of a parcel of land identified as  
land developer

Juliette's Gardens Subdivision, and described in the attached Sewage Facilities Planning Module, and  
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify).

**WHEREAS**, Northampton Township finds that the subdivision described in the attached  
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

[Signature]  
(Signature)

Secretary, Northampton

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # R-15-6, adopted, JANUARY 28, 2015.

Municipal Address:

Northampton Township

55 Township Road

Richboro, PA 18954-1592

Telephone 215-357-6800

Seal of

Governing Body

RESOLUTION R-15- 7

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective January 24, 2015 at 0300 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

**FURTHER, WHEREAS** the weather conditions as of 1330 hours, January 24, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1330 hours on January 24, 2015 the limited state of emergency is declared to no longer be in effect.


**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**



Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

RESOLUTION R-15- 8

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective January 26, 2015 at 1600 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

**FURTHER, WHEREAS** the weather conditions as of 1630 hours, January 27, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.


**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1630 hours on January 27, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

RESOLUTION R-15-9

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective February 17, 2015 at 0300 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

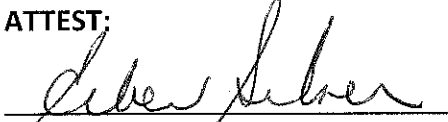
**FURTHER, WHEREAS** the weather conditions as of 1500 hours February 17, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1500 hours on February 17, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
Barry Moore, Chairman

**ATTEST:**  
  
Eileen Silver Secretary

**RESOLUTION R-15- 10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING APPLICATION TO THE 2015 PECO GREEN REGION OPEN SPACE PROGRAM FOR THE IRONWORKS CREEK PARK PROJECT**

**WHEREAS**, Northampton Township desires to undertake a project to develop Iron Works Creek Park as a passive recreational area; and

**WHEREAS**, Northampton Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and

**WHEREAS**, Northampton Township received the 2015 PECO Green Region Open Space Program Guidelines and understands the requirements of the program;

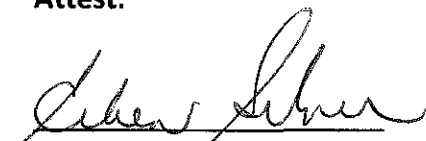
**NOW THEREFORE BE IT RESOLVED**, that Northampton Township Board of Supervisors hereby approves the Iron Works Creek Park project and authorizes an application to the PECO Green Region Open Space Program in the amount of \$10,000; and

**BE IT FURTHER RESOLVED** that Northampton Township commits to the expenditure of matching funds in the amount of \$10,000 necessary for the project's success.

**RESOLVED** this 25th day of February 2015.

**NORTHAMPTON TOWNSHIP BOARD OF SUPERVISORS**

**Attest:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman



## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Steve Jacobson (or behalf of Jake's Eatery) has proposed the development of a parcel of land identified as

N/A (Address: 869 Bustleton Pike) and described in the attached Sewage Facilities Planning Module, and  
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☐ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☒ other, (please specify). increasing EDU's as required for additional sewage use.

**WHEREAS**, Northampton finds that the subdivision described in the attached  
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township),

(Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Eileen Silver, Secretary, Eileen Silver  
(Signature)

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of

the Township (Borough) (City) Resolution # R-15-11, adopted, 25 February, 2015.

Municipal Address:

Northampton Township  
55 Township Road  
Richboro, PA 18954

Telephone 215-357-6800 x

Seal of  
Governing Body



RESOLUTION R-15- 12

A RESOLUTION OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE INCURRING OF LEASE/PURCHASE OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$560,000 TO BE EVIDENCED BY A LEASE PURCHASE AGREEMENT WITH BANK OF AMERICA PUBLIC CAPITAL CORPORATION ("LESSOR") TO WHICH NORTHAMPTON TOWNSHIP WILL PAY TO LESSOR THE LEASE/PURCHASE PAYMENTS FOR THE PURPOSES OF PROVIDING CERTAIN EQUIPMENT FOR NORTHAMPTON TOWNSHIP; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LEASE/PURCHASE AGREEMENTS; SETTING THE AMOUNTS OF THE LEASE/PURCHASE PAYMENTS TO BE MADE THEREUNDER AND COVENANTING TO PAY SUCH AMOUNTS FROM CURRENT REVENUES, SUBJECT TO ANNUAL APPROPRIATION; AUTHORIZING AND DIRECTING THE TAKING OF NECESSARY OR APPROPRIATE ACTIONS, INCLUDING EXECUTION AND DELIVERY OF REQUISITE DOCUMENTS IN CONNECTION WITH THE LEASE/ PURCHASE AGREEMENT; AND TAKING RELATED ACTION.

**WHEREAS**, Northampton Township has determined that it is in the best interests of Northampton Township to finance certain capital equipment ("Equipment") as more particularly described in Exhibit "A" annexed hereto and made part hereof and;

**WHEREAS**, Northampton Township desires by this resolution to authorize the execution and delivery on behalf of Northampton Township of a Lease Purchase Agreement, and to authorize the taking of necessary or appropriate actions in connection with the Lease Purchase Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township as follows:

**Section 1.** The Board of Supervisors of Northampton Township hereby authorizes and approves the financing of capital equipment pursuant to a Lease Purchase Agreement with Bank of America Capital Corporation, and to incur lease purchase obligations in an aggregate principal amount not to exceed \$560,000 by the execution and delivery of a Lease Purchase Agreement. Northampton Township has determined that the realistic estimated useful life of the equipment is at least five (5) years or (7) years.

**Section 2. Form of Lease Purchase Agreement.** The Lease Purchase Agreement will be in form and substance satisfactory to Northampton Township, with the advice of counsel, and shall provide for Northampton Township's repayment obligations thereunder.

**Section 3. Execution and Delivery of Lease Purchase Agreement.** Northampton Township designates and authorizes the Township Manager Finance Director to execute, attest, seal and deliver the Lease Purchase Agreement in the form provided in Section 2 hereof. Such execution, attestation, and delivery of the Lease Purchase Agreement shall constitute conclusive evidence of such approval.

**Section 4. Lease Purchase Payments from Current Revenues.** Northampton Township covenants to pay Lessor the lease payments from current revenues or capital reserve funds subject to annual appropriation.

**Section 5. Qualified Tax Exempt Obligations.** Northampton Township designates its obligations under the Lease Purchase Agreement as "qualified tax exempt obligations" as defined in and for purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

**Section 6. Headings & Preambles.** The preambles and headings of this Resolution are inserted for ease of reference only and shall not constitute a part of this Resolution.

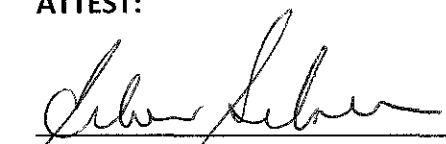
**Section 7. Inconsistent Ordinances are Repealed.** All ordinances and resolutions to the extent inconsistent herewith shall be and the same are hereby rescinded, cancelled, and annulled.

**Section 8. Reimbursement from Proceeds.** The Township declares its intent to be reimbursed from proceeds of the lease purchase obligation for any temporary advances from its capital reserve funds used to pay for any equipment acquired prior to the execution of this document.

RESOLVED this 25<sup>th</sup> day of February 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
\_\_\_\_\_  
Eileen Silver, Secretary

  
\_\_\_\_\_  
Barry Moore, Chairman

RESOLUTION R-15- 13

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective February 21, 2015 at 1900 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of March 2015.

**FURTHER, WHEREAS** the weather conditions as of 0900 hours, February 22, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.


**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 0900 hours on February 22, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of March 2015

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

  
Barry Moore, Chairman

ATTEST:

  
Eileen Silver, Secretary

RESOLUTION R-15- 14

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective March 5, 2015 at 1000 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of March 2015.

**FURTHER, WHEREAS** the weather conditions as of 0130 hours, March 6, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 0130 hours on March 6, 2015 the limited state of emergency is declared to no longer be in effect.

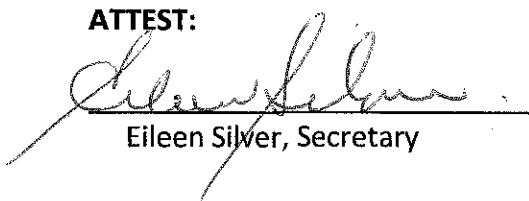
**RESOLVED** 25<sup>th</sup> day of March 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**



Barry Moore, Chairman

**ATTEST:**



Eileen Silver, Secretary

RESOLUTION R-15- 15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING AND SUBMITTING AN APPLICATION FOR TRAFFIC SIGNAL APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION AND TO SIGN THE APPLICATION ON BEHALF OF NORTHAMPTON TOWNSHIP

BE IT RESOLVED, by authority of the Board of Supervisors of Northampton Township, Bucks, County, and it is hereby resolved by authority of the same, that the Township Manager of Northampton Township be authorized and directed to execute the attached application for Traffic Signal Approval (Form TE-160) and submit it to the Pennsylvania Department of Transportation for review and approval.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)

**RESOLUTION R-15- 116**

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective March 20, 2015 at 1500 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 22<sup>nd</sup> day of April 2015.

**FURTHER, WHEREAS** the weather conditions as of 1430 hours, March 21, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.


**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1430 hours on March 21, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 22<sup>nd</sup> day of April 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
\_\_\_\_\_  
Barry Moore, Chairman

**ATTEST:**

  
\_\_\_\_\_  
Eileen Silver, Secretary

**RESOLUTION R-15- 17**

**RESOLUTION TO AUTHORIZE FILING AN AGREEMENT WITH THE PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION TO AUTHORIZE ELECTRONIC ACCESS TO PENNDOT  
SYSTEMS AND TO AUTHORIZE THE APPROPRIATE OFFICERS OF THE TOWNSHIP TO  
EXECUTE ALL DOCUMENTS IN CONNECTION WITH THE AGREEMENT**

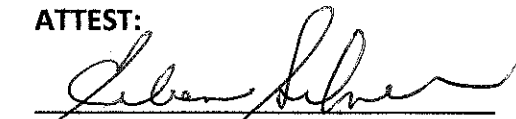
**BE IT RESOLVED**, by authority of the Board of Supervisors of Northampton Township, Bucks County, and it is hereby resolved by authority of the same, that Barry Moore, Chairman of the Northampton Township Board of Supervisors is authorized and directed to sign the attached agreement to authorize electronic access to the PENNDOT ECMS system, and;

**BE IT FURTHER RESOLVED**, that the Northampton Township Board of Supervisors does hereby designate Eileen Silver, Secretary of the Northampton Township Board of Supervisors as the official to attest all documents between Northampton Township and the Pennsylvania Department of Transportation in connection with the agreement.

**RESOLVED** by the Board of Supervisors of Northampton Township this 27<sup>th</sup> day of May 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**


  
Eileen Silver, Secretary

  
Barry Moore, Chairman

I, Robert Pellegrino, Township Manager of Northampton Township, do hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Northampton Township Board of Supervisors at a regular meeting held 27<sup>th</sup> day of May 2015.

**DATE:**

5/27/15

  
Robert M. Pellegrino, Manager

(Municipal Seal)



Agreement No: \_\_\_\_\_

Federal ID No.: \_\_\_\_\_

User ID Code: \_\_\_\_\_

AGREEMENT TO AUTHORIZE  
ELECTRONIC ACCESS TO PENNDOT SYSTEMS  
(POLITICAL SUBDIVISIONS)

THIS INTERGOVERNMENTAL AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Commonwealth of Pennsylvania, acting through the Bureau of Project Delivery of the Department of Transportation, hereinafter referred to as DEPARTMENT,

AND

Northampton Township

(NAME OF APPLICANT)

55 Township Road, Richboro, PA 18954

(REGISTERED OR PRINCIPAL OFFICE LEGAL ADDRESS OF APPLICANT)

215-357-6800

(PRINCIPAL OFFICE PHONE NUMBER)

hereinafter referred to as APPLICANT, a political subdivision of the Commonwealth of Pennsylvania, acting through its proper officials.

WHEREAS, the APPLICANT desires to register as a DEPARTMENT business partner to be permitted electronic access to the **Engineering and Construction Management System** (hereinafter referred to as "System" whether singular or plural) for the purposes of entering information into and exchanging data with the System; and

WHEREAS, the DEPARTMENT, in furtherance of the powers and duties conferred on it by Section 2002 of the Administrative Code of 1929, as amended, 71 P.S. Section 512, to design and construct state highways and other transportation facilities and to enter into contracts for this purpose, is willing to permit the APPLICANT to electronically submit technical proposals, invoices, engineering plans, designs and other documents necessary to design and construct transportation projects as part of the DEPARTMENT'S program to use the System; and

WHEREAS, Sections 2001.1 of the Administrative Code of 1929, as amended (71 P.S. §§ 511.1) authorizes the DEPARTMENT, through the Secretary of transportation, to enter into all necessary contracts and agreements with the proper agencies of any governmental, federal, state or political subdivision, "for any purpose connected in any way with the Department of Transportation of the Commonwealth of Pennsylvania."

