WORCESTER TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 98-166

AN ORDINANCE AMENDING THE WORCESTER TOWNSHIP ZONING ORDINANCE AND THE WORCESTER TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE BY ADDING A DEFINITION OF STEEP SLOPE AREA TO THE ZONING ORDINANCE (DEFINED AS AREA WITH SLOPES OF 10% OR GREATER); BY ADDING REGULATIONS FOR THE TYPES OF DEVELOPMENT WHICH ARE PERMITTED AND PROHIBITED WITHIN STEEP SLOPE AREAS AS WELL AS STANDARDS FOR PROTECTION OF STEEP SLOPE AREAS DURING PERMITTED CONSTRUCTION OR GRADING; BY ADDING REGULATIONS LIMITING THE EXTENT TO WHICH STEEP SLOPE AREAS CAN BE INCLUDED WITHIN LOT AREA CALCULATIONS UNDER THE ZONING ORDINANCE; BY ADDING SIMILAR STEEP SLOPE REGULATIONS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE; BY ADDING A DEFINITION OF WETLANDS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND ADDING DESIGN STANDARDS FOR DEVELOPMENT IN AND NEAR WETLANDS TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE; BY ADDING A NEW "RIPARIAN CORRIDOR CONSERVATION DISTRICT" TO THE ZONING ORDINANCE ALONG WITH REGULATIONS CONTROLLING THE ESTABLISHMENT AND WIDTH DETERMINATION OF A RIPARIAN CORRIDOR CONSERVATION DISTRICT, THE USES PERMITTED IN A RIPARIAN CORRIDOR CONSERVATION DISTRICT (BY RIGHT AND BY CONDITIONAL USE), THE USES PROHIBITED IN A RIPARIAN CORRIDOR CONSERVATION DISTRICT, REGULATIONS GOVERNING BOUNDARY INTERPRETATION AND AN APPEALS PROCEDURE; REGULATIONS PERMITTING INSPECTION OF THE RIPARIAN CORRIDOR CONSERVATION DISTRICT AT SUCH TIME AS ANY PROPOSED DEVELOPMENT OR REGRADING WITHIN THE DISTRICT IS PLANNED; ADDING REGULATIONS FOR THE MANAGEMENT AND RESTORATION OF THE RIPARIAN CORRIDOR CONSERVATION DISTRICT; AND PROVIDING A SPECIFIC LISTING OF PLANTS, SHRUBS AND TREES APPROPRIATE FOR RESTORATION PLANTING WITHIN A RIPARIAN CORRIDOR CONSERVATION DISTRICT AREA.

The Board of Supervisors of Worcester Township does hereby enact and ordain the following:

SECTION 1. **Amendment.** Amend section 130-6, Definitions, of Article II of the Subdivision and Land Development Ordinance by adding the following new definitions:

BIOTECHNICAL SLOPE PROTECTION - Stabilization of slopes by mechanical elements and structures in combination with plant material to arrest and prevent slope failures, movement of soil, and erosion.

STEEP SLOPE AREA - An area with slopes of 10% or greater.

SECTION 2. **Amendment.** Amend Article V, Design Standards, of the Subdivision and Land Development Ordinance by adding the following new section:

Section 130-32.1: Steep Slopes.

A. Areas with slopes of 10% to less than 18% shall meet the following requirements:

(1) All development shall be laid out in such a manner as to avoid or minimize development on or regrading of areas with slopes of 10% to less than 18%.

(2) It shall be incumbent on the applicant to show that areas with slopes of 10% to less than 18% have been avoided to the greatest extent possible. If requested by the township, the applicant shall produce evidence such as written documents or plans certified by a registered engineer or other qualified professional showing that no alternative layouts are possible that would reduce the amount of steep slopes that need to be regraded.

(3) When regrading is necessary on areas with slopes of 10% to less than 18%, the slopes shall be protected in accordance with slope protection standards outlined below in section 130-32.1.C.

B. Areas with slopes of 18% or greater shall meet the following requirements:

(1) All structures, buildings, parking areas, regraded slopes, and substantial improvements (with the exception of driveway and utility crossings when no other location is feasible) are prohibited on slopes of 18% or greater.

(2) When regrading is necessary for driveway and utility crossings, the slopes shall be protected in accordance with slope protection standards outlined below in section 130-32.1.C.

C. Slope Protection Standards

(1) Regrading in steep slope areas shall be minimized to the greatest extent possible.

(2) Existing landscaping on steep slope areas shall be preserved, except where regrading is proposed.

(3) Regrading or earthmoving on steep slopes shall not result in earth cuts or fills whose highest vertical dimension exceeds 10 feet.

(4) Finished slopes of all cuts and fills shall not exceed 3: 1. Slopes steeper than 3:1 and retaining walls are not permitted unless the applicant can demonstrate that steeper slopes or retaining walls can be stabilized and maintained adequately and that they more effectively preserve the landscape in its scenic and/or natural state.

(5) Regraded areas within steep slopes shall be protected using generally accepted biotechnical slope protection techniques.

SECTION 3. **Amendment.** Amend section 130-33.C(3)(b) of the Subdivision and Land Development Ordinance by deleting the last sentence and replacing with the following:

Steep slopes, those of ten (10) percent or greater, as delineated in USGS 7.5 minute quadrangles, the SCS Soil Survey of Montgomery County, or determined through on-site measurement, shall be divided into two categories, areas Path slopes of 10% to less than 18% and areas with slopes of 18% and more, and each category of steep slopes shall be plotted.

SECTION 4. **Amendment.** Amend section 150-9. Definitions, of Article III of the Zoning Ordinance by adding the following, new definition:

STEEP SLOPE AREA - An area with slopes of 10% or greater.

SECTION 5. **Amendment.** Amend section 150-9, the LOT AREA CALCULATION DEFINITION, of Article III of the Zoning Ordinance by adding the following new subsection:

D. All of steep slope areas with a slope of eighteen percent (18%) or more, and half of steep slope areas with a slope of ten percent (10%) to less than eighteen percent (18%).

SECTION 6. **Amendment.** Amend the Zoning Ordinance by adding the following new article:

ARTICLE XX-A
SS - Steep Slope Conservation District

Section 150-146.1. Legislative Intent. In expansion of the Statement of Community Development Objectives in Article I, Section 150-3 of this Ordinance, it is the intent of this Article to:

A. Conserve and protect steep slope areas from inappropriate development and excessive grading.

B. Minimize stormwater runoff, accelerated soil erosion, and resultant stream siltation which may create a danger to life and/or property.

C. Protect the township from inappropriate development of steep slope areas which may cause a subsequent expenditure for public works and disaster relief, thus affecting the economic well being of the township and its residents.

D. Restrict sedimentation and the alteration of natural drainage patterns, which may aggravate flooding both in the immediate area and in downstream areas.

E. Protect residents from property damage and personal injury due to runoff, erosion, and landslides.

Section 150-146.2. Overlay Concept. The SS Steep Slope Conservation District is an overlay of all other zoning districts within Worcester Township and applies to all steep slope areas within these zoning districts.

Section 150-146.3. Determination of Steep Slope Areas

A. Slopes of 10% or greater shall be considered steep slopes.

B. Steep slopes shall be determined by one of the following methods:

(1) On-site measurement of slopes by registered professional engineers, surveyors, or landscape architects, using accepted engineering practices.

(2) Use of maps prepared by the Soil Conservation Service, United States Department of Agriculture, found in the *Soil Survey of Montgomery County, 1967*.

(3) Use of United States Geological Survey 7.5 Minute Quadrangles.

C. The Township Board of Supervisors, in consultation with the township engineer, shall make the final determination of where steep slopes exist on a site. Any party that disagrees with the township's determination of the location of steep slopes may appeal this decision to the Worcester Township Zoning Hearing Board.

Section 150-146.4. Steep Slope Regulations

A. Areas with slopes of 10% to less than 18% shall meet the following requirements:

(1) All development shall be laid out in such a manner as to avoid or minimize development on or regrading of areas with slopes of 10% to less than 18%.

(2) It shall be incumbent on the applicant to show that areas with slopes of 10% to less than 18% have been avoided to the greatest extent possible. If requested by the township, the applicant shall produce evidence such as written documents or plans certified by a registered engineer or other qualified professional showing that no alternative layout would reduce the amount of steep slopes that need to be regraded.

(3) When regrading is necessary on areas with slopes from 10% to less than 18%, the slopes shall be protected in accordance with slope protection standards in the township's Subdivision and Land Development Ordinance.

B. Areas with slopes of 18% or greater shall meet the following requirements:

(1) All structures, buildings, parking areas, regraded slopes, and substantial improvements (with the exception of driveway and utility crossings when no other location is feasible) are prohibited on slopes of 18% or greater.

(2) When regrading is necessary for driveway and utility crossings on areas with slopes of 18% or greater, the slopes shall be protected in accordance with slope protection standards in the township's Subdivision and Land Development Ordinance.

SECTION 7. **Amendment.** Amend section 130-6, Definitions, of Article 11 of the Subdivision and Land Development Ordinance by adding the following new definition:

WETLANDS - Those areas that are inundated or saturated by surface or ground water 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, including swamps, marshes, bogs, and similar areas.

SECTION 8. **Amendment.** Amend Article V, Design Standards, of the Subdivision and Land Development Ordinance by adding the following new section.

Section 130-32.2. Wetlands.

A. Existing wetlands on a site shall fall into two classifications: wetlands that will be filled, as permitted by state and federal regulations, and unfilled wetlands.

B. Compliance with Federal and State Wetlands Regulations. For proposed uses, activities, or improvements which would entail the regrading or placement of fill in wetlands, the applicant shall provide the township with proof that the proposed plan complies with the Pennsylvania Department of Environmental Protection (Bureau of Dams and Waterway Management) and the U.S. Army Corp of Engineers regulations for areas identified as wetlands. If permits are required by the PADEP or USACE, copies of the approved permits must be supplied to the township before final plan approval.

C. The following requirements apply to remaining unfilled wetlands:

(1) Buildings, parking lots, and other structures, except fences, shall be set back at least 25 feet from unfilled wetlands.

(2) Vegetation in unfilled wetlands shall remain undisturbed and left in its natural state, except as noted below:

(a) Corridor crossings by farm vehicles and livestock, recreational trails, roads, railroads, centralized sewer and/or water lines, and public transmission lines shall be permitted to disturb existing vegetation, provided such crossings comply with state and/or federal regulations.

(b) Selective removal of extremely high economic value trees shall be permitted provided each tree that is removed is replaced with a canopy tree selected from the list in section 130-28 of the subdivision and land development ordinance.

(c) Limited thinning and pruning of landscaping shall be permitted in order to remove or repair dead, diseased, or damaged trees and in order to improve overcrowded conditions.

(d) Construction of fences is permitted.

SECTION 9. **Amendment.** Amend section 150-9, Definitions, of Article III of the Zoning Ordinance by adding the following new definition:

WETLANDS - Those areas that are inundated or saturated by surface or ground water 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, including swamps, marshes, bogs, and similar areas.

SECTION 10. Amendment. Amend section 150-9, the LOT AREA CALCULATION definition, by adding the following new sentence to subsection A:

Any area within twenty-five (25) feet of unfilled wetlands.

SECTION 11. Amendment. Amend Article XXIV, General Provisions, by adding the following new section:

Section 150-204.1. Wetlands.

A. Wetlands shall not be filled or regraded, except as permitted by state and federal wetlands regulations.

B. Buildings, parking lots, and other structures, except fences, shall be set back at least 25 feet from wetlands.

C. Wetlands shall remain undisturbed, except for the following activities, which are permitted by conditional use:

(1) Corridor crossings by farm vehicles and livestock, recreational trails, roads, railroads, centralized sewer and/or water lines, and public transmission lines, provided such crossings comply with state and/or federal regulations.

(2) Selective removal of extremely high economic value trees provided each tree that is removed is replaced with a canopy tree selected from the list in the subdivision and land development ordinance.

(3) Limited thinning and pruning of landscaping in order to remove or repair dead, diseased, or damaged trees and in order to improve overcrowded conditions.

(4) Construction of fences.

SECTION 12. Amendment. Amend the Worcester Township Zoning Ordinance by adding a new Article XXA - Riparian Corridor Conservation District as follows:

ARTICLE XXA
RIPARIAN CORRIDOR CONSERVATION DISTRICT

Section 150-146.1. Legislative Intent.

In expansion of the legislative intent contained in Article I, Section 150-2, and the community development objectives contained in Article I, Section 150-3, of this chapter and in support of the goals and recommendations of the Worcester Township Comprehensive Plan, it is the intent o this Article to provide reasonable controls governing the restoration, conservation, disturbance, and management of existing riparian corridors by establishing designated Riparian Corridor Conservation Districts ("District"). In addition, the specific purposes and intent of this article are to:

A. Reduce the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach watercourses, wetlands, subsurface, and surface water bodies by using scientifically proven processes including filtration, deposition, absorption, adsorption, plant uptake, and denitrification, and by improving infiltration, encouraging sheet flow, and stabilizing-concentrated flows.

B. Improve and maintain the safety, reliability, and adequacy of the water supply for domestic, agricultural, commercial, industrial, and recreational uses along with sustaining diverse populations of aquatic flora and fauna.

C. Regulate the land use, siting, and engineering of all development to be consistent with the intent and objectives of this ordinance, accepted conservation practices, and to work within the carrying capacity of existing natural resources.

D. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically Erosion Control, of the Pennsylvania Clean Streams Law, Act 394, P.L. 1987, Chapter 102 of the Administrative Code (as amended October 10, 1980 Act 157 P.L.), Title 25, and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District.

E. Conserve the natural features important to land or water resources (e.g., headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.

F. Work with floodplain and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and riparian features.

G. Conserve natural, scenic, and recreation areas within and adjacent to riparian areas for the community's benefit.

Section 150-146.2. Establishment and Width Determination of the Riparian Corridor Conservation District

A. Establishment.

(1) The Riparian Corridor Conservation District applies to land adjacent to an identified waterway in Worcester Township. The following watercourses or water bodies shall he considered an identified waterway in Worcester Township:

(a) Perennial streams, as identified in the most recent Soil Survey of Montgomery County, as prepared by the Soil Conservation Service, United States Department of Agriculture.