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises expressed in this document, and intending to be legally bound, the parties agree as follows:

1. The APPLICANT is responsible for furnishing and assuming the total costs of all software and hardware necessary to connect to the System. Such software shall include an operating system, an Internet browser and any software needed to operate a modem. The APPLICANT is responsible for the procurement and cost of any data communications lines required to connect to the System. The APPLICANT is responsible for the cost of telephone lines and usage.
2. The APPLICANT will permit access to the System as the DEPARTMENT shall direct.



3. The APPLICANT will implement appropriate security measures to insure that only authorized employees of the APPLICANT will have access to and enter data into the System. The APPLICANT agrees to assign only its current employees User Identification Internet System access codes ("User ID codes") provided to the APPLICANT by the DEPARTMENT. The APPLICANT agrees to assign a separate and distinct User ID code to each current employee who will concur in awards, sign contracts and approve payments. The APPLICANT agrees to accept full responsibility for controlling the User ID codes that the APPLICANT assigns to the employees of the APPLICANT. The APPLICANT agrees to deactivate an employee's User ID code immediately upon the employee's separation and/or dismissal from the employ of or association with the APPLICANT. The APPLICANT agrees that the APPLICANT'S employees may not share User ID codes. The APPLICANT agrees to be liable for the items negligently submitted under one of its assigned User ID codes and for the negligent submissions, actions or omissions of anyone using a User ID code of the APPLICANT or the APPLICANT'S employee.

4. The DEPARTMENT shall make provisions for the APPLICANT to obtain initial training for the System. This training may not include any non-System program topics, nor may it include training on any other computer hardware or software, including, but not limited to, operation of a personal computer.

5. The DEPARTMENT will make reasonable attempts (barring unforeseen interruptions due to calamity, natural disaster or technical impossibility) to make the System available for on-line access 24 hours per day, seven days per week. The DEPARTMENT will provide support only during normal business hours of the DEPARTMENT offices (7:30 AM until 4:30 PM.)

6. This Agreement shall continue until terminated by either Party, at any time, without cause, within fifteen (15) days upon receipt of written notice thereof. Any material breach of this Agreement by either Party shall entitle the other Party to terminate this Agreement without prejudice to its rights or remedies available at law or in equity. Upon termination or expiration of this Agreement, the APPLICANT shall cease and shall cause its users to cease attempts to access the System.

7. The APPLICANT shall comply with the current versions of the following:

- Right to Know Law, attached as Exhibit A
- Contractor Integrity Provisions, attached as Exhibit B
- Americans with Disabilities Act, attached as Exhibit C
- Contractor Responsibility Provisions, attached as Exhibit D
- Nondiscrimination/Sexual Harassment Clause, attached as Exhibit E
- Offset Provision, attached as Exhibit F

8. This Agreement embodies the entire understanding between the DEPARTMENT and APPLICANT and there are no contracts, agreements, or understanding with reference to the subject matter hereof which are not merged herein.

ATTEST:

Northampton Township  
(Print APPLICANT'S Name)

Eileen Silver 5/27/15  
(Signature) (Date)

Eileen Silver  
Print Name

Secretary  
(Title)

BY: [Signature] 5/27/15  
(Signature) (Date)

BARRY MOORE  
Print Name

Chairman  
(Title)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(DEPARTMENT Signatory and Date)

APPROVED AS TO LEGALITY AND FORM

BY: \_\_\_\_\_  
Chief Counsel DATE

Preapproved form:  
OGC No. 18-FA-28.0  
Approved OAG 05/06/2013

MAIL COMPLETED AGREEMENT TO:  
System Registration  
PA Department of Transportation  
Bureau of Project Delivery, Systems Management Section  
P.O. Box 3662  
Harrisburg, PA 17105-3662



## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Emanuel & Rafael Kravci  
land developer

Spaeth Subdivision  
name of subdivision, and described in the attached Sewage Facilities Planning Module, and

proposes that such subdivision be served by: (check all that apply), ☒ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify) \_\_\_\_\_

**WHEREAS**, Northampton Township  
municipality finds that the subdivision described in the attached

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township)

(Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Eileen Silver  
(Signature), Secretary, Northampton Township

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 18, adopted, May 27, 2015.

Municipal Address:

Northampton Township  
55 Township Road  
Richboro, PA 18954  
Telephone 215 357 6800

Seal of  
Governing Body

RESOLUTION R-15- 19

**A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE  
COMMONWEALTH FINANCING AUTHORITY. REQUESTING A GREENWAYS,  
TRAILS, AND RECREATION PROGRAM (GTRP) GRANT AND AUTHORIZING  
THE APPROPRIATE OFFICERS OF THE TOWNSHIP TO EXECUTE ALL  
DOCUMENTS IN CONNECTION WITH THE APPLICATION.**

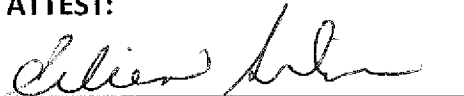
**BE IT RESOLVED**, that the Board of Supervisors of Northampton Township, Bucks County, hereby request a Greenways, Trails, and Recreation Program (GTRP) grant in the amount of \$90,000 from the Commonwealth Financing Authority for the Ironworks Creek Park Project.


**BE IT FURTHER RESOLVED**, that the Northampton Township Board of Supervisors does hereby designate Barry Moore, Chairman and Eileen Silver, Secretary of the Northampton Township Board of Supervisors as the officials to execute all documents and agreements between Northampton Township and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

**RESOLVED by** the Board of Supervisors of Northampton Township this 24<sup>th</sup> day of June 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)

RESOLUTION R-15- 20

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO ELECTRONICALLY OR OTHERWISE EXECUTE A COMMONWEALTH PERFORMANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH PENNDOT'S LOCAL BRIDGE BUNDLING PROGRAM**

**WHEREAS**, the Northampton Township Board of Supervisors authorized participation on the Pennsylvania Department of Transportation Local Bridge Bundling Program by adopting Resolution R-15-17 on My 27, 2015, and

**WHEREAS**, the Local Bridge Bundling Program additionally requires the execution of an Agreement outlining the Commonwealth's and local Municipalities performance requirements for participation in the program, and

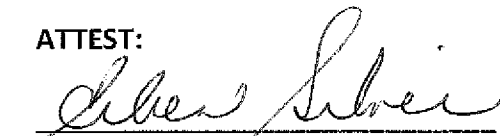
**WHEREAS**, the "Agreement for Commonwealth's Performance of Locally-Owned Multi-Bridge (Bridge Bundling) Projects" outlines the various responsibilities of the Commonwealth and Northampton Township for a project to replace the bridge on Willow Road over Iron Works Creek;

**NOW THEREFORE BE IT RESOLVED**, by authority of the Board of Supervisors of Northampton Township, Bucks, County, Pennsylvania that Robert M. Pellegrino, Township Manager, is authorized and directed to execute electronically or otherwise the attached Commonwealth Performance of Locally Owned Multi-Bridge Projects Agreement.

**RESOLVED** by the Board of Supervisors of Northampton Township this 22<sup>nd</sup> day of July 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

RESOLUTION R-15- 21

**A RESOLUTION OF THE NORHAMPTON TOWNSHIP BOARD OF SUPERVISORS,  
BUCKS COUNTY, PENNSYLVANIA AUTHORIZING PARTICIPATION IN THE  
2015 ROAD RESURFACING PROGRAM OF WHITPAIN TOWNSHIP,  
MONTGOMERY COUNTY, PENNSYLVANIA**

**WHEREAS**, Whitpain Township, Montgomery County, Pennsylvania publicly advertised and awarded bids for its 2015 Road Resurfacing Program, and

**WHEREAS**, Whitpain Township awarded said bids with the intention of opening the process to other municipalities that are current members of the Delaware Valley Consortiums or the Montgomery County Public Works Association, and


**WHEREAS**, Northampton Township qualifies for participation in the Whitpain Township 2015 road resurfacing program as a member of the Delaware Valley Consortiums and the Montgomery County Public Works Association and desires to participate in the Whitpain Township 2015 Road resurfacing Program for micro-surfacing application in the Tanyard Farms Development;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Northampton Township, Bucks, County, Pennsylvania that Northampton Township participate with Whitpain Township and other consortium communities in the 2015 Whitpain Township contract for road resurfacing which shall include micro-surfacing and other bituminous surface treatments and materials.

**RESOLVED** by the Board of Supervisors of Northampton Township this 22<sup>nd</sup> day of July 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

RESOLUTION R-15-22

**A RESOLUTION OF The BOARD OF SUPERVISORS OF  
NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA  
AUTHORIZING THE TOWNSHIP ADMINISTRATION TO FILE AN  
APPLICATION FOR A MULTI-MODAL TRANSPORTATION FUND  
GRANT WITH THE COMMONWEALTH FINANCING AUTHORITY  
FOR PRELIMINARY ENGINEERING DESIGN OF ROAD  
IMPROVEMENTS AT BUSTLETON PIKE AND SECOND STREET PIKE**

**WHEREAS**, the Board of Supervisors of Northampton Township desires to mitigate traffic congestion on Township roadways by periodically undertaking projects to improve roadway intersections or provide alternatives to existing traffic patterns by the construction of new roads, and

**WHEREAS**, the intersection of Bustleton Pike and Second Street Pike is identified as a location for intersection improvements including a possible extension of Township Road to relieve congestion at the intersection of Almshouse Road and Newtown-Richboro Road and by modifying the existing method of controlling traffic at the intersection, and

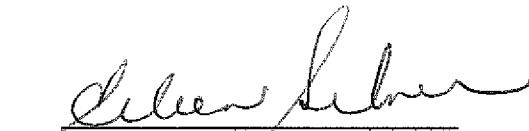
**WHEREAS**, grant funds are available from the Multi-modal Transportation Fund administered by the Commonwealth Financing Authority for engineering design and construction of road improvements, and

**WHEREAS**, the Board of Supervisors of Northampton Township wishes to obtain funds for preliminary design to extend Township Road and modify the Bustleton Pike and Second Street Pike intersection,

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Northampton Township hereby authorizes the Township Administration to file a Multimodal Transportation Fund Grant of \$350,000 from the Commonwealth Financing Authority to be used for preliminary engineering of road improvements at Bustleton Pike and Second Street Pike as part of an overall Road Improvement Plan for the Village of Richboro in Northampton Township.

**BE IT FURTHER RESOLVED**, that Robert M. Pellegrino, Township Manager is hereby designated as the official authorized to execute all documents between Northampton Township and The Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

**RESOLVED** this 22<sup>nd</sup> Day of July 2015 by the Board of Supervisors of Northampton Township.

  
Eileen Silver, Secretary

NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS

  
Barry Moore, Chairman

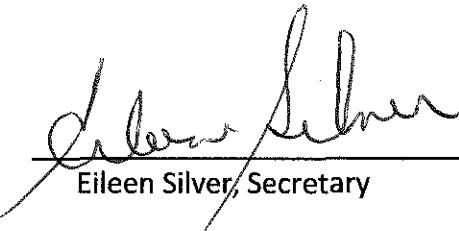
RESOLUTION NO. 2015-R- 23

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO EXECUTE A 5 YEAR AGREEMENT FOR WINTER TRAFFIC SERVICES WITH THE DEPARTMENT OF TRANSPORTATION

**BE IT RESOLVED**, by the authority of the Board of Supervisors of Northampton Township, Bucks County, and it is hereby resolved by the authority of the same, that the Chairman of the Board of Supervisors of Northampton Township be authorized and directed to sign the attached agreement on its behalf.

**RESOLVED** by the Board of Supervisors of Northampton Township this 16th day September 2015.

**ATTEST:**

  
\_\_\_\_\_  
Eileen Silver, Secretary

**TOWNSHIP OF NORTHAMPTON  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Barry Moore, Chairman



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

**WINTER TRAFFIC SERVICES 5 – YEAR**

**AGREEMENT NO** 3900037749  
**FID/SSN**  
**SAP VENDOR No.** 138764

**THIS AGREEMENT**, fully executed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the COMMONWEALTH of Pennsylvania, acting through the Department of Transportation ("COMMONWEALTH").

**AND**  
Northampton Township of the COMMONWEALTH of Pennsylvania, acting through its authorized officials ("MUNICIPALITY").

**WITNESSETH;**

**WHEREAS**, certain public highways, including bridges with their approaches, in the MUNICIPALITY have been adopted and taken over as part of the State Highway System, to be constructed, improved and maintained by the COMMONWEALTH, upon the terms and conditions and subject to the limitations contained in the Act of May 29, 1945, P.L. 1108; the Act of June 1, 1945, P.L. 1242; and the Act of September 18, 1961, P.L. 1389; all as supplemented and amended; and,

**WHEREAS**, the MUNICIPALITY has the equipment, materials and personnel available and ready to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for certain State Highways, including bridges with their approaches, within the MUNICIPALITY, in a prompt and efficient manner and has signified its willingness to furnish these winter traffic services for the COMMONWEALTH during the Winter Season(s) of 2015; 2016; 2017; 2018; and 2019. (the "Winter Season" for the purpose of this Agreement shall be the period from October 15 to April 30 of each season), subject to payment by the COMMONWEALTH to the MUNICIPALITY as described in this Agreement; and

**WHEREAS**, the MUNICIPALITY shall conduct its winter traffic services in a manner satisfactory to the COMMONWEALTH, in order to facilitate the safe and unimpeded flow of vehicular traffic over said State Highways within the MUNICIPALITY in accordance with the terms, covenants and conditions hereinafter set forth in this Agreement; and

**WHEREAS**, the MUNICIPALITY shall conduct the winter traffic services for and in the agreed amount during the term of this Agreement, regardless of the amount of work required.