(b) Streams which are bordered by the following alluvial soils, as identified in the most recent Soil Survey of Montgomery County, prepared by the Soil Conservation Service, United States Department of Agriculture:

Bm	-	Bermudian silt loam
Bo	-	Boundary alluvial soil
Bp	-	Bowmansville silt loam
Ch	-	Codorus silt loam
Ha	-	Hatboro silt loam
Rt	-	Rowland silt loam
Ru	-	Rowland silt loam, coal overwash

(c) Streams which are bordered by the following local alluvium soils, as identified in the most recent Soil Survey of Montgomery County, prepared by the Soil Conservation Service, United States Department of Agriculture, provided the local alluvium soil is connected to an alluvial soil listed above in section 150-146.A(l)(b):

BrA	-	Bowmansville loam; local alluvium (0% to 3% slope)
BrB	-	Bowmansville loam; local alluvium (3% to 8% slope)
RwA	-	Rowland silt loam; local alluvium (0% to 3% slope)
RwB	-	Rowland silt loam; local alluvium (3% to 8% slope)

(d) Lakes and ponds which have a surface area of 10,000 square feet or more.

(2) The Riparian Corridor Conservation Overlay District shall extend a minimum of 75 feet from the defined edge of an identified waterway at bankfull flow, or shall equal the extent of the 100 year floodplain, whichever is greater. The District will consist of two distinct zones designated as:

(a) **Zone One:** This zone shall begin at each edge of an identified waterway (which can include ponds and intermittent watercourses) and shall occupy a margin of land with a minimum width of 25 feet measured horizontally on a line perpendicular to the edge of water at bankfull flow. The width of Zone One may be required to extend beyond the minimum 25 feet depending upon existing topography, woodlands, and other natural conditions. This determination will be made by the township Board of Supervisors or its appointed representative. In addition:

[1] Where steep slopes (slopes of 25 percent or more) are located within 25 feet of an identified waterway, Zone One shall extend the entire distance of the steep slope area. If the distance of this steep slope area is greater than 75 feet, there will be no requirement for the establishment of Zone Two. If the distance is less than 75 feet, the width of Zone Two shall be adjusted so that the total corridor width (Zone One and Zone Two) will be 75 feet maximum, except as noted below in section 150-146.2.A(2)(b)[1]

(b) **Zone Two:** This zone will begin at the outer edge of Zone One and shall occupy a minimum width of 50 feet in addition to Zone One, up to a maximum combined width in zones one and two of 75 feet, except:

[1] Where the 100-year floodplain extends greater than 75 feet from the waterway, Zone One shall remain a minimum of 25 feet wide, and Zone Two shall extend from the outer edge of Zone One to the outer edge of the 100-year floodplain.

B. Width Determination. The developer, applicant, or designated representative shall be responsible for the initial width determination of the riparian corridor and identifying this area on any plan that is submitted to Worcester for subdivision, land development, or other improvements that require plan submissions or permits. This initial determination shall be subject to review and approval by the township Board of Supervisors, in consultation with the township engineer.

Section 150-146.3. Uses Permitted in the Riparian Corridor Conservation District
The following uses are permitted, either by right or as a conditional use in the Riparian Corridor Conservation District. However, within any corridor, no construction, development, use, activity, or encroachment shall be permitted unless the activity will be mitigated by measures described in the Corridor Management Plan required by section 150-146.8 of this ordinance.

A. Zone One

(1) Uses Permitted by Right

Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone One, including:

(a) Wildlife sanctuaries, nature preserves, forest preserves, fishing, areas, passive areas of public and private parklands, and reforestation in compliance with the guidelines of the Corridor Management Plan.

(b) Streambank stabilization in compliance with the guidelines of the Corridor Management Plan.

(c) Maintenance of riparian Woodlands through the removal of invasive vines, bushes, and trees, the cleaning out of trash, the correction of soil erosion problems, the planting of plants selected from the riparian corridor plant list in section 130-28 of the Subdivision and Land Development Ordinance, and the proper care of riparian plants.

(2) Uses Permitted by Conditional Use

(a) Corridor crossings by recreational trails, roads, railroads, centralized sewer and/or water lines, public utility transmission lines, and farm vehicles and livestock with necessary fencing, provided that any disturbance is offset by corridor improvements identified in the Corridor Management Plan.

(b) Selection cutting of extremely high economic value trees when the land will be reforested and removal is consistent with approved standards in the Corridor Management Plan.

B. Zone Two

(1) Uses Permitted By Right.

The following uses which are primarily passive in character, shall be permitted by right to extend into the area defined as Zone Two:

(a) Open space uses including wildlife sanctuaries, nature preserves, forest preserves, passive areas of public and private parklands, and recreational trails conducted in compliance with methods prescribed by Chapter 102 of Title 25 of the Pennsylvania Administrative Code.

(b) Reforestation in compliance with the guidelines of the Corridor Management Plan.

(c) Minimum required front, side, and rear yards on private lots.

(d) Agricultural uses, existing at the time of adoption of this ordinance, so long, as they are conducted in compliance with methods prescribed by Chapter 102 of Title 25 of the Pennsylvania Administrative Code.

(e) Fencing.

(f) Maintenance of riparian woodlands through the removal of invasive vines, bushes, and trees, the cleaning out of trash, the correction of soil erosion problems, the planting of plants selected from the riparian corridor plant list in section 130-28 of the Subdivision and Land Development Ordinance, and the proper care of riparian plants.

(2) Uses Permitted by Conditional Use.

(a). New agricultural uses, in compliance with methods prescribed by Chapter 102.4(b) of Title 25 of the Pennsylvania Administrative Code.

(b) Corridor crossings by roads, railroads, centralized sewer and/or water lines, public utility transmission lines, and farm vehicles and livestock with necessary fencing, provided that any disturbance is, at a minimum, offset by corridor improvements identified in the Corridor Management Plan.

(c) Centralized sewer and/or water lines and public utility transmission lines running along the corridor, provided that any disturbance is, at a minimum, offset by corridor improvements identified in the Corridor Management Plan. These lines shall be located as far from Zone One as practical.

(d) Selection cutting of trees when the land will be reforested and removal is consistent with approved standards in the Corridor Management Plan.

(e) Passive use areas such as camps, campgrounds, picnic areas, and golf courses. Active recreation areas such as ballfields, playgrounds, and courts provided these uses are designed in a manner that will not permit concentrated stormwater flow.

(f) Naturalized stormwater basins in compliance with the guidelines in the Corridor Management Plan. The entire basin shall be located a minimum of 25 feet from the defined edge of identified waterways.

Section 150-146.4. Uses Specifically Prohibited in the Riparian Corridor District
Any use or activity not authorized within Section 150-146. 3 shall be prohibited within the Riparian Corridor Conservation District. By way of example, the following activities and facilities are specifically prohibited:

A. Buildings and any other type of permanent structure, except structures specifically permitted in Section 150-146.3.

B. Roads or driveways, except where permitted as corridor crossings in compliance with Sections 150-146.3.A(2)(a) or 150-146.3.B(2)(b).

C. Motor or wheeled vehicle traffic in any area not specifically permitted by Sections 150-146.3.A(2)(a) or 150-146.3.B(2)(b).

D. Parking lots.

E. Clear-cutting of trees and other vegetation.

F. Selection cutting of trees and/or the clearing of other vegetation within Zone One, except where such clearing involves the removal of high economic value trees or is necessary to prepare land for a use permitted under Section 150-146.3.A. and where the effects of these actions are mitigated by revegetation, as specified under Section 150-146.8. here within.

G. Selection cutting of trees and/or the clearing of other vegetation within Zone Two, except where such clearing involves the removal of high economic value trees or is necessary to prepare land for a use permitted by Section 150-146.3.B. and where the effects of these actions are mitigated by revegetation, as specified under Section 150-146.8. here within.

H. Removal of trees in excess of selection cutting, except where such removal is necessary as a means to eliminate dead, diseased, or hazardous tree stands that jeopardize public safety or as part of a reforestation project, provided that the removal is in compliance with a Corridor Management Plan approved by the township engineer, Board of Supervisors, or its appointed representative.

I. Removal or disturbance of vegetation in a manner that is inconsistent with erosion control and corridor protection.

J. Storage of any hazardous or noxious materials.

K. Dumping of manmade materials.

L. Dumping of large concentrations or amounts of natural materials and dumping of any natural materials within an identified waterway, measured at bankfull flow.

M. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of prescribed industry standards or the recommendations of the Montgomery County Conservation District.

N. Subsurface sewage disposal areas.

O. Sod farming.

Section 150-146.5. Nonconforming Structures and Uses in the Riparian Corridor Conservation District
Nonconforming structures and uses of land within the Riparian Corridor Conservation District shall be regulated under the provisions of Article XXIII herein. The following additional regulations also shall apply:

A. Existing nonconforming structures or uses within Zones One or Two that are not permitted under Section 150-146.3 may be continued but shall not have the existing building footprint or uses expanded or enlarged.

B. Discontinued nonconforming uses may be resumed any time within one year from such discontinuance but not thereafter when showing, clear indications of abandonment. No change or resumption shall be permitted that is more detrimental to the Riparian Corridor Conservation District, as measured against the intent and objectives under Section 1, than the existing, or former nonconforming, use.

C. This one year time frame shall not apply to agricultural uses which are following prescribed Best Management Practices for crop rotation.

Section 150-146.6. Boundary Interpretation and Appeals Procedure

A. When a landowner or applicant disputes the Zone (One or Two) boundaries of the Riparian Corridor or the defined edge of a waterway the landowner or applicant shall submit evidence to Worcester Township that describes the boundary, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.

B. The township Board of Supervisors, in consultation with the township engineer, shall evaluate all material submitted and shall make a written determination of the riparian corridor boundaries within 45 days, a copy of which shall be submitted to the township planning commission, and landowner or applicant.

C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the zoning hearing board under the provisions of Article XXVI of this chapter. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

Section 150-146.7. Inspection of Riparian Corridor Conservation District

A. Lands within or adjacent to an identified Riparian Corridor Conservation District may be inspected by a township representative when:

(1) A subdivision or land development plan is submitted.

(2) A building permit is requested.

(3) A change or resumption of nonconforming use is proposed.

(4) A grading permit is requested.

B. The district may also be inspected periodically by a township representatives for compliance with an approved restoration plan, excessive or potentially problematic erosion, hazardous trees, or at any time when the presence of an unauthorized activity or structure is brought to the attention of township officials.

Section 150-146.8. Management of the Riparian Corridor District

A. **Corridor Management Plan.** Within any riparian corridor area, no construction, development, use, activity, or encroachment shall be permitted unless a Corridor Management Plan is submitted and approved by the township Board of Supervisors and the effects of such development are mitigated by the implementation of the Corridor Management Plan. The Corridor Management Plan shall meet the following requirements, unless the township Board of Supervisors determines that any or all of these requirements are unnecessary:

(1) Plan Contents. The Corridor Management Plan shall contain the following information:

(a) Existing Conditions, including the boundaries of zones 1 and 2, steep slopes, swales, wetlands, streams, ponds, floodplains, woodlands, other vegetation, and existing structures. A written description of unusual or significant conditions should also be included.

(b) Goals, including goals for the entire tract and long range goals for the riparian corridor. All goals should be compatible with the purposes listed in section 1 of this article, legislative intent.

(c) Proposed Activities, including, a scaled plan which shows all proposed activities in Zone 1, Zone 2, and land adjacent to the corridor. The plan shall differentiate areas that will be disturbed from those that will be protected and preserved.

(d) Proposed Management, including, a discussion of how the goals will be met given the proposed activities. The plan shall specify when the construction, planting, or other activities are to begin and end and shall address long and short-term maintenance, mitigation, and improvement activities necessary for preservation of the corridor, including, application of herbicides, removal of invasive plants, spacing and types of newly planted trees and shrubs, mowing schedules, farming practices, and other related functions.

The proposed management plan shall also comply with the management, mitigation, and restoration measures outlined below in section 150-146.8.A(2).

(2) Management, Mitigation, and Restoration Measures

(a) Management Practices. The following management practices shall be integrated into the plan when practical.

[1] Existing woody and other vegetation should be preserved to the greatest extent possible.

[2] Fallen branches and other organic material should be allowed to remain where they have fallen.

[3] Fencing should be used to keep livestock away from streams.

[4] Streams crossings should be done at a 90 decree angle to the stream.

[5] An undisturbed vegetative strip should be kept between agricultural uses and stream corridors.

[6] Agricultural uses shall follow accepted conservation practices, as promulgated by the Natural Resource Conservation Service, United States Department of Agriculture.

[7] Streambanks should be stabilized in accordance with, A *Streambank Stabilization and Management Guide* for Pennsylvania Landowners, by the Pennsylvania Department of Environmental Resources.

[8] Degraded landscapes should be restored or converted to a more effective landscape.

(b) Mitigation Measures. Permitted uses that involve disturbance of vegetation within the riparian corridor shall be mitigated by at least one of the following measures, with a total amount of mitigated area, measured horizontally, that is equal to or greater than the total amount of disturbed area, measured horizontally:

[1] Increasing the width of the corridor. The width of the riparian corridor, measured from the defined edge of a waterbody, is increased to at least 150 feet.

[2] Converting to a more effective landscape. The existing landscape is converted to a more effective landscape. The following landscapes are listed in order of effectiveness, from most effective to least effective:

Woodland
Meadow
Shrub
Old Field
Lawn
Pasture

[3] Increasing the effectiveness of the corridor. In existing degraded wooded areas or proposed new wooded areas, the riparian corridor is planted with three distinct layers of vegetation: (1) canopy trees, such as oak, hickory, maple gum, beech, sycamore, spruce, hemlock, pine, and fir, (2) shrubs that provide an understory, such as elderberry, viburnum, azalea, rhododendron, holly, laurel, and alders, and (3) herbaceous plants that serve as ground cover, including ferns, sorrel, trillium, violet, Virginia creeper, nettle, phlox, aster, and worts. All three layers shall be planted at a density sufficient to create a fully-functioning, naturalized riparian corridor.

(c) Restoration and Conversion of Landscapes

[1] Landscapes shall be restored by removing invasive vines, removing invasive trees, cleaning out trash, correcting soil erosion problems, planting appropriate plants, and properly maintaining all new plantings

[2] Landscapes shall be converted to a more effective landscape by removing existing, incompatible vegetation, planting plants that are appropriate for the proposed landscape type and the site, and maintaining and protecting the plantings from invasive plants, deer, and other long-term problems.

B. **Vegetation Selection** To function properly, vegetation in the Corridor Management Plan shall be selected from the list of riparian corridor plants in section 130-28, Landscaping, of the township Subdivision and Land Development Ordinance. Plants not included on the list may be permitted by the Township Board of Supervisors, in consultation with the township Shade Tree Commission, when evidence is provided from qualified sources certifying their suitability. The township may require species suitability to be verified by qualified experts in the Montgomery County Conservation District, Natural Resources Conservation Service, Pennsylvania Fish and Boat Commission, the U.S. Fish and Wildlife Service, or state and federal forest agencies.