**NOW, THEREFORE**, the parties hereto, for and in consideration of the foregoing premises and of the mutual promises set forth below, with the intention of being legally bound, agree as follows:

1. The MUNICIPALITY shall undertake and accomplish the required snow and ice clearance together with the application of anti-skid and/or de-icing materials for the State Highways, including bridges and their approaches, as indicated in Exhibit "A" attached to and made part of this Agreement. The MUNICIPALITY shall perform all work in accordance with all applicable PennDOT Specifications ("Publication 408"), policies and procedures set forth in the PennDOT Highway Maintenance Foreman Manual ("Publication 113") and the PennDOT Maintenance Manual ("Publication 23"), which all are incorporated by reference into this Agreement as though physically attached. This work shall be performed in a prompt and efficient manner so as to facilitate the safe and unimpeded flow of vehicular traffic over the State Highways within the MUNICIPALITY.

## Municipal Winter Traffic Services Agreement

2. If, to undertake and accomplish the duties required in Paragraph (1.), the MUNICIPALITY'S forces must traverse a bridge with a posted weight restriction, the MUNICIPALITY agrees to file a permit application with the posting authority and obtain a permit to traverse the bridge pursuant to 67 Pa. Code Chapter 191. The MUNICIPALITY agrees to refile permit applications as needed during the term of this Agreement and obtain permits for each succeeding winter season for which this Agreement is renewed. Failure to obtain such permits shall be grounds for termination of this Agreement.
3. The starting date of this Agreement shall be the date on which the Agreement has been fully executed and approved by the COMMONWEALTH, or the date agreed to by both the MUNICIPALITY and the COMMONWEALTH, whichever comes later. Further, the MUNICIPALITY shall not be permitted to start any work until notified by the COMMONWEALTH that the Agreement has been fully executed and approved, except as set forth in Paragraph 6 below.
4. The COMMONWEALTH shall pay the MUNICIPALITY, as consideration for the services contracted for in this Agreement, the total sum of the MUNICIPALITY's eligible actual costs incurred in providing the services under this Agreement, consisting of the items set forth in Paragraph 5 below. As evidence of its actual costs, the MUNICIPALITY shall submit to the COMMONWEALTH a completed Exhibit "E." The amount owed to the MUNICIPALITY shall be capped at the highest snow lane mile rate in the state for that winter season including the Severe Winter Adjustment.
5. Actual costs to the MUNICIPALITY that are eligible for payment shall consist of the following items: labor costs (consisting of salaries and employee overhead), equipment costs (rental costs), salt, salt brine and overhead. Any actual costs incurred by the MUNICIPALITY during the Winter Season shall be paid by the COMMONWEALTH in accordance with Paragraph 4 above.
6. In the event a winter emergency occurs that necessitates winter traffic services prior to the execution of this Agreement, the District Executive on behalf of the COMMONWEALTH may issue a written letter to the MUNICIPALITY finding that an emergency exists under Section 516 of the Procurement Code and authorizing the MUNICIPALITY to perform the services required by this Agreement subject to the terms and conditions of this Agreement. If the MUNICIPALITY receives an emergency winter traffic services letter from the District Executive prior to execution of this Agreement, because of the critical need to provide winter traffic services to assure public safety on the State Highway System, the COMMONWEALTH shall pay the MUNICIPALITY for any costs incurred to service State Highways as a result of the onset of winter weather emergency necessitating the provision of the services under this Agreement between the beginning of the Winter Season and full execution of this Agreement.
7. The MUNICIPALITY undertakes the responsibilities as an independent contractor and its employees and/or lessors or contractors shall not be considered employees of the COMMONWEALTH for any purpose. This Agreement shall be considered a maintenance contract between a Commonwealth agency and a local agency for purposes of 42 Pa. C.S. 8542(6)(b)(ii), relating to acts which may impose liability on local agencies.
8. The obligations of the MUNICIPALITY under this Agreement shall terminate and end as of midnight on April 30th for each Winter Season.
9. Work performed by the MUNICIPALITY under this Agreement shall be done to the satisfaction of the COMMONWEALTH. Such work shall be subject to inspection by the Secretary of Transportation, the District Executive, and/or their duly authorized representatives.
10. If the MUNICIPALITY fails to comply with the terms of this Agreement to the satisfaction of the COMMONWEALTH, the COMMONWEALTH may terminate the Agreement upon giving ten (10) days written notice to the MUNICIPALITY. If the Agreement is so terminated, then the COMMONWEALTH shall not be further obligated to pay any amount of money to the MUNICIPALITY and the MUNICIPALITY shall be entitled to payment for all eligible actual costs incurred by the MUNICIPALITY pursuant to this Agreement prior to the date of termination.

Municipal Winter Traffic Services Agreement

11. The COMMONWEALTH reserves the right to terminate this Agreement for convenience if it determined that termination is in the best interest of the COMMONWEALTH. If the Agreement is so terminated, then the COMMONWEALTH shall not be further obligated to pay any amount of money to the MUNICIPALITY, the MUNICIPALITY shall not be further obligated to perform, and the MUNICIPALITY shall be entitled to payment for all eligible actual costs incurred by the MUNICIPALITY pursuant to this Agreement up to the date when termination is effective.
12. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101—3104, applies to this Agreement. Therefore, this Agreement is subject to, and the MUNICIPALITY shall comply with, the clause entitled Contract Provisions – Right to Know Law, attached as Exhibit “B” and made a part of this Agreement. As used in this exhibit, the term “Contractor” refers to the MUNICIPALITY.
13. The MUNICIPALITY shall comply with the following clauses or provisions attached as Exhibit “C” and incorporated here by reference: The most current versions of the Commonwealth Nondiscrimination / Sexual Harassment Clause, the Contractor Integrity Provisions, the Provisions Concerning the Americans with Disabilities Act and the Contractor Responsibility Provisions.
14. The MUNICIPALITY agrees that the COMMONWEALTH may set off the amount of any state tax liability or other obligation of the MUNICIPALITY or its subsidiaries to the COMMONWEALTH against any payments due the MUNICIPALITY under any contract with the COMMONWEALTH.
15. Because the COMMONWEALTH will be making payments under this Agreement through the Automated Clearing House (“ACH”) Network, the MUNICIPALITY shall comply with the following provisions governing payments through ACH:
  - (a) The COMMONWEALTH will make payments to the MUNICIPALITY through ACH. Within 10 days of the execution of this Agreement, the MUNICIPALITY must submit or must have already submitted its ACH information on a ACH enrollment form (obtained at [www.vendorregistration.state.pa.us/cvnu/paper/Forms/ACH-EFTenrollmentform.pdf](http://www.vendorregistration.state.pa.us/cvnu/paper/Forms/ACH-EFTenrollmentform.pdf)) and electronic addenda information, if desired to the Commonwealth’s Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street – 9<sup>th</sup> Floor, Harrisburg, PA 17101.
  - (b) The MUNICIPALITY must submit a completed Exhibit “E” with a unique identifying number. The unique number will be listed on the Commonwealth of Pennsylvania’s ACH remittance advice to enable the contractor to properly apply the state agency’s payment to the respective invoice or program.
  - (c) It is the responsibility of the MUNICIPALITY to ensure that the ACH information contained in the Commonwealth’s Central Vendor Master File is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.
16. The DEPARTMENT and other agencies of the Commonwealth of Pennsylvania may, at reasonable times and places, audit the books and records of the MUNICIPALITY to the extent that they relate to the MUNICIPALITY’s performance of this Agreement and the costs incurred by the MUNICIPALITY in providing services under it. The MUNICIPALITY shall maintain the books and records for a period of three (3) years from the date of final payment under the Agreement, including all renewals.
17. The Agreement constitutes the entire agreement between the parties. No amendment or modifications of this Agreement shall be valid unless it is in writing and duly executed and approved by both parties.

Municipal Winter Traffic Services Agreement

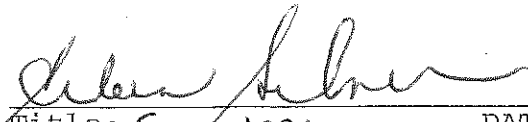
18. This Agreement shall automatically renew for succeeding Winter Seasons at the rate established for each particular season unless either party shall terminate upon written notice to the other on or before July 31<sup>st</sup> before the start of the following winter season.
19. The COMMONWEALTH has implemented a Strategic Environmental Management Program (SEMP) which complies with the ISO 14001:2004 standard. As part of SEMP, the COMMONWEALTH has established a Green Plan Policy that can be found at [www.dot.state.pa.us](http://www.dot.state.pa.us) and is also posted at the COMMONWEALTH's District and County Offices. The Green Plan Policy is designed to protect the environment, conserve resources and comply with environmental laws and regulations. The MUNICIPALITY shall ensure that its personnel (including the personnel of any of its subcontractors) are aware of the COMMONWEALTH's commitment to protecting the environment, are properly trained about the environmental impacts of their work and are competent (through appropriate work experience, job training or classroom education) to perform the work that they do.

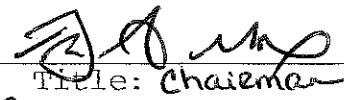
**(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)**

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST

MUNICIPALITY - Northampton Township

  
Title: Secretary  
Eileen Silver, DATE

BY   
Title: Chairman  
Barry Moore, DATE

*If a Corporation, the president or Vice-president must sign and the Secretary, Treasurer, Assistant Secretary or Assistant Treasurer must attest; if a sole proprietorship, only the owner must sign; if a partnership, only one partner need sign; if a limited partnership, only the general partner must sign. If a MUNICIPALITY, Authority or other entity, please attach a resolution.*

DO NOT WRITE BELOW THIS LINE -- FOR COMMONWEALTH USE ONLY

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY \_\_\_\_\_  
District Executive Date

APPROVED AS TO LEGALITY  
AND FORM

\_\_\_\_\_  
for Chief Counsel Date

Certified Funds Available Under  
SAP DOCUMENT NO. \_\_\_\_\_  
SAP FUND \_\_\_\_\_  
SAP COST CENTER \_\_\_\_\_  
GL. ACCOUNT \_\_\_\_\_  
AMOUNT \_\_\_\_\_  
BY \_\_\_\_\_

for Comptroller Operations Date

Contract No. \_\_\_\_\_, is split 0%, expenditure amount of 0.00, for federal funds and 100%, expenditure amount of \$ \_\_\_\_\_ for state funds. The related federal assistance program name and number is N/A; N/A. The state assistance program name and SAP Fund is Highway Maintenance; 582.

Preapproved Form: OGC No. 18-FA-\_\_\_\_\_  
Appv'd OAG --/--/\_\_\_\_

3900037749

COUNTY

AGREEMENT #

MUNICIPALITY

YEAR 1 of 5

## WINTER SEASON

2015/2016

[illegible]

**TERMS OF PAYMENT(S)**

The Municipality will be compensated with a lump sum payment in the amount indicated as Total Cost, and as adjusted by the Department of Transportation at the end of each year. The Municipality will be compensated with an adjustment to offset severe winters at the following rate. The Municipality will receive an adjustment equal to the percentage of the Department's actual costs (for similar roads serviced) over and above the five year average for a particular county less a \$1,000.00 deductible for Municipalities with agreements totaling \$5,000.01 or more and a \$500.00 deductible for all others.