(1) In Zone One, dominant vegetation shall be composed of a variety of native riparian tree and shrub species and appropriate plantings necessary for streambank stabilization.

(2) In Zone Two, dominant vegetation shall be composed of riparian trees and shrubs, with an emphasis on native species and appropriate plantings necessary to stabilize the soil.

(3) Disturbed areas shall be revegetated with riparian corridor plants, in compliance with an approved Corridor Management Plan.

SECTION 13. Amendment. Amend section 150-9 of the Zoning Ordinance by adding the following new definitions:

BANKFULL FLOW - The point above a waterway which defines the maximum height of channel flow of a waterway. It is either determined visually or computed as an elevation using the peak rate of runoff from a two-year storm event.

REFORESTATION - The process of creating woodlands with three distinct layers of vegetation: canopy trees, understory shrubs or trees, and herbaceous groundcover plants.

RIPARIAN AREA - Land adjacent to a stream, lake, pond, or other waterway. Riparian areas form the transition between the aquatic and the terrestrial environment.

SELECTION CUTTING - A method of removing small groups of trees scattered throughout a woodland in order to retain the biodiversity of the woodland while allowing limited harvesting of trees.

WATERWAY - A stream, creek, river, pond, lake, or other watercourse or waterbody.

SECTION 14. Amendment. Amend section 130-28.H of the Subdivision and Land Development Ordinance by adding the following new subsection:

(7) Riparian corridor plants:

(a) Deciduous shrubs: minimum height at time of planting of three (3) feet.

SEE ATTACHED LIST

SECTION 15. Disclaimer. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in Court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township of Worcester prior to the enactment of this Ordinance.

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

SECTION 17. Failure to Enforce Not a Waiver. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION 18. Effective Date. This Ordinance shall take effect and be in force from and after its approval as required by law.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Worcester, Montgomery County, Pennsylvania, this 19th day of August, 1998.

WORCESTER TOWNSHIP

Attest: Chase E Kneeland
Chase E. Kneeland,
Secretary

By: John H. Graham
John H. Graham, Chairman
Board of Supervisors

JJG:slp/steep slope.riparian ordinance amendments
W080498

Scientific Name	*Common Name*	*Description*
Alnus incana	*Speckled Alder*	*Deciduous shrub*
Alnus serrulata	*Smooth Alder*	*Deciduous shrub*
Amelancher bartramiana	*Mountain Juneberry*	*Deciduous shrub*
Amelancher intermedia	*Shadbush, Serviceberry*	*Deciduous shrub*
Ameliancher canadensis	*Shadbush, Serviceberry, Juneberry*	*Deciduous shrub*
Amorpha fruticosa	*False-indigo*	*Deciduous shrub*
Aronia prunifolia	*Purple Chokeberry*	*Deciduous shrub*
Aronia melanocarpa	*Black Chokeberry*	*Deciduous shrub*
Aronia arbutifolia	*Red Chokeberry*	*Deciduous shrub*
Clethra alnifolia	*Sweet Pepperbush*	*Deciduous shrub*
Cornus amomum	*Kinnikinik, Red Willow*	*Deciduous shrub*
Cornus racemosa	*Swamp Dogwood*	*Deciduous shrub*
Cornus sericea	*Red Osier Dogwood*	*Deciduous shrub*
Dirca palustris	*Leatherwood*	*Deciduous shrub*
Euonymus americanus	*Hearts-a-bursting, Strawberry-bush*	*Deciduous shrub*
Gaylussacia dumosa	*Dwarf Huckleberry*	*Deciduous shrub*

Gaylussacia frondosa	*Dangleberry*	*Deciduous shrub*
Hammamelis virginana	*Witch-hazel*	*Deciduous shrub*
Hydrangea paniculata	*Peegee hydrangea*	*Deciduous shrub*
Ilex laevigata	*Smooth winterberry*	*Deciduous shrub*
Ilex verticulata	*Winterberry, Black Alder*	*Deciduous shrub*
Itea virginica	*Tassle-white, Virginia Willow*	*Deciduous shrub*
Leucothoe racemosa	*Fetter-bush, Swamp Dog-hobble*	*Deciduous shrub*
Lindera benzoin	*Spicebush*	*Deciduous shrub*
Lonicera hirsuta	*Hairy Honeysuckle*	*Deciduous shrub*
Lonicera oblongifolia	*Swamp Fly Honeysuckle*	*Deciduous shrub*
Lyonia mariana	*Stagger-bush*	*Deciduous shrub*
Lyonia ligustrina	*Maleberry*	*Deciduous shrub*
Menzesia pilosa	*Minnie-bush*	*Deciduous shrub*
Myrica pensylvanica	*Bayberry*	*Deciduous shrub*
Nemopanthus mucronatus	*Mountain Holly*	*Deciduous shrub*
Physocarpus opulifolia	*Ninebark*	*Deciduous shrub*
Potentilla fruticosa	*Shrubby Cinquefoil*	*Deciduous shrub*
Ptelea trifoliata	*Hop-tree, Wafer-ash*	*Deciduous shrub*
Rhamnus alnifolia	*Alder-leaved Buckthorn*	*Deciduous shrub*
Rhododendron viscosum	*Swamp Azalea, Swamp-honeysuckle*	*Deciduous shrub*
Rhododendron canescens	*Hoary Azalea, Mountain Azalea*	*Deciduous shrub*
Rhododendron canadense	*Rhodora*	*Deciduous shrub*
Rhododendron arborescens	*Smooth Azalea*	*Deciduous shrub*
Rhododendron periclymenoides	*Pinxter-flower, Election-pink*	*Deciduous shrub*
Rhododendron atlanticum	*Dwarf Azalea*	*Deciduous shrub*
Ribes triste	*Wild Red Currant*	*Deciduous shrub*
Ribes americanum	*Wild Black Currant*	*Deciduous shrub*
Ribes lacustre	*Bristly Black Currant,Swamp Currant*	*Deciduous shrub*
Ribes glandulosum	*Skunk Current*	*Deciduous shrub*
Ribes hirtellum	*Northern Wild Gooseberry*	*Deciduous shrub*
Rosa palustris	*Swamp Rose*	*Deciduous shrub*
Rosa virginiana	*Wild Rose, Pasture Rose*	*Deciduous shrub*
Rubus pubescens	*Dwarf Blackberry*	*Deciduous shrub*
Rubus setosus	*Blackberry*	*Deciduous shrub*
Salix sericea	*Silky Willow*	*Deciduous shrub*
Salix petiolaris	*Slender Willow*	*Deciduous shrub*
Salix lucida	*Shining Willow*	*Deciduous shrub*
Salix exigua	*Sandbar Willow*	*Deciduous shrub*
Salix serissima	*Autumn Willow*	*Deciduous shrub*
Salix myricoides	*Broad-leaved Willow*	*Deciduous shrub*
Salix discolor	*Pussy Willow*	*Deciduous shrub*
Salix eriocephala	*Heart-leaved Willow*	*Deciduous shrub*
Sambucus canadensis	*American Elder*	*Deciduous shrub*

Spirea alba	*Meadow Sweet*	*Deciduous shrub*
Spirea tomentosa	*Hardhack, Steeplebush*	*Deciduous shrub*
Vaccinium myrtilloides	*Sour-top or Velvet Blueberry*	*Deciduous shrub*
Vaccinium corybosum	*Highbush Blueberry*	*Deciduous shrub*
Viburnum nudum	*Possum-haw, Swamp-haw*	*Deciduous shrub*
Viburnum lentago	*Nannyberry, Sheepberry*	*Deciduous shrub*
Viburnum recognitum	*Arrow-wood*	*Deciduous shrub*
Viburnum dentatum	*Southern Arrow-wood*	*Deciduous shrub*
Viburnum lantanoides	*Witch-hobble, Hobble-bush*	*Deciduous shrub*
Viburnum trilobum	*Highbush-cranberry*	*Deciduous shrub*
Viburnum cassinoides	*Withe-rod*	*Deciduous shrub*

(b) Deciduous trees: minimum three (3) inch caliper at time of planting.