"B" rate/lane	<u>1,100.00</u>
"C" rate/lane	<u>1,100.00</u>
"D" rate/lane	<u>1,100.00</u>
"E" rate/lane	1,100.00

## MILEAGE TOTALS:

	17.23	LINEAR MILES
LANE MILES		
MFC "B"	4.32	
MFC "C"	22.10	
MFC "D"	8.04	
MFC "E"	0.00	
TOTAL:	34.46	LANE MILES

**ATTACHMENT "A"****MUNICIPAL WINTER TRAFFIC SERVICES AGREEMENTS RATE SCHEDULE**

Published by the

**COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF TRANSPORTATION****BUREAU OF MAINTENANCE AND OPERATIONS**

For use during Fiscal Year 2015/16

County	"C"	"D"/"E"	County	"C"	"D"/"E"
Crawford	\$1,832.69	\$1,656.22	Bucks	\$874.24	\$874.24
Erie	\$1,832.69	\$1,656.22	Chester	\$874.24	\$874.24
Forest	\$1,302.14	\$1,137.21	Delaware	\$874.24	\$874.24
Mercer	\$1,302.14	\$1,137.21	Montgomery	\$874.24	\$874.24
Venango	\$1,302.14	\$1,137.21	Adams	\$874.24	\$710.48
Warren	\$1,832.69	\$1,656.22	Cumberland	\$874.24	\$710.48
Centre	\$1,241.02	\$1,079.54	Franklin	\$874.24	\$710.48
Clearfield	\$1,302.14	\$1,137.21	York	\$874.24	\$710.48
Clinton	\$1,241.02	\$1,079.54	Dauphin	\$874.24	\$710.48
Cameron	\$1,241.02	\$1,079.54	Lancaster	\$874.24	\$710.48
McKean	\$1,602.01	\$1,422.08	Lebanon	\$874.24	\$710.48
Potter	\$1,400.18	\$1,224.86	Perry	\$1,062.24	\$886.94
Mifflin	\$1,062.23	\$888.08	Bedford	\$1,062.24	\$886.94
Elk	\$1,302.14	\$1,137.21	Blair	\$1,062.24	\$886.94
Juniata	\$1,062.23	\$888.08	Cambria	\$1,745.02	\$1,583.56
Columbia	\$1,062.23	\$888.08	Fulton	\$959.59	\$814.27
Lycoming	\$1,241.02	\$1,079.54	Huntingdon	\$1,062.23	\$886.94
Montour	\$1,062.23	\$888.08		\$1,745.02	\$1,583.56
Northumberland	\$1,062.23	\$888.08	Armstrong	\$1,302.14	\$1,137.21
Snyder	\$1,062.23	\$888.08	Butler	\$1,302.14	\$1,137.21
Sullivan	\$1,241.02	\$1,079.54	Clarion	\$1,302.14	\$1,137.21
Tioga	\$1,400.18	\$1,224.86	Indiana	\$1,302.14	\$1,137.21
Union	\$1,062.23	\$888.08	Jefferson	\$1,302.14	\$1,137.21
Bradford	\$1,400.18	\$1,224.86	"B"	"C"	"D"/"E"
Lackawanna	\$1,400.18	\$1,224.86	Allegheny	\$1,596.25	\$1,302.14
Luzerne	\$1,400.18	\$1,224.86	Beaver	\$1,596.25	\$1,302.14
Pike	\$1,241.02	\$1,079.54	Lawrence	\$1,302.14	\$1,302.14
Susquehanna	\$1,400.18	\$1,224.86	"C"	"D"/"E"	
Wayne	\$1,241.02	\$1,079.54	Fayette	\$1,468.23	\$1,288.29
Wyoming	\$1,241.02	\$1,079.54	Greene	\$1,302.14	\$1,137.21
Berks	\$874.24	\$710.48	Washington	\$1,302.14	\$1,137.21
Carbon	\$1,241.02	\$1,079.54	Westmoreland	\$1,468.23	\$1,288.29
Lehigh	\$874.24	\$710.48			
Monroe	\$1,241.02	\$1,079.54	In the event MFC "B" roads are serviced by the Municipalities, they are to be paid at "C" rates (except 11-0)		
Northampton	\$874.24	\$710.48			
Schuylkill	\$1,062.23	\$888.08			

**NO MFC "A" ROADS ARE TO BE SERVICED BY MUNICIPALITIES!**

EXHIBIT "B"

**Contract Provisions – Right to Know Law**

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL") applies to this Contract. For the purpose of these provisions, the term "the Commonwealth" shall refer to the contracting Commonwealth agency.
- b. If the Commonwealth needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in this Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in the Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), the Contractor shall:
  1. Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Contractor's possession arising out of this Contract that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
  2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Contract.
- d. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Contractor considers exempt from production under the RTKL, the Contractor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Contractor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, the Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If the Contractor fails to provide the Requested Information within the time period required by these provisions, the Contractor shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth.



- g. The Commonwealth will reimburse the Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h. The Contractor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Contractor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Contractor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.
- i. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession .

EXHIBIT "C"

**NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]**

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the Commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15<sup>th</sup> of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.

## EXHIBIT "C"

## CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth contracting and procurement process.

**1. DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:

- a. **"Affiliate"** means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.
- b. **"Consent"** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.
- c. **"Contractor"** means the individual or entity, that has entered into this contract with the Commonwealth.
- d. **"Contractor Related Parties"** means any affiliates of the Contractor and the Contractor's executive officers, Pennsylvania officers and directors, or owners of 5 percent or more interest in the Contractor.
- e. **"Financial Interest"** means either:
  - (1) Ownership of more than a five percent interest in any business; or
  - (2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
- f. **"Gratuity"** means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code §7.153(b), shall apply.
- g. **"Non-bid Basis"** means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.

**2.** In furtherance of this policy, Contractor agrees to the following:

- a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.

- b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.
- c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.
- d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
- e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:
  - (1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;
  - (2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;
  - (3) had any business license or professional license suspended or revoked;
  - (4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and
  - (5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal or contract a written explanation of why such certification cannot be made and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor's obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract it becomes aware of any event which would cause the Contractor's certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for

cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

- f. Contractor shall comply with the requirements of the Lobbying Disclosure Act (65 Pa.C.S. §13A01 et seq.) regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the Section 1641 of the Pennsylvania Election Code (25 P.S. §3260a).
- g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.
- h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.
- i. Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third party beneficiaries shall be created thereby.
- j. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not

preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

EXHIBIT "C"

**PROVISIONS CONCERNING *THE AMERICANS WITH DISABILITIES ACT***

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, supplier, or grantee, who will furnish or perform or seeks to furnish or perform, goods, supplies, services, construction or other activity, under a purchase order, contract, or grant with the Commonwealth of Pennsylvania (Commonwealth).

During the term of this agreement, the contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of *The Americans with Disabilities Act*, 28 C. F. R. § 35.101 *et seq.*, the contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this agreement or from activities provided for under this agreement. As a condition of accepting and executing this agreement, the contractor agrees to comply with the "*General Prohibitions Against Discrimination*," 28 C. F. R. § 35.130, and all other regulations promulgated under *Title II of the Americans with Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth through contracts with outside contractors.
2. The contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth as a result of the contractor's failure to comply with the provisions of paragraph 1.

EXHIBIT "C"

**Contractor Responsibility Provisions**

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee or lessor, who has furnished or performed or seeks to furnish or perform, goods, supplies, services, leased space, construction or other activity, under a contract, grant, lease, purchase order or reimbursement agreement with the Commonwealth of Pennsylvania (Commonwealth). The term contractor includes a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other public entity in the Commonwealth.

**1.** The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

**2.** The Contractor also certifies, in writing, that as of the date of its execution of this Bid/Contract it has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

**3.** The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

**4.** The failure of the Contractor to notify the Commonwealth of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the Contract with the Commonwealth.

**5.** The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

**6.** The Contractor may obtain a current list of suspended and debarred Commonwealth contractors by either searching the Internet at <http://www.dgs.state.pa.us/> or contacting the:

Department of General Services  
Office of Chief Counsel  
603 North Office Building  
Harrisburg, PA 17125  
Telephone No: (717) 783-6472  
FAX No: (717) 787-9138



## EXHIBIT "E"

## Submission Date:

State Road SLM Serviced:

Total Municipality SLM Serviced:

Representative's Phone:

COSTARS (Y/N): Cost per Ton of Salt:

Total Cost	
Total Cost (All SLM)	
Total No. of Events	
Cost/SLM	
Cost/SLM/Event	
Total Cost of SR SLM	

[illegible]

Date \_\_\_\_\_

Date \_\_\_\_\_

**INSTRUCTIONS:**

### *Detail Fields*

Complete all fields above the expenditures table (gray fields).

If your organization is a COSTARS participant, the COSTARS price of salt (\$/Ton) is automatically factored into the Total Salt Cost.

If your organization is not a COSTARS participant, enter your price of salt (\$/Ton) in the Cost per Ton of Salt field following the COSTARS (Y/N) field.

"State Road SLM Serviced" refers to the number of lane-miles of state roads that are serviced by your organization within the municipality.

"Total Municipality SLM Serviced" refers to the number of total lane-miles that are serviced by your organization within the municipality.

### *Expenditures Table*

Costs by your organization for the servicing of all roads within the municipality are to be entered in the table.

Complete all columns left-to-right in the table: The "Total Salt Cost" and "Total Cost" fields are automatically calculated.

If events carry through two or more dates, start a new line for each subsequent date and enter costs only charged per each day.

### *Signature Fields*

A signature by an officer within the municipality is required for submittal.

Email the form to [hquinn@pa.gov](mailto:hquinn@pa.gov) for electronic filing (signed/scanned pdf or excel format).

RESOLUTION R-15-

24

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON  
TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA,  
AUTHORIZING APPLICATION TO THE 2015 PECO GREEN REGION OPEN  
SPACE PROGRAM FOR THE IRONWORKS CREEK PARK PROJECT**

**WHEREAS**, Northampton Township desires to undertake the Ironworks Creek Park Project; and

**WHEREAS**, Northampton Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and

**WHEREAS**, Northampton Township has received and understands the 2015 PECO Green Region Open Space Program Guidelines.

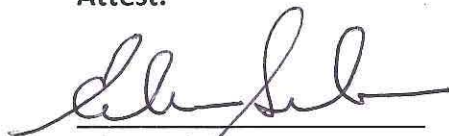
**THEREFORE, BE IT RESOLVED THAT**, Northampton Township Board of Supervisors hereby approves this project and authorizes application to the PECO Green Region Open Space Program in the amount of \$10,000; and

**BE IT FURTHER RESOLVED, THAT**, if the application is granted, Northampton Township commits to the expenditure of matching funds in the amount of \$10,000 necessary for the project's success.

**RESOLVED** this 29<sup>th</sup> day of October 2015

**Northampton Township  
Board of Supervisors**

**Attest:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

**RESOLUTION NO. R-15-1**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON  
TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, BOND AMOUNTS FOR  
TOWNSHIP OFFICERS**

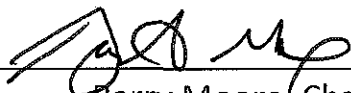
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township setting the following Bond Amounts for Township Officers for 2015 as follows:

Treasurer	\$1,000,000.00
Manager	\$1,000,000.00
Finance Director	\$3,000,000.00

**FURTHER, BE IT RESOLVED**, that any resolution or part of a resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects of this resolution.

**RESOLVED** this 7<sup>th</sup> day of JANUARY, 2015.

**NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

**RESOLUTION NO. R-15-2**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, PENNSYLVANIA, ESTABLISHING REAL ESTATE TAX MILLAGE FOR 2015**

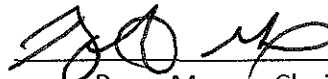
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township to establish the following Real Estate Tax Millage for 2015 as follows:

General Fund	3.9845 mils
Debt Service Fund	4.303 mils
Fire Protection Fund	1 .05 mils
Rescue Squad Fund	.125 mils
Park & Recreation Fund	1.50 mils
Library Fund	1.6 mils
Road Equipment Capital Fund	<u>.365 mils</u>
<b>TOTAL</b>	<b>12.9275 mils</b>

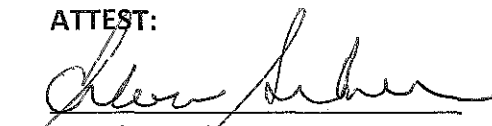
**FURTHER, BE IT RESOLVED**, that any resolution or part of a resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects of this resolution.

**RESOLVED** this 7<sup>th</sup> day of JANUARY, 2015.

**NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

**RESOLUTION R-15-3**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE  
NORTHAMPTON TOWNSHIP FEE SCHEDULE.**

**WHEREAS,** Northampton Township is a legal government entity as provided by the laws of the Commonwealth of Pennsylvania and;

**WHEREAS,** Northampton Township intends to revise its fee schedule.

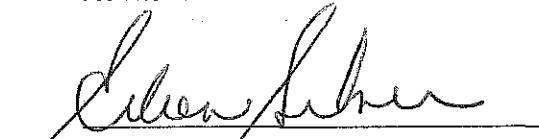
**WHEREAS,** Northampton Township repeals all sections of resolutions establishing fees that are inconsistent with this update, including the following resolutions: R-80-24, R-85-18, R-87-20, R-91-42, R-98-1, R-03-26, R-10-24, R-11-03, R-12-03, and R-14-03.

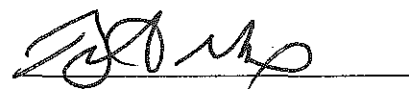
**NOW, THEREFORE, BE IT RESOLVED** that the Northampton Township fee schedule is adopted with revisions dated December 2014.

**RESOLVED** this 7<sup>th</sup> day of January 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)

RESOLUTION R-15- 4

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP,  
BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE  
NORTHAMPTON TOWNSHIP FEE SCHEDULE.**

**WHEREAS**, Northampton Township is a legal government entity as provided by the laws  
of the Commonwealth of Pennsylvania and;

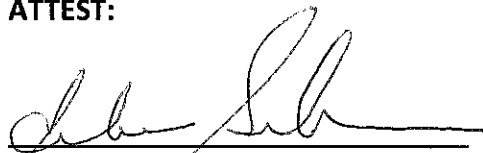
**WHEREAS**, Northampton Township intends to amend its fee schedule adopted on  
January 7, 2015 by Resolution No. R-15-3;

**NOW, THEREFORE, BE IT RESOLVED** that the Northampton Township fee schedule is  
hereby amended to add electrical inspection and plan review fees and authorizing United  
Inspection Agency as the sole electrical provider for Northampton Township.

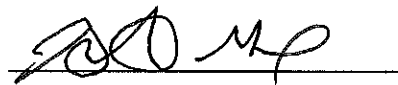
**RESOLVED** this 28<sup>th</sup> day of JANUARY 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**



Eileen Silver, Secretary



Barry Moore, Chair

(Municipal Seal)

**RESOLUTION # R-15- 5**

**A RESOLUTION NAMING TOWNSHIP PROPERTY LOCATED AT  
SECOND STREET PIKE AND TANYARD ROAD IDENTIFIED AS TAX  
MAP PARCEL #31-17-202 AS "IRON WORKS CREEK PARK"**

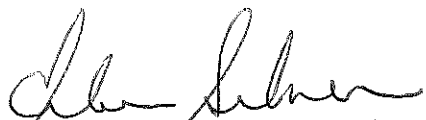
**WHEREAS**, Northampton Township owns an approximate 7 acre property located at Second Street Pike and Tanyard Road identified as Tax Map Parcel #31-17-202 and,

**WHEREAS**, the Board of Supervisors of Northampton Township desire to improve the property and create additional passive recreation opportunities for Township residents and,

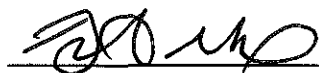
**WHEREAS**, the Board of Supervisors also desires to improve the property to serve as a gateway into the historic village of Richboro,

**NOW THEREFORE IT IS RESOLVED** By the Board of Supervisors of Northampton Township that the property located at Second Street Pike and Tanyard Road identified as Tax Map Parcel #31-17-202 shall be henceforth known as "Iron Works Creek Park".

Resolved this 28<sup>TH</sup> Day of January 2015.



Eileen Silyer, Secretary



Barry Moore, Chairman





## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Gabriel Building Group has proposed the development of a parcel of land identified as  
land developer

Juliette's Gardens Subdivision, and described in the attached Sewage Facilities Planning Module, and  
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify).

**WHEREAS**, Northampton Township finds that the subdivision described in the attached  
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

[Signature]  
(Signature)

Secretary, Northampton

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # R-15-6, adopted, JANUARY 28, 2015.

Municipal Address:

Northampton Township

55 Township Road

Richboro, PA 18954-1592

Telephone 215-357-6800

Seal of

Governing Body

RESOLUTION R-15- 7

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective January 24, 2015 at 0300 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

**FURTHER, WHEREAS** the weather conditions as of 1330 hours, January 24, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1330 hours on January 24, 2015 the limited state of emergency is declared to no longer be in effect.


**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**



Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

RESOLUTION R-15- 8

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective January 26, 2015 at 1600 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

**FURTHER, WHEREAS** the weather conditions as of 1630 hours, January 27, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.


**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1630 hours on January 27, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

RESOLUTION R-15- 9

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective February 17, 2015 at 0300 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of February 2015.

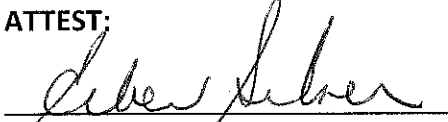
**FURTHER, WHEREAS** the weather conditions as of 1500 hours February 17, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1500 hours on February 17, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of February 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
Barry Moore, Chairman

**ATTEST:**  
  
Eileen Silver Secretary

**RESOLUTION R-15- 10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING APPLICATION TO THE 2015 PECO GREEN REGION OPEN SPACE PROGRAM FOR THE IRONWORKS CREEK PARK PROJECT**

**WHEREAS**, Northampton Township desires to undertake a project to develop Iron Works Creek Park as a passive recreational area; and

**WHEREAS**, Northampton Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and

**WHEREAS**, Northampton Township received the 2015 PECO Green Region Open Space Program Guidelines and understands the requirements of the program;

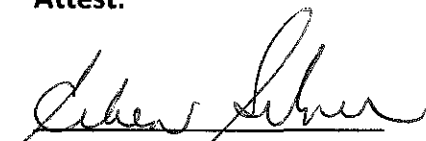
**NOW THEREFORE BE IT RESOLVED**, that Northampton Township Board of Supervisors hereby approves the Iron Works Creek Park project and authorizes an application to the PECO Green Region Open Space Program in the amount of \$10,000; and

**BE IT FURTHER RESOLVED** that Northampton Township commits to the expenditure of matching funds in the amount of \$10,000 necessary for the project's success.

**RESOLVED** this 25th day of February 2015.

**NORTHAMPTON TOWNSHIP BOARD OF SUPERVISORS**

**Attest:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman



## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Steve Jacobson (or behalf of Jake's Eatery) has proposed the development of a parcel of land identified as

N/A (Address: 869 Bustleton Pike) and described in the attached Sewage Facilities Planning Module, and  
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☐ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☒ other, (please specify). increasing EDU's as required for additional sewage use.

**WHEREAS**, Northampton finds that the subdivision described in the attached  
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township),

(Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Eileen Silver, Secretary, Eileen Silver  
(Signature)

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of

the Township (Borough) (City) Resolution # R-15-11, adopted, 25 February, 2015.

Municipal Address:

Northampton Township  
55 Township Road  
Richboro, PA 18954

Telephone 215-357-6800 ✕

Seal of  
Governing Body

RESOLUTION R-15- 12

A RESOLUTION OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE INCURRING OF LEASE/PURCHASE OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$560,000 TO BE EVIDENCED BY A LEASE PURCHASE AGREEMENT WITH BANK OF AMERICA PUBLIC CAPITAL CORPORATION ("LESSOR") TO WHICH NORTHAMPTON TOWNSHIP WILL PAY TO LESSOR THE LEASE/PURCHASE PAYMENTS FOR THE PURPOSES OF PROVIDING CERTAIN EQUIPMENT FOR NORTHAMPTON TOWNSHIP; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LEASE/PURCHASE AGREEMENTS; SETTING THE AMOUNTS OF THE LEASE/PURCHASE PAYMENTS TO BE MADE THEREUNDER AND COVENANTING TO PAY SUCH AMOUNTS FROM CURRENT REVENUES, SUBJECT TO ANNUAL APPROPRIATION; AUTHORIZING AND DIRECTING THE TAKING OF NECESSARY OR APPROPRIATE ACTIONS, INCLUDING EXECUTION AND DELIVERY OF REQUISITE DOCUMENTS IN CONNECTION WITH THE LEASE/ PURCHASE AGREEMENT; AND TAKING RELATED ACTION.

**WHEREAS**, Northampton Township has determined that it is in the best interests of Northampton Township to finance certain capital equipment ("Equipment") as more particularly described in Exhibit "A" annexed hereto and made part hereof and;

**WHEREAS**, Northampton Township desires by this resolution to authorize the execution and delivery on behalf of Northampton Township of a Lease Purchase Agreement, and to authorize the taking of necessary or appropriate actions in connection with the Lease Purchase Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Northampton Township as follows:

**Section 1.** The Board of Supervisors of Northampton Township hereby authorizes and approves the financing of capital equipment pursuant to a Lease Purchase Agreement with Bank of America Capital Corporation, and to incur lease purchase obligations in an aggregate principal amount not to exceed \$560,000 by the execution and delivery of a Lease Purchase Agreement. Northampton Township has determined that the realistic estimated useful life of the equipment is at least five (5) years or (7) years.

**Section 2. Form of Lease Purchase Agreement.** The Lease Purchase Agreement will be in form and substance satisfactory to Northampton Township, with the advice of counsel, and shall provide for Northampton Township's repayment obligations thereunder.

**Section 3. Execution and Delivery of Lease Purchase Agreement.** Northampton Township designates and authorizes the Township Manager Finance Director to execute, attest, seal and deliver the Lease Purchase Agreement in the form provided in Section 2 hereof. Such execution, attestation, and delivery of the Lease Purchase Agreement shall constitute conclusive evidence of such approval.

**Section 4. Lease Purchase Payments from Current Revenues.** Northampton Township covenants to pay Lessor the lease payments from current revenues or capital reserve funds subject to annual appropriation.

**Section 5. Qualified Tax Exempt Obligations.** Northampton Township designates its obligations under the Lease Purchase Agreement as "qualified tax exempt obligations" as defined in and for purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

**Section 6. Headings & Preambles.** The preambles and headings of this Resolution are inserted for ease of reference only and shall not constitute a part of this Resolution.

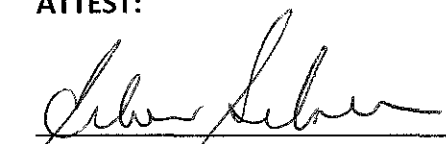
**Section 7. Inconsistent Ordinances are Repealed.** All ordinances and resolutions to the extent inconsistent herewith shall be and the same are hereby rescinded, cancelled, and annulled.

**Section 8. Reimbursement from Proceeds.** The Township declares its intent to be reimbursed from proceeds of the lease purchase obligation for any temporary advances from its capital reserve funds used to pay for any equipment acquired prior to the execution of this document.

RESOLVED this 25<sup>th</sup> day of February 2015.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
Eileen Silver, Secretary

  
Barry Moore, Chairman



RESOLUTION R-15- 13

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective February 21, 2015 at 1900 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of March 2015.

**FURTHER, WHEREAS** the weather conditions as of 0900 hours, February 22, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.


**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 0900 hours on February 22, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 25<sup>th</sup> day of March 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

  
Barry Moore, Chairman

**ATTEST:**

  
Eileen Silver, Secretary

RESOLUTION R-15- 14

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective March 5, 2015 at 1000 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.

**RESOLVED** this 25<sup>th</sup> day of March 2015.

**FURTHER, WHEREAS** the weather conditions as of 0130 hours, March 6, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 0130 hours on March 6, 2015 the limited state of emergency is declared to no longer be in effect.

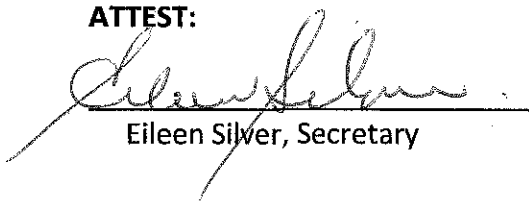
**RESOLVED** 25<sup>th</sup> day of March 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**



Barry Moore, Chairman

**ATTEST:**



Eileen Silver, Secretary

RESOLUTION R-15- 15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING AND SUBMITTING AN APPLICATION FOR TRAFFIC SIGNAL APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION AND TO SIGN THE APPLICATION ON BEHALF OF NORTHAMPTON TOWNSHIP

BE IT RESOLVED, by authority of the Board of Supervisors of Northampton Township, Bucks, County, and it is hereby resolved by authority of the same, that the Township Manager of Northampton Township be authorized and directed to execute the attached application for Traffic Signal Approval (Form TE-160) and submit it to the Pennsylvania Department of Transportation for review and approval.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

ATTEST:

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)

**RESOLUTION R-15- 116**

**WHEREAS**, the Board of Supervisors of Northampton Township hereby finds that a disaster, (as defined in Act No. 32, of the 1978 Session of the Pennsylvania Legislature) has occurred (or is imminent) based upon the following facts and information:

A winter storm impacting the region has necessitated the use of contractors to support the Municipal Public Works Department in snow removal efforts. Timely snow removal from public streets is essential to the health, safety and welfare of our community.

**THEREFORE, BE IT RESOLVED**, by the said Board of Supervisors pursuant to and under the authority of the aforesaid Act, that local disaster/limited state of emergency is hereby declared effective March 20, 2015 at 1500 hours.

The Township Coordinator of Emergency Management is hereby directed to give prompt and general publicity to this Declaration, and also to file it promptly with the Bucks County Emergency Management Agency.

The Declaration shall activate any and all applicable local emergency management plans of the Township, and shall authorize the furnishing of aid and assistance hereunder.


**RESOLVED** this 22<sup>nd</sup> day of April 2015.

**FURTHER, WHEREAS** the weather conditions as of 1430 hours, March 21, 2015 have now changed to a point that it was deemed no longer necessary to maintain a limited state of emergency.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors that, as of 1430 hours on March 21, 2015 the limited state of emergency is declared to no longer be in effect.

**RESOLVED** 22<sup>nd</sup> day of April 2015

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**



Barry Moore, Chairman

**ATTEST:**



Eileen Silver, Secretary

**RESOLUTION R-15- 17**

**RESOLUTION TO AUTHORIZE FILING AN AGREEMENT WITH THE PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION TO AUTHORIZE ELECTRONIC ACCESS TO PENNDOT  
SYSTEMS AND TO AUTHORIZE THE APPROPRIATE OFFICERS OF THE TOWNSHIP TO  
EXECUTE ALL DOCUMENTS IN CONNECTION WITH THE AGREEMENT**

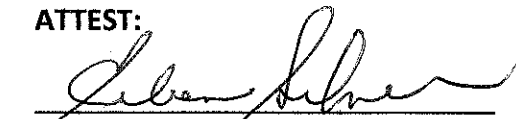
**BE IT RESOLVED**, by authority of the Board of Supervisors of Northampton Township, Bucks County, and it is hereby resolved by authority of the same, that Barry Moore, Chairman of the Northampton Township Board of Supervisors is authorized and directed to sign the attached agreement to authorize electronic access to the PENNDOT ECMS system, and;

**BE IT FURTHER RESOLVED**, that the Northampton Township Board of Supervisors does hereby designate Eileen Silver, Secretary of the Northampton Township Board of Supervisors as the official to attest all documents between Northampton Township and the Pennsylvania Department of Transportation in connection with the agreement.