Scientific Name	***Common Name***	***Description***
Acer negundo	*Box-elder*	*Deciduous tree*
Acer saccharinum	*Silver Maple*	*Deciduous tree*
Acer rubrum	*Red Maple, Swamp Maple*	*Deciduous tree*
Amelanchier arborea	*Shadbush, Serviceberry, Juneberry*	*Deciduous tree*
Aralia spinosa	*Devil's Walking Stick*	*Deciduous tree*
Betula populifolia	*Grey Birch*	*Deciduous tree*
Betula alleghaniensis	*Yellow Birch*	*Deciduous tree*
Betula nigra	*River Birch*	*Deciduous tree*
Carpinus caroliniana	*Hornbeam, Blue Beech*	*Deciduous tree*
Catalpa speciosa	*Catalpa, Cigar Tree*	*Deciduous tree*
Chioanthus virginicus	*Fringe Tree*	*Deciduous tree*
Crataegus phaenopyrum	*Washington Hawthorn*	*Deciduous tree*
Diospyros virginiana	*Persimmon*	*Deciduous tree*
Fraxinus profunda	*Pumpkin Ash*	*Deciduous tree*
Fraxinus pennsylvanica	*Red Ash*	*Deciduous tree*
Fraxinus nigra	*Black Ash*	*Deciduous tree*
Gleditsia triacanthos	*Honey-locust*	*Deciduous tree*
Larix Larcina	*American Larch, Tamarack*	*Deciduous tree*
Liquidambar styraciflua	*Sweet-gum*	*Deciduous tree*
Magnolia virginiana	*Sweet-bay Magnolia*	*Deciduous tree*
Nyssa sylvatica	*Black-gum, Sour-gum, Tupelo*	*Deciduous tree*
Populus balsamifera	*Balsam Poplar, Hackmatack*	*Deciduous tree*
Quercus palustris	*Pin Oak*	*Deciduous tree*
Quercus macrocarpa	*Bur Oak, Mossy-cup oak*	*Deciduous tree*
Quercus phellos	*Willow Oak*	*Deciduous tree*
Quercus bicolor	*Swamp White Oak*	*Deciduous tree*
Quercus imbricaria	*Shingle Oak*	*Deciduous tree*

Quercus shumardii	*Shumard Oak*	*Deciduous tree*
Salix bebbiana	*Long-leaved Willow, Grey Willow*	*Deciduous tree*
Salix amygdaloides	*Peach-leaved Willow*	*Deciduous tree*
Salix candida	*Hoary Willow, Sage-leaved Wilow*	*Deciduous tree*
Salix nigra	*Black Willow*	*Deciduous tree*
Salix fragilis	*Crack Willow, Brittle Willow*	*Deciduous tree*
Salix caroliniana	*Carolina Willow*	*Deciduous tree*
Sorbus decora	*Showy Mountain Ash*	*Deciduous tree*
Ulmus americana	*American Elm, White Elm*	*Deciduous tree*
Ulmus Rubra	*Red Elm, Slippery Elm*	*Deciduous tree*

(c) Evergreen shrubs: minimum height of three (3) feet at time of planting.

Scientific Name	***Common Name***	***Description***
Andromeda polifolia	*Bog-rosemary*	*Evergreen shrub*
Chamaedphne calyculata	*Leatherleaf*	*Evergreen shrub*
Ilex glabra	*Inkberry*	*Evergreen shrub*
Kalmia polifolia	*Bog Laurel*	*Evergreen shrub*
Ledum groenlandicum	*Labrador Tea*	*Evergreen shrub*
Rhododendron maximum	*Rosebay*	*Evergreen Shrub*

(d) Evergreen trees: minimum height of six (6) feet at time of planting.

Scientific Name	***Common Name***	***Description***
Abies balsamea	*Balsam Fir*	*Evergreen tree*
Chamaecyparis thyoides	*Atlantic White Cedar*	*Evergreen tree*
Taxus canadensis	*American Yew*	*Evergreen tree*

WORCESTER TOWNSHIP

ORDINANCE NUMBER 99-167

AN ORDINANCE OF WORCESTER TOWNSHIP AMENDING AND SUPPLEMENTING THE WORCESTER TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT CODE BY ADOPTING STANDARD CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR SANITARY SEWER EXTENSIONS, FORCE MAINS, PUMPING STATIONS, STORM SEWER EXTENSIONS AND ROADWAY CONSTRUCTION AS SET FORTH IN A MANUAL PREPARED BY CKS ENGINEERS, INC.; AND REPEALING ANY EXISTING CONSTRUCTION AND MATERIAL SPECIFICATIONS INCONSISTENT THEREWITH

Be it ordained by the Board of Supervisors of the Worcester Township as follows:

SECTION 1. ADOPTION OF CONSTRUCTION AND MATERIAL SPECIFICATIONS.

Worcester Township hereby adopts and incorporates into the Worcester Township Subdivision and Land Development Code, as if expressly set forth in full therein, a document entitled "Standard Construction and Material Specifications for Sanitary Sewer Extensions, Force Mains, Pumping Stations, Storm Sewer Extensions and Roadway Construction", prepared by CKS Engineers, Inc. of Doylestown, Pennsylvania which document bears a date of 1998 and a reference number of 7200-55. True and correct copies of this document shall be available in the Office of Worcester Township for reference and/or purchase.

SECTION 2. FUTURE SUPPLEMENTATION AND REVISION.

The document being adopted by this Ordinance and more fully described in Section 1 above, may be amended, corrected, supplemented and revised from time to time, as deemed necessary by the Board of Supervisors, by the passage of a duly adopted Resolution of the Board of Supervisors.

SECTION 3. INCONSISTENT ORDINANCES REPEALED.

All Worcester Township ordinances and provisions of the Worcester Township Code inconsistent with the document being adopted herein, as it may be amended from time to time, are hereby repealed.

SECTION 4. PROVISIONS SEVERABLE.

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

SECTION 5. DATE OF EFFECT

That the Secretary shall certify to the adoption of this Ordinance and cause the same to be published as required bylaw; and this Ordinance shall take full effect five (5) days after this date of final passage and approval.

ORDAINED and **ENACTED** this 17th day of February, 1999 by the Worcester Township Board of Supervisors.

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

By: _____
FRANK L. DAVEY, CHAIRMAN

Attest: _____
CHASE E. KNEELAND, SECRETARY

WORCESTER TOWNSHIP BOARD OF SUPERVISORS

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 99-168

AN ORDINANCE AMENDING THE WORCESTER TOWNSHIP CODE, CHAPTER 145 (VEHICLES AND TRAFFIC), ARTICLE I (SPEED LIMITS), SECTION 145-1(B) TO ESTABLISH SPECIFIC SPEED LIMITS FOR HEDWIG LANE (25 MPH), HICKORY HILL DRIVE (30 MPH), MERRYBROOK ROAD (35 MPH) AND HOLLOW ROAD FROM HEEBNER ROAD TO SKIPPACK PIKE (30 MPH WITH A SHORT SEGMENT POSTED AT 20 MPH DUE TO THE UNPAVED CONDITION OF THE ROAD SURFACE).

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I - Amendment to the Worcester Township Code, Chapter 145 (Vehicles and Traffic), Article I (Speed Limits), Section 145-1(B).

Section 145-1(B) of the Worcester Township Code establishing specific speed limits on Township roads is hereby amended to add the following roads and speed limits to the schedule of roads already set forth:

MAXIMUM SPEED LIMITS

Name of Street	Speed Limit	Location
Hickory Hill Drive	30 mph	Entire length
Hedwig Lane	25 mph	Entire length
MerryBrook Road	35 mph	Entire length
Hollow Road	30 & 20 mph	(35 mph from Heebner Road to Skippack Pike except for unpaved portion of the road for which the speed limit shall be 20 mph)

SECTION II - DISCLAIMER

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION III - SEVERABILITY

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

SECTION IV - FAILURE TO ENFORCE NOT A WAIVER

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V - EFFECTIVE DATE

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 17th day of February, 1999.

WORCESTER TOWNSHIP

BY: Francis L. Davey
FRANCIS L. DAVEY, Chairman
of the Board of Supervisors

ATTEST: Chase E. Kneeland
CHASE E. KNEELAND, Secretary

JJG:vbw/Ordinance
010499

ORDINANCE NO. 99-169

WORCESTER TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE VI (PLAN REQUIREMENTS), TO ADD A NEW SECTION 130-32.3 ENTITLED SKETCH PLANS, AND SETTING FORTH A SKETCH PLAN SUBMISSION POLICY, PLAN CONTENTS AND TOWNSHIP PLANNING COMMISSION REVIEW PROCEDURES FOR SKETCH PLANS.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION 1 - AMENDMENT OF THE CODE

Chapter 130 (Subdivision and Land Development), Article VI (Plan Requirements) is hereby amended by adding a new section 130-32.3 entitled "Sketch Plans" and providing as follows:

§ 130-32.3 Sketch Plans.

A. Submission Policy.

(1) Applicants for subdivision and/or land development approval are strongly encouraged to submit a sketch plan to enable the Planing Commission to provide informal advice and guidance to an applicant prior to the preparation of preliminary plans.

B. Submission Requirements.

(1) Sketch Plans

(a) Sketch plans shall be considered as submitted for informal discussion between the developer and the Planning Commission. Submission of a sketch plan does not constitute submission of an application for approval of a subdivision or land development plan.

(b) For informational purposes, fourteen (14) copies of the sketch plan should be submitted to the Township Manager, For distribution to the Township Engineer, Planning Commission, board of Supervisors and the Montgomery county Planning Commission.

C. Plan Contents.

(1) Contents of Sketch plans shall be drawn legibly to scale but not necessarily showing precise dimensions and shall show at least the following information:

(a) Name of subdivision or land development and name of municipality.

(b) A location plan showing the subject tract and the surrounding road network; including a key map.

(c) Name and address of the owner, agent, engineer, surveyor and architect, as applicable.

(d) The tract boundary and location by deed plotting.

(e) A north point and scale.

(f) The existing and proposed road and lot (or structure layout).

(g) Significant topological and physical features, such as soils, floodplains, possible areas of wetlands, creeks or streams, steep slopes (over 10%). Woodlands and existing structures.

(h) Areas to be reserved for storm water runoff control.

(i) Areas to be reserved for community facilities, open space, trails, etc.

(j) Any additional information that the applicant believes will help explain the proposal. It is to the applicant's advantage to show as much information as possible. Although the Planning Commission will discuss any plan presented, a lack of significant information may result in little useful guidance to the applicant.

D. Review Procedures.

(1) Sketch Plan Review.

(a) Sketch plans should be presented to the Township Planning Commission for informal discussion at a regularly scheduled Planning Commission meeting, following a request made to the Township Zoning Officer or Township Manager to be placed on the agenda.

(b) The purpose of a sketch plan submission is to provide informal advice and guidance to an applicant prior to preparation of preliminary plans, and therefore, it does not constitute a formal plan submission and is not subject to the time limits for review established by the Municipalities Planning Code. The Planning Commission will nevertheless attempt to provide an Applicant with their comments on the sketch plan as quickly as is reasonably possible.

(c) The Township Planning Commission may make non-binding suggestions and recommendations to the applicant during the meeting at which the plan is discussed. These need not be presented in writing to the applicant. However, suggestions should be summarized in the minutes of the Township Planning Commission for reference.

(d) If a proposal is large or complex, the Township Planning Commission may defer completing its comments and recommendations until it has consulted its technical advisors. However, the Planning Commission will try to expedite this informal review process.

(e) The applicant may, if desired request further review of the sketch plan by the Board of Supervisors. If further review is requested, the Board, after considering the written recommendations of the Planning Commission, all other agencies, and the Township Engineer, shall advise the applicant as to plan modifications it shall deem necessary or advisable.

(f) Applicants may submit more than one sketch plan for a project (i.e. alternative plans) and may submit revised sketch plans after receiving initial comments on a sketch.

(g) The Planning Commission's approval of a sketch plan is not intended to create any vested rights for the property or the developer within the meaning of the Municipalities Planning Code. Rather, the sketch plan process is intended to provide the applicant with an insight to the Planning Commission's

likely response to discretionary planning decisions and optional layouts for the proposed development before the significant engineering expense associated with a preliminary plan has been incurred. Subdivision and land development applicants who choose to proceed without first obtaining Planning Commission reaction to a sketch plan may risk a greater possibility of a request for redesign of a submitted preliminary plan.

SECTION 2 - REPEALER

The Worcester Board of Supervisors, by virtue of this Ordinance, hereby repeals all other portions of any prior Ordinance or Resolutions of the Township insofar as they are inconsistent with this Ordinance.

SECTION 3 - DISCLAIMER

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION 4 - SEVERABILITY

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

SECTION 5 - FAILURE TO ENFORCE NOT A WAIVER

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION 6 - EFFECTIVE DATE

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 17th day of March, 1999.

WORCESTER TOWNSHIP

By: Frank L. Davey
Frank L. Davey, Chairman
Board of Supervisors

Attest: Chase E. Kneeland
Chase E. Kneeland, Secretary

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WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 99-170

AN ORDINANCE OF WORCESTER TOWNSHIP AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE XXV (ADMINISTRATION) TO ADD A NEW SECTION PROVIDING FOR THE EXPIRATION OF CONDITIONAL USES UPON FAILURE TO OBTAIN A BUILDING PERMIT WITHIN ONE YEAR OF THE GRANT OF THE CONDITIONAL USE, FAILURE TO SEEK SUBDIVISION/LAND DEVELOPMENT APPROVAL WITHIN SIX MONTHS OF THE GRANT OF THE CONDITIONAL USE OR FAILURE TO OBTAIN A BUILDING PERMIT WITHIN SIX MONTHS OF THE DATE OF LAND DEVELOPMENT APPROVAL; AND FURTHER AMENDING CHAPTER 150 (ZONING), ARTICLE XXVI (ZONING HEARING BOARD) SECTION 150-225 TO ADD NEW PROVISIONS TO ESTABLISH THE EXPIRATION OF SPECIAL EXCEPTIONS OR VARIANCES FOR FAILURE TO SEEK SUBDIVISON/LAND DEVELOPMENT APPROVAL WITHIN SIX (6) MONTHS OF THE GRANT OF THE SPECIAL EXCEPTION OR VARIANCE OR FAILURE TO OBTAIN A BUILDING PERMIT WITHIN SIX (6) MONTHS OF THE DATE OF ANY LAND DEVELOPMENT APPROVAL.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I – Amendment of the Code.