**RESOLVED** by the Board of Supervisors of Northampton Township this 27<sup>th</sup> day of May 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**


  
Eileen Silver, Secretary

  
Barry Moore, Chairman

I, Robert Pellegrino, Township Manager of Northampton Township, do hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Northampton Township Board of Supervisors at a regular meeting held 27<sup>th</sup> day of May 2015.

**DATE:**

5/27/15

  
Robert M. Pellegrino, Manager

(Municipal Seal)



Agreement No: \_\_\_\_\_

Federal ID No.: \_\_\_\_\_

User ID Code: \_\_\_\_\_

AGREEMENT TO AUTHORIZE  
ELECTRONIC ACCESS TO PENNDOT SYSTEMS  
(POLITICAL SUBDIVISIONS)

THIS INTERGOVERNMENTAL AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Commonwealth of Pennsylvania, acting through the Bureau of Project Delivery of the Department of Transportation, hereinafter referred to as DEPARTMENT,

AND

Northampton Township

(NAME OF APPLICANT)

55 Township Road, Richboro, PA 18954

(REGISTERED OR PRINCIPAL OFFICE LEGAL ADDRESS OF APPLICANT)

215-357-6800

(PRINCIPAL OFFICE PHONE NUMBER)

hereinafter referred to as APPLICANT, a political subdivision of the Commonwealth of Pennsylvania, acting through its proper officials.

WHEREAS, the APPLICANT desires to register as a DEPARTMENT business partner to be permitted electronic access to the **Engineering and Construction Management System** (hereinafter referred to as "System" whether singular or plural) for the purposes of entering information into and exchanging data with the System; and

WHEREAS, the DEPARTMENT, in furtherance of the powers and duties conferred on it by Section 2002 of the Administrative Code of 1929, as amended, 71 P.S. Section 512, to design and construct state highways and other transportation facilities and to enter into contracts for this purpose, is willing to permit the APPLICANT to electronically submit technical proposals, invoices, engineering plans, designs and other documents necessary to design and construct transportation projects as part of the DEPARTMENT'S program to use the System; and

WHEREAS, Sections 2001.1 of the Administrative Code of 1929, as amended (71 P.S. §§ 511.1) authorizes the DEPARTMENT, through the Secretary of transportation, to enter into all necessary contracts and agreements with the proper agencies of any governmental, federal, state or political subdivision, "for any purpose connected in any way with the Department of Transportation of the Commonwealth of Pennsylvania."

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises expressed in this document, and intending to be legally bound, the parties agree as follows:

1. The APPLICANT is responsible for furnishing and assuming the total costs of all software and hardware necessary to connect to the System. Such software shall include an operating system, an Internet browser and any software needed to operate a modem. The APPLICANT is responsible for the procurement and cost of any data communications lines required to connect to the System. The APPLICANT is responsible for the cost of telephone lines and usage.
2. The APPLICANT will permit access to the System as the DEPARTMENT shall direct.

3. The APPLICANT will implement appropriate security measures to insure that only authorized employees of the APPLICANT will have access to and enter data into the System. The APPLICANT agrees to assign only its current employees User Identification Internet System access codes ("User ID codes") provided to the APPLICANT by the DEPARTMENT. The APPLICANT agrees to assign a separate and distinct User ID code to each current employee who will concur in awards, sign contracts and approve payments. The APPLICANT agrees to accept full responsibility for controlling the User ID codes that the APPLICANT assigns to the employees of the APPLICANT. The APPLICANT agrees to deactivate an employee's User ID code immediately upon the employee's separation and/or dismissal from the employ of or association with the APPLICANT. The APPLICANT agrees that the APPLICANT'S employees may not share User ID codes. The APPLICANT agrees to be liable for the items negligently submitted under one of its assigned User ID codes and for the negligent submissions, actions or omissions of anyone using a User ID code of the APPLICANT or the APPLICANT'S employee.

4. The DEPARTMENT shall make provisions for the APPLICANT to obtain initial training for the System. This training may not include any non-System program topics, nor may it include training on any other computer hardware or software, including, but not limited to, operation of a personal computer.

5. The DEPARTMENT will make reasonable attempts (barring unforeseen interruptions due to calamity, natural disaster or technical impossibility) to make the System available for on-line access 24 hours per day, seven days per week. The DEPARTMENT will provide support only during normal business hours of the DEPARTMENT offices (7:30 AM until 4:30 PM.)

6. This Agreement shall continue until terminated by either Party, at any time, without cause, within fifteen (15) days upon receipt of written notice thereof. Any material breach of this Agreement by either Party shall entitle the other Party to terminate this Agreement without prejudice to its rights or remedies available at law or in equity. Upon termination or expiration of this Agreement, the APPLICANT shall cease and shall cause its users to cease attempts to access the System.

7. The APPLICANT shall comply with the current versions of the following:

- Right to Know Law, attached as Exhibit A
- Contractor Integrity Provisions, attached as Exhibit B
- Americans with Disabilities Act, attached as Exhibit C
- Contractor Responsibility Provisions, attached as Exhibit D
- Nondiscrimination/Sexual Harassment Clause, attached as Exhibit E
- Offset Provision, attached as Exhibit F

8. This Agreement embodies the entire understanding between the DEPARTMENT and APPLICANT and there are no contracts, agreements, or understanding with reference to the subject matter hereof which are not merged herein.

ATTEST:

Northampton Township  
(Print APPLICANT'S Name)

Eileen Silver 5/27/15  
(Signature) (Date)

Eileen Silver  
Print Name

Secretary  
(Title)

BY: [Signature] 5/27/15  
(Signature) (Date)

BARRY MOORE  
Print Name

Chairman  
(Title)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(DEPARTMENT Signatory and Date)

APPROVED AS TO LEGALITY AND FORM

BY: \_\_\_\_\_  
Chief Counsel DATE

Preapproved form:  
OGC No. 18-FA-28.0  
Approved OAG 05/06/2013

MAIL COMPLETED AGREEMENT TO:  
System Registration  
PA Department of Transportation  
Bureau of Project Delivery, Systems Management Section  
P.O. Box 3662  
Harrisburg, PA 17105-3662





## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Northampton  
(TOWNSHIP) (BOROUGH) (CITY), Bucks COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Emanuel & Rafael Kravci  
land developer

Spaeth Subdivision  
name of subdivision, and described in the attached Sewage Facilities Planning Module, and

proposes that such subdivision be served by: (check all that apply), ☒ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify) \_\_\_\_\_

**WHEREAS**, Northampton Township  
municipality finds that the subdivision described in the attached

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township)

(Borough) (City) of Northampton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Eileen Silver (Signature), Secretary, Northampton Township

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 18, adopted, May 27, 2015.

Municipal Address:

Northampton Township  
55 Township Road  
Richboro, PA 18954  
Telephone 215 357 6800

Seal of  
Governing Body

RESOLUTION R-15- 19

**A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE  
COMMONWEALTH FINANCING AUTHORITY. REQUESTING A GREENWAYS,  
TRAILS, AND RECREATION PROGRAM (GTRP) GRANT AND AUTHORIZING  
THE APPROPRIATE OFFICERS OF THE TOWNSHIP TO EXECUTE ALL  
DOCUMENTS IN CONNECTION WITH THE APPLICATION.**

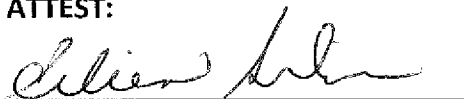
**BE IT RESOLVED**, that the Board of Supervisors of Northampton Township, Bucks County, hereby request a Greenways, Trails, and Recreation Program (GTRP) grant in the amount of \$90,000 from the Commonwealth Financing Authority for the Ironworks Creek Park Project.


**BE IT FURTHER RESOLVED**, that the Northampton Township Board of Supervisors does hereby designate Barry Moore, Chairman and Eileen Silver, Secretary of the Northampton Township Board of Supervisors as the officials to execute all documents and agreements between Northampton Township and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

**RESOLVED by** the Board of Supervisors of Northampton Township this 24<sup>th</sup> day of June 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

(Municipal Seal)

RESOLUTION R-15- 20

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO ELECTRONICALLY OR OTHERWISE EXECUTE A COMMONWEALTH PERFORMANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH PENNDOT'S LOCAL BRIDGE BUNDLING PROGRAM**

**WHEREAS**, the Northampton Township Board of Supervisors authorized participation on the Pennsylvania Department of Transportation Local Bridge Bundling Program by adopting Resolution R-15-17 on May 27, 2015, and

**WHEREAS**, the Local Bridge Bundling Program additionally requires the execution of an Agreement outlining the Commonwealth's and local Municipalities performance requirements for participation in the program, and

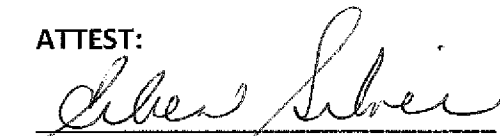
**WHEREAS**, the "Agreement for Commonwealth's Performance of Locally-Owned Multi-Bridge (Bridge Bundling) Projects" outlines the various responsibilities of the Commonwealth and Northampton Township for a project to replace the bridge on Willow Road over Iron Works Creek;

**NOW THEREFORE BE IT RESOLVED**, by authority of the Board of Supervisors of Northampton Township, Bucks, County, Pennsylvania that Robert M. Pellegrino, Township Manager, is authorized and directed to execute electronically or otherwise the attached Commonwealth Performance of Locally Owned Multi-Bridge Projects Agreement.

**RESOLVED** by the Board of Supervisors of Northampton Township this 22<sup>nd</sup> day of July 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

RESOLUTION R-15- 21

**A RESOLUTION OF THE NORHAMPTON TOWNSHIP BOARD OF SUPERVISORS,  
BUCKS COUNTY, PENNSYLVANIA AUTHORIZING PARTICIPATION IN THE  
2015 ROAD RESURFACING PROGRAM OF WHITPAIN TOWNSHIP,  
MONTGOMERY COUNTY, PENNSYLVANIA**

**WHEREAS**, Whitpain Township, Montgomery County, Pennsylvania publicly advertised and awarded bids for its 2015 Road Resurfacing Program, and

**WHEREAS**, Whitpain Township awarded said bids with the intention of opening the process to other municipalities that are current members of the Delaware Valley Consortiums or the Montgomery County Public Works Association, and


**WHEREAS**, Northampton Township qualifies for participation in the Whitpain Township 2015 road resurfacing program as a member of the Delaware Valley Consortiums and the Montgomery County Public Works Association and desires to participate in the Whitpain Township 2015 Road resurfacing Program for micro-surfacing application in the Tanyard Farms Development;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Northampton Township, Bucks, County, Pennsylvania that Northampton Township participate with Whitpain Township and other consortium communities in the 2015 Whitpain Township contract for road resurfacing which shall include micro-surfacing and other bituminous surface treatments and materials.

**RESOLVED** by the Board of Supervisors of Northampton Township this 22<sup>nd</sup> day of July 2015.

**BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP**

**ATTEST:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman

RESOLUTION R-15-22

**A RESOLUTION OF The BOARD OF SUPERVISORS OF  
NORTHAMPTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA  
AUTHORIZING THE TOWNSHIP ADMINISTRATION TO FILE AN  
APPLICATION FOR A MULTI-MODAL TRANSPORTATION FUND  
GRANT WITH THE COMMONWEALTH FINANCING AUTHORITY  
FOR PRELIMINARY ENGINEERING DESIGN OF ROAD  
IMPROVEMENTS AT BUSTLETON PIKE AND SECOND STREET PIKE**

**WHEREAS**, the Board of Supervisors of Northampton Township desires to mitigate traffic congestion on Township roadways by periodically undertaking projects to improve roadway intersections or provide alternatives to existing traffic patterns by the construction of new roads, and

**WHEREAS**, the intersection of Bustleton Pike and Second Street Pike is identified as a location for intersection improvements including a possible extension of Township Road to relieve congestion at the intersection of Almshouse Road and Newtown-Richboro Road and by modifying the existing method of controlling traffic at the intersection, and

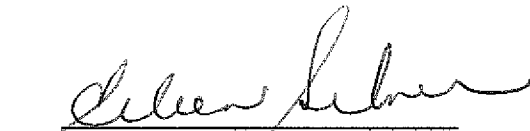
**WHEREAS**, grant funds are available from the Multi-modal Transportation Fund administered by the Commonwealth Financing Authority for engineering design and construction of road improvements, and

**WHEREAS**, the Board of Supervisors of Northampton Township wishes to obtain funds for preliminary design to extend Township Road and modify the Bustleton Pike and Second Street Pike intersection,

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Northampton Township hereby authorizes the Township Administration to file a Multimodal Transportation Fund Grant of \$350,000 from the Commonwealth Financing Authority to be used for preliminary engineering of road improvements at Bustleton Pike and Second Street Pike as part of an overall Road Improvement Plan for the Village of Richboro in Northampton Township.

**BE IT FURTHER RESOLVED**, that Robert M. Pellegrino, Township Manager is hereby designated as the official authorized to execute all documents between Northampton Township and The Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

**RESOLVED** this 22<sup>nd</sup> Day of July 2015 by the Board of Supervisors of Northampton Township.

  
Eileen Silver, Secretary

NORTHAMPTON TOWNSHIP  
BOARD OF SUPERVISORS

  
Barry Moore, Chairman

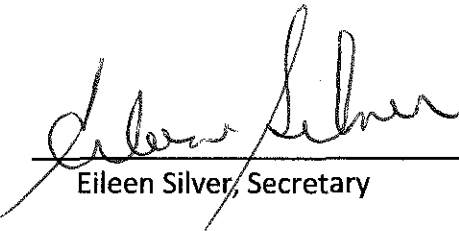
RESOLUTION NO. 2015-R- 23

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO EXECUTE A 5 YEAR AGREEMENT FOR WINTER TRAFFIC SERVICES WITH THE DEPARTMENT OF TRANSPORTATION

**BE IT RESOLVED**, by the authority of the Board of Supervisors of Northampton Township, Bucks County, and it is hereby resolved by the authority of the same, that the Chairman of the Board of Supervisors of Northampton Township be authorized and directed to sign the attached agreement on its behalf.

**RESOLVED** by the Board of Supervisors of Northampton Township this 16th day September 2015.

**ATTEST:**

  
\_\_\_\_\_  
Eileen Silver, Secretary

**TOWNSHIP OF NORTHAMPTON  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Barry Moore, Chairman

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

**WINTER TRAFFIC SERVICES 5 – YEAR**

**AGREEMENT NO** 3900037749  
**FID/SSN**  
**SAP VENDOR No.** 138764

**THIS AGREEMENT**, fully executed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the COMMONWEALTH of Pennsylvania, acting through the Department of Transportation ("COMMONWEALTH").

**AND**  
Northampton Township of the COMMONWEALTH of Pennsylvania, acting through its authorized officials ("MUNICIPALITY").

**WITNESSETH;**

**WHEREAS**, certain public highways, including bridges with their approaches, in the MUNICIPALITY have been adopted and taken over as part of the State Highway System, to be constructed, improved and maintained by the COMMONWEALTH, upon the terms and conditions and subject to the limitations contained in the Act of May 29, 1945, P.L. 1108; the Act of June 1, 1945, P.L. 1242; and the Act of September 18, 1961, P.L. 1389; all as supplemented and amended; and,

**WHEREAS**, the MUNICIPALITY has the equipment, materials and personnel available and ready to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for certain State Highways, including bridges with their approaches, within the MUNICIPALITY, in a prompt and efficient manner and has signified its willingness to furnish these winter traffic services for the COMMONWEALTH during the Winter Season(s) of 2015; 2016; 2017; 2018; and 2019. (the "Winter Season" for the purpose of this Agreement shall be the period from October 15 to April 30 of each season), subject to payment by the COMMONWEALTH to the MUNICIPALITY as described in this Agreement; and

**WHEREAS**, the MUNICIPALITY shall conduct its winter traffic services in a manner satisfactory to the COMMONWEALTH, in order to facilitate the safe and unimpeded flow of vehicular traffic over said State Highways within the MUNICIPALITY in accordance with the terms, covenants and conditions hereinafter set forth in this Agreement; and

**WHEREAS**, the MUNICIPALITY shall conduct the winter traffic services for and in the agreed amount during the term of this Agreement, regardless of the amount of work required.

**NOW, THEREFORE**, the parties hereto, for and in consideration of the foregoing premises and of the mutual promises set forth below, with the intention of being legally bound, agree as follows:

1. The MUNICIPALITY shall undertake and accomplish the required snow and ice clearance together with the application of anti-skid and/or de-icing materials for the State Highways, including bridges and their approaches, as indicated in Exhibit "A" attached to and made part of this Agreement. The MUNICIPALITY shall perform all work in accordance with all applicable PennDOT Specifications ("Publication 408"), policies and procedures set forth in the PennDOT Highway Maintenance Foreman Manual ("Publication 113") and the PennDOT Maintenance Manual ("Publication 23"), which all are incorporated by reference into this Agreement as though physically attached. This work shall be performed in a prompt and efficient manner so as to facilitate the safe and unimpeded flow of vehicular traffic over the State Highways within the MUNICIPALITY.

## Municipal Winter Traffic Services Agreement

2. If, to undertake and accomplish the duties required in Paragraph (1.), the MUNICIPALITY'S forces must traverse a bridge with a posted weight restriction, the MUNICIPALITY agrees to file a permit application with the posting authority and obtain a permit to traverse the bridge pursuant to 67 Pa. Code Chapter 191. The MUNICIPALITY agrees to refile permit applications as needed during the term of this Agreement and obtain permits for each succeeding winter season for which this Agreement is renewed. Failure to obtain such permits shall be grounds for termination of this Agreement.
3. The starting date of this Agreement shall be the date on which the Agreement has been fully executed and approved by the COMMONWEALTH, or the date agreed to by both the MUNICIPALITY and the COMMONWEALTH, whichever comes later. Further, the MUNICIPALITY shall not be permitted to start any work until notified by the COMMONWEALTH that the Agreement has been fully executed and approved, except as set forth in Paragraph 6 below.
4. The COMMONWEALTH shall pay the MUNICIPALITY, as consideration for the services contracted for in this Agreement, the total sum of the MUNICIPALITY's eligible actual costs incurred in providing the services under this Agreement, consisting of the items set forth in Paragraph 5 below. As evidence of its actual costs, the MUNICIPALITY shall submit to the COMMONWEALTH a completed Exhibit "E." The amount owed to the MUNICIPALITY shall be capped at the highest snow lane mile rate in the state for that winter season including the Severe Winter Adjustment.
5. Actual costs to the MUNICIPALITY that are eligible for payment shall consist of the following items: labor costs (consisting of salaries and employee overhead), equipment costs (rental costs), salt, salt brine and overhead. Any actual costs incurred by the MUNICIPALITY during the Winter Season shall be paid by the COMMONWEALTH in accordance with Paragraph 4 above.
6. In the event a winter emergency occurs that necessitates winter traffic services prior to the execution of this Agreement, the District Executive on behalf of the COMMONWEALTH may issue a written letter to the MUNICIPALITY finding that an emergency exists under Section 516 of the Procurement Code and authorizing the MUNICIPALITY to perform the services required by this Agreement subject to the terms and conditions of this Agreement. If the MUNICIPALITY receives an emergency winter traffic services letter from the District Executive prior to execution of this Agreement, because of the critical need to provide winter traffic services to assure public safety on the State Highway System, the COMMONWEALTH shall pay the MUNICIPALITY for any costs incurred to service State Highways as a result of the onset of winter weather emergency necessitating the provision of the services under this Agreement between the beginning of the Winter Season and full execution of this Agreement.
7. The MUNICIPALITY undertakes the responsibilities as an independent contractor and its employees and/or lessors or contractors shall not be considered employees of the COMMONWEALTH for any purpose. This Agreement shall be considered a maintenance contract between a Commonwealth agency and a local agency for purposes of 42 Pa. C.S. 8542(6)(b)(ii), relating to acts which may impose liability on local agencies.
8. The obligations of the MUNICIPALITY under this Agreement shall terminate and end as of midnight on April 30th for each Winter Season.
9. Work performed by the MUNICIPALITY under this Agreement shall be done to the satisfaction of the COMMONWEALTH. Such work shall be subject to inspection by the Secretary of Transportation, the District Executive, and/or their duly authorized representatives.
10. If the MUNICIPALITY fails to comply with the terms of this Agreement to the satisfaction of the COMMONWEALTH, the COMMONWEALTH may terminate the Agreement upon giving ten (10) days written notice to the MUNICIPALITY. If the Agreement is so terminated, then the COMMONWEALTH shall not be further obligated to pay any amount of money to the MUNICIPALITY and the MUNICIPALITY shall be entitled to payment for all eligible actual costs incurred by the MUNICIPALITY pursuant to this Agreement prior to the date of termination.



Municipal Winter Traffic Services Agreement

11. The COMMONWEALTH reserves the right to terminate this Agreement for convenience if it determined that termination is in the best interest of the COMMONWEALTH. If the Agreement is so terminated, then the COMMONWEALTH shall not be further obligated to pay any amount of money to the MUNICIPALITY, the MUNICIPALITY shall not be further obligated to perform, and the MUNICIPALITY shall be entitled to payment for all eligible actual costs incurred by the MUNICIPALITY pursuant to this Agreement up to the date when termination is effective.
12. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101—3104, applies to this Agreement. Therefore, this Agreement is subject to, and the MUNICIPALITY shall comply with, the clause entitled Contract Provisions – Right to Know Law, attached as Exhibit “B” and made a part of this Agreement. As used in this exhibit, the term “Contractor” refers to the MUNICIPALITY.
13. The MUNICIPALITY shall comply with the following clauses or provisions attached as Exhibit “C” and incorporated here by reference: The most current versions of the Commonwealth Nondiscrimination / Sexual Harassment Clause, the Contractor Integrity Provisions, the Provisions Concerning the Americans with Disabilities Act and the Contractor Responsibility Provisions.
14. The MUNICIPALITY agrees that the COMMONWEALTH may set off the amount of any state tax liability or other obligation of the MUNICIPALITY or its subsidiaries to the COMMONWEALTH against any payments due the MUNICIPALITY under any contract with the COMMONWEALTH.
15. Because the COMMONWEALTH will be making payments under this Agreement through the Automated Clearing House (“ACH”) Network, the MUNICIPALITY shall comply with the following provisions governing payments through ACH:
  - (a) The COMMONWEALTH will make payments to the MUNICIPALITY through ACH. Within 10 days of the execution of this Agreement, the MUNICIPALITY must submit or must have already submitted its ACH information on a ACH enrollment form (obtained at [www.vendorregistration.state.pa.us/cvnu/paper/Forms/ACH-EFTenrollmentform.pdf](http://www.vendorregistration.state.pa.us/cvnu/paper/Forms/ACH-EFTenrollmentform.pdf)) and electronic addenda information, if desired to the Commonwealth’s Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street – 9<sup>th</sup> Floor, Harrisburg, PA 17101.
  - (b) The MUNICIPALITY must submit a completed Exhibit “E” with a unique identifying number. The unique number will be listed on the Commonwealth of Pennsylvania’s ACH remittance advice to enable the contractor to properly apply the state agency’s payment to the respective invoice or program.
  - (c) It is the responsibility of the MUNICIPALITY to ensure that the ACH information contained in the Commonwealth’s Central Vendor Master File is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.
16. The DEPARTMENT and other agencies of the Commonwealth of Pennsylvania may, at reasonable times and places, audit the books and records of the MUNICIPALITY to the extent that they relate to the MUNICIPALITY’s performance of this Agreement and the costs incurred by the MUNICIPALITY in providing services under it. The MUNICIPALITY shall maintain the books and records for a period of three (3) years from the date of final payment under the Agreement, including all renewals.
17. The Agreement constitutes the entire agreement between the parties. No amendment or modifications of this Agreement shall be valid unless it is in writing and duly executed and approved by both parties.

Municipal Winter Traffic Services Agreement

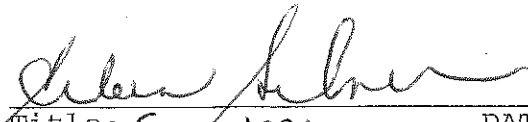
18. This Agreement shall automatically renew for succeeding Winter Seasons at the rate established for each particular season unless either party shall terminate upon written notice to the other on or before July 31<sup>st</sup> before the start of the following winter season.
19. The COMMONWEALTH has implemented a Strategic Environmental Management Program (SEMP) which complies with the ISO 14001:2004 standard. As part of SEMP, the COMMONWEALTH has established a Green Plan Policy that can be found at [www.dot.state.pa.us](http://www.dot.state.pa.us) and is also posted at the COMMONWEALTH's District and County Offices. The Green Plan Policy is designed to protect the environment, conserve resources and comply with environmental laws and regulations. The MUNICIPALITY shall ensure that its personnel (including the personnel of any of its subcontractors) are aware of the COMMONWEALTH's commitment to protecting the environment, are properly trained about the environmental impacts of their work and are competent (through appropriate work experience, job training or classroom education) to perform the work that they do.

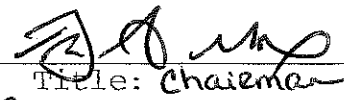
**(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)**

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST

MUNICIPALITY - Northampton Township

  
Title: Secretary  
Eileen Silver, DATE

BY   
Title: Chairman  
Barry Moore, DATE

*If a Corporation, the president or Vice-president must sign and the Secretary, Treasurer, Assistant Secretary or Assistant Treasurer must attest; if a sole proprietorship, only the owner must sign; if a partnership, only one partner need sign; if a limited partnership, only the general partner must sign. If a MUNICIPALITY, Authority or other entity, please attach a resolution.*

DO NOT WRITE BELOW THIS LINE -- FOR COMMONWEALTH USE ONLY

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

BY \_\_\_\_\_  
District Executive Date

APPROVED AS TO LEGALITY  
AND FORM

\_\_\_\_\_  
for Chief Counsel Date

Certified Funds Available Under  
SAP DOCUMENT NO. \_\_\_\_\_  
SAP FUND \_\_\_\_\_  
SAP COST CENTER \_\_\_\_\_  
GL. ACCOUNT \_\_\_\_\_  
AMOUNT \_\_\_\_\_  
BY \_\_\_\_\_  
for Comptroller Operations Date

Contract No. \_\_\_\_\_, is split 0%, expenditure amount of 0.00, for federal funds and 100%, expenditure amount of \$ \_\_\_\_\_ for state funds. The related federal assistance program name and number is N/A; N/A. The state assistance program name and SAP Fund is Highway Maintenance; 582.

Preapproved Form: OGC No. 18-FA-\_\_\_\_\_  
Appv'd OAG --/--/\_\_\_\_

3900037749

COUNTY

AGREEMENT #

MUNICIPALITY

YEAR 1 of 5

## WINTER SEASON

2015/2016

[illegible]

**TERMS OF PAYMENT(S)**

The Municipality will be compensated with a lump sum payment in the amount indicated as Total Cost, and as adjusted by the Department of Transportation at the end of each year. The Municipality will be compensated with an adjustment to offset severe winters at the following rate. The Municipality will receive an adjustment equal to the percentage of the Department's actual costs (for similar roads serviced) over and above the five year average for a particular county less a \$1,000.00 deductible for Municipalities with agreements totaling \$5,000.01 or more and a \$500.00 deductible for all others.

"B" rate/lane	<u>1,100.00</u>
"C" rate/lane	<u>1,100.00</u>
"D" rate/lane	<u>1,100.00</u>
"E" rate/lane	1,100.00

## MILEAGE TOTALS:

	17.23	LINEAR MILES
LANE MILES		
MFC "B"	4.32	
MFC "C"	22.10	
MFC "D"	8.04	
MFC "E"	0.00	
TOTAL:	34.46	LANE MILES

**ATTACHMENT "A"****MUNICIPAL WINTER TRAFFIC SERVICES AGREEMENTS RATE SCHEDULE**

Published by the

**COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF TRANSPORTATION****BUREAU OF MAINTENANCE AND OPERATIONS**

For use during Fiscal Year 2015/16

County	"C"	"D"/"E"	County	"C"	"D"/"E"	
Crawford	\$1,832.69	\$1,656.22	Bucks	\$874.24	\$874.24	
Erie	\$1,832.69	\$1,656.22	Chester	\$874.24	\$874.24	
Forest	\$1,302.14	\$1,137.21	Delaware	\$874.24	\$874.24	
Mercer	\$1,302.14	\$1,137.21	Montgomery	\$874.24	\$874.24	
Venango	\$1,302.14	\$1,137.21	Adams	\$874.24	\$710.48	
Warren	\$1,832.69	\$1,656.22	Cumberland	\$874.24	\$710.48	
Centre	\$1,241.02	\$1,079.54	Franklin	\$874.24	\$710.48	
Clearfield	\$1,302.14	\$1,137.21	York	\$874.24	\$710.48	
Clinton	\$1,241.02	\$1,079.54	Dauphin	\$874.24	\$710.48	
Cameron	\$1,241.02	\$1,079.54	Lancaster	\$874.24	\$710.48	
McKean	\$1,602.01	\$1,422.08	Lebanon	\$874.24	\$710.48	
Potter	\$1,400.18	\$1,224.86	Perry	\$1,062.24	\$886.94	
Mifflin	\$1,062.23	\$888.08	Bedford	\$1,062.24	\$886.94	
Elk	\$1,302.14	\$1,137.21	Blair	\$1,062.24	\$886.94	
Juniata	\$1,062.23	\$888.08	Cambria	\$1,745.02	\$1,583.56	
Columbia	\$1,062.23	\$888.08	Fulton	\$959.59	\$814.27	
Lycoming	\$1,241.02	\$1,079.54	Huntingdon	\$1,062.23	\$886.94	
Montour	\$1,062.23	\$888.08		\$1,745.02	\$1,583.56	
Northumberland	\$1,062.23	\$888.08	Armstrong	\$1,302.14	\$1,137.21	
Snyder	\$1,062.23	\$888.08	Butler	\$1,302.14	\$1,137.21	
Sullivan	\$1,241.02	\$1,079.54	Clarion	\$1,302.14	\$1,137.21	
Tioga	\$1,400.18	\$1,224.86	Indiana	\$1,302.14	\$1,137.21	
Union	\$1,062.23	\$888.08	Jefferson	\$1,302.14	\$1,137.21	
Bradford	\$1,400.18	\$1,224.86	"B"	"C"	"D"/"E"	
Lackawanna	\$1,400.18	\$1,224.86	Allegheny	\$1,596.25	\$1,302.14	\$1,137.21
Luzerne	\$1,400.18	\$1,224.86	Beaver	\$1,596.25	\$1,302.14	\$1,137.21
Pike	\$1,241.02	\$1,079.54	Lawrence	\$1,302.14	\$1,302.14	\$1,137.21
Susquehanna	\$1,400.18	\$1,224.86	"C"	"D"/"E"		
Wayne	\$1,241.02	\$1,079.54	Fayette	\$1,468.23	\$1,288.29	
Wyoming	\$1,241.02	\$1,079.54	Greene	\$1,302.14	\$1,137.21	
Berks	\$874.24	\$710.48	Washington	\$1,302.14	\$1,137.21	
Carbon	\$1,241.02	\$1,079.54	Westmoreland	\$1,468.23	\$1,288.29	
Lehigh	\$874.24	\$710.48				
Monroe	\$1,241.02	\$1,079.54	In the event MFC "B" roads are serviced by the Municipalities, they are to be paid at "C" rates (except 11-0)			
Northampton	\$874.24	\$710.48				
Schuylkill	\$1,062.23	\$888.08				

**NO MFC "A" ROADS ARE TO BE SERVICED BY MUNICIPALITIES!**

EXHIBIT "B"

**Contract Provisions – Right to Know Law**

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, ("RTKL") applies to this Contract. For the purpose of these provisions, the term "the Commonwealth" shall refer to the contracting Commonwealth agency.
- b. If the Commonwealth needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in this Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in the Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), the Contractor shall:
  1. Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Contractor's possession arising out of this Contract that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
  2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Contract.
- d. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Contractor considers exempt from production under the RTKL, the Contractor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Contractor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, the Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If the Contractor fails to provide the Requested Information within the time period required by these provisions, the Contractor shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth.

- g. The Commonwealth will reimburse the Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h. The Contractor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Contractor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Contractor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.
- i. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession .

EXHIBIT "C"

**NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]**

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contracts relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the Commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15<sup>th</sup> of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The Commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.



## EXHIBIT "C"

## CONTRACTOR INTEGRITY PROVISIONS

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth contracting and procurement process.

**1. DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:

- a. **"Affiliate"** means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.
- b. **"Consent"** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.
- c. **"Contractor"** means the individual or entity, that has entered into this contract with the Commonwealth.
- d. **"Contractor Related Parties"** means any affiliates of the Contractor and the Contractor's executive officers, Pennsylvania officers and directors, or owners of 5 percent or more interest in the Contractor.
- e. **"Financial Interest"** means either:
  - (1) Ownership of more than a five percent interest in any business; or
  - (2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
- f. **"Gratuity"** means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code §7.153(b), shall apply.
- g. **"Non-bid Basis"** means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.

**2.** In furtherance of this policy, Contractor agrees to the following:

- a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.

- b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.
- c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.
- d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
- e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:
  - (1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;
  - (2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;
  - (3) had any business license or professional license suspended or revoked;
  - (4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and
  - (5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal or contract a written explanation of why such certification cannot be made and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor's obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract it becomes aware of any event which would cause the Contractor's certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for

cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

- f. Contractor shall comply with the requirements of the Lobbying Disclosure Act (65 Pa.C.S. §13A01 et seq.) regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the Section 1641 of the Pennsylvania Election Code (25 P.S. §3260a).
- g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.
- h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.
- i. Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third party beneficiaries shall be created thereby.
- j. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not

preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

EXHIBIT "C"

**PROVISIONS CONCERNING *THE AMERICANS WITH DISABILITIES ACT***

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, supplier, or grantee, who will furnish or perform or seeks to furnish or perform, goods, supplies, services, construction or other activity, under a purchase order, contract, or grant with the Commonwealth of Pennsylvania (Commonwealth).

During the term of this agreement, the contractor agrees as follows:

1. Pursuant to federal regulations promulgated under the authority of *The Americans with Disabilities Act*, 28 C. F. R. § 35.101 *et seq.*, the contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this agreement or from activities provided for under this agreement. As a condition of accepting and executing this agreement, the contractor agrees to comply with the "*General Prohibitions Against Discrimination*," 28 C. F. R. § 35.130, and all other regulations promulgated under *Title II of the Americans with Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth through contracts with outside contractors.
2. The contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth as a result of the contractor's failure to comply with the provisions of paragraph 1.

EXHIBIT "C"

**Contractor Responsibility Provisions**

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee or lessor, who has furnished or performed or seeks to furnish or perform, goods, supplies, services, leased space, construction or other activity, under a contract, grant, lease, purchase order or reimbursement agreement with the Commonwealth of Pennsylvania (Commonwealth). The term contractor includes a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other public entity in the Commonwealth.

**1.** The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

**2.** The Contractor also certifies, in writing, that as of the date of its execution of this Bid/Contract it has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

**3.** The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

**4.** The failure of the Contractor to notify the Commonwealth of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the Contract with the Commonwealth.

**5.** The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

**6.** The Contractor may obtain a current list of suspended and debarred Commonwealth contractors by either searching the Internet at <http://www.dgs.state.pa.us/> or contacting the:

Department of General Services  
Office of Chief Counsel  
603 North Office Building  
Harrisburg, PA 17125  
Telephone No: (717) 783-6472  
FAX No: (717) 787-9138

## EXHIBIT "E"

## Submission Date:

State Road SLM Serviced:

Total Municipality SLM Serviced:

Representative's Phone:

COSTARS (Y/N): Cost per Ton of Salt:

### *Detail Fields*

Complete all fields above the expenditures table (gray fields).

If your organization is a COSTARS participant, the COSTARS price of salt (\$/Ton) is automatically factored into the Total Salt Cost.

If your organization is not a COSTARS participant, enter your price of salt (\$/Ton) in the Cost per Ton of Salt field following the COSTARS (Y/N) field.

"State Road SLM Serviced" refers to the number of lane-miles of state roads that are serviced by your organization within the municipality.

"Total Municipality SLM Serviced" refers to the number of total lane-miles that are serviced by your organization within the municipality.

### *Expenditures Table*

Costs by your organization for the servicing of all roads within the municipality are to be entered in the table.

Complete all columns left-to-right in the table: The "Total Salt Cost" and "Total Cost" fields are automatically calculated.

If events carry through two or more dates, start a new line for each subsequent date and enter costs only charged per each day.

### *Signature Fields*

A signature by an officer within the municipality is required for submittal.

Email the form to [hquinn@pa.gov](mailto:hquinn@pa.gov) for electronic filing (signed/scanned pdf or excel format).



RESOLUTION R-15-

24

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTHAMPTON  
TOWNSHIP, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA,  
AUTHORIZING APPLICATION TO THE 2015 PECO GREEN REGION OPEN  
SPACE PROGRAM FOR THE IRONWORKS CREEK PARK PROJECT**

**WHEREAS**, Northampton Township desires to undertake the Ironworks Creek Park Project; and

**WHEREAS**, Northampton Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and

**WHEREAS**, Northampton Township has received and understands the 2015 PECO Green Region Open Space Program Guidelines.

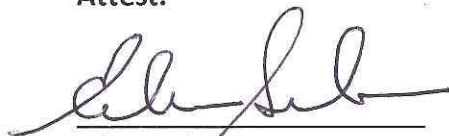
**THEREFORE, BE IT RESOLVED THAT**, Northampton Township Board of Supervisors hereby approves this project and authorizes application to the PECO Green Region Open Space Program in the amount of \$10,000; and

**BE IT FURTHER RESOLVED, THAT**, if the application is granted, Northampton Township commits to the expenditure of matching funds in the amount of \$10,000 necessary for the project's success.

**RESOLVED** this 29<sup>th</sup> day of October 2015

**Northampton Township  
Board of Supervisors**

**Attest:**

  
Eileen Silver, Secretary

  
Barry Moore, Chairman