Chapter 150. (Zoning, Article XXV) Administration is hereby amended to include a new Section 150-215.1, as follows:

Section 150-215.1 Expiration of Conditional Uses.

Unless otherwise specified in the decision of the Board of Supervisors, a Conditional Use shall expire if the applicant fails to obtain a building permit in connection therewith within one year of the date of the order of the Board or court granting such conditional use. In those instances where land development or subdivision approval is a necessary prerequisite prior to obtaining a building permit, the conditional use shall expire if the applicant fails to make a diligent effort to obtain such approval within six (6) months following the date of

conditional use approval. Upon receipt of land development approval, the conditional use shall expire if a building permit is not obtained within six (6) months of the date of land development approval.

SECTION II – Amendment to the Code

Section 150-225 (Expiration of special exceptions and variances) shall be amended to add the following two sentences immediately after the last sentence of the existing section:

> In those instances where land development/subdivision approval is a necessary prerequisite prior to obtaining a building permit, the special exception or variance shall expire if the applicant fails to make a diligent effort to obtain such approval within six (6) months following the date of approval. Upon receipt of land development approval, the special exception or variance shall expire if a building permit is not obtained within six (6) months of the date of the land development approval.

SECTION III - Disclaimer

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION IV - Severability

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

SECTION V - Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI - Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 19th day of May, 1999.

WORCESTER TOWNSHIP

BY: _____
FRANK L. DAVEY, Chairman
Board of Supervisors

ATTEST: _____
CHASE E. KNEELAND, Secretary

MAH:vbw/cbg/slp/Ordinance 2-Worcester Twp.
W032299

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on May 19 at 7:30 P.M., 1999 at the Worcester Township Community Hall, Fairview Village, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending the Code of the Township of Worcester, Chapter 150 (Zoning) Article XXV (Administration) to add a new section setting forth the expiration of conditional uses for failure to obtain a building permit within one year of the grant of conditional use, failure to seek subdivision/land development approval within six months of the grant of the conditional use or failure to obtain a building permit within six months of the date of land development approval; and further amending Chapter 150 (Zoning), Article XXVI (Zoning Hearing Board) Section 150-225 to add new provisions to establish the expiration of special exceptions or variances upon failure to seek subdivision/land development approval within six (6) months of the approval of the special exception or variance or failure to obtain a building permit within six (6) months of the date of any land development approval.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1031 Valley Forge Road, Fairview Village, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for WorcesterTownship

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 99-171

AN ORDINANCE OF WORCESTER TOWNSHIP AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 122 (SEWERS) TO ADD A NEW ARTICLE VI ENTITLED "CONNECTIONS TO TOWNSHIP SANITARY SEWER SYSTEM" WHICH SETS FORTH PERMITTED AND PROHIBITED TYPES OF DISCHARGE INTO THE SANITARY SEWER SYSTEM OF THE TOWNSHIP.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION 1—Amendment of the Code.

Chapter 122 (Sewers) of the Worcester Township Code is hereby amended to add a new Article VI limiting the types of discharge which may be connected to or otherwise placed within the sanitary sewer system of the Township and providing for penalties as follows:

ARTICLE VI

CONNECTIONS TO TOWNSHIP SANITARY SEWER SYSTEM

§122-39 Residential Connections and Discharge.

Only normal "sewage" as defined in this chapter shall be discharged into any Township sanitary sewer system. The following shall not be discharged into the system:

A. Industrial waste.

B. Automobile oil and other non-domestic 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 or ground water, including water from the roof or cellar drains, springs, basements sump pumps and French drains.

§122-40 Violations and Penalties.

Any person who violates any provision of this Article, shall, upon conviction thereof by summary proceedings, be sentenced as provided in Chapter 1, Article II, General causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION II - Disclaimer

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION III - Severability

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

SECTION IV - Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V - Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 19th day of May, 1999.

WORCESTER TOWNSHIP

BY: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

ATTEST: Chase E. Kneeland
CHASE E. KNEELAND, Secretary

MAH:vbw/cbg/Ordinance 4-Worcester Twp.
W040199

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on May 19 at 7:30 P.M., 1999 at the Worcester Township Community Hall, Fairview Village, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending the Code of the Township of Worcester, chapter 122 (sewers) to add a new Article VI designating permitted and prohibited discharges into the Township sewer system.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1031 Valley Forge Road, Fairview Village, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for WorcesterTownship

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 99-172

AN ORDINANCE AMENDING THE WORCESTER TOWNSHIP CODE, CHAPTER 122 (SEWERS), TO ADD A NEW ARTICLE VI TO ESTABLISH THE FAIRVIEW VILLAGE SEWER DISTRICT AND SET FORTH RATES AND CHARGES, COMPUTATION OF CHARGES, METER READINGS, BILLING PROCEDURES AND SEWAGE CHARGES AS LIENS.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I

Chapter 122 of the Worcester Township Code (Sewers) is hereby amended to add a new Article VI establishing the Fairview Village Sewer District as follows:

ARTICLE VI
Fairview Village Sewer District

§122-39. Establishment of district.

There is hereby established a separate sewer district in Worcester Township which shall be comprised of the residential, commercial, office and all other authorized properties utilizing the Berwick Place Wastewater Treatment Plant and shall be known as the "Fairview Village Sewer District."

§122-40. Residential rates and charges.

All dwelling units and other residential uses within the Fairview Village Sewer District shall be charged uniform rates and charges on a quarterly basis in accordance with Article II of this Chapter.

§122-41. Non-residential and mixed use rates and charges.

A. For all non-residential and mixed use properties within the Fairview Village Sewer District, the sewer rates and charges shall be based on water consumption records for the preceding month, or quarter at the Township's

discretion, as recorded by the public water source utilized by the property owner.

B. In those cases where properties secure water from wells or from sources other than a water company, the Township Engineer shall estimate the water consumed by said properties by utilizing standard accepted water usage factors as established for similar type facilities. In lieu of the water consumption estimate of the Township Engineer, the property owner may, at its own expense, install a water meter to measure water consumption on the premises, which meter specifications and installation location shall be approved by the Township. When installing such a water meter, the property owner shall grant access to the Township for meter reading.

C. The quarterly sewer rental rate or charge shall be calculated on the total water consumption. A minimum charge of Five Dollars and 40/100 ($5.40) for each one thousand (1,000) gallons of metered water consumed on the premises is hereby imposed upon all non-residential, or mixed use owners or their successors in title payable as herein provided, which shall be collected by Worcester Township in use for payment of the cost of operating and maintaining that portion of the Township's sewage collection and disposal system comprising the Fairview Village Sewer District and for a reserve fund sufficient for its future replacement.

§122.42. Billing procedures.

Bills for the sewage charges imposed hereby shall be rendered monthly or quarterly at the Township's discretion, and shall cover the billing period consisting of the immediately preceding quarterly Bills shall be due and payable on the billing date, and the appropriate amount computed in accordance with this Article shall constitute the net bill. If the charges are not paid within thirty (30) calendar days after each billing date, an additional sum of ten percent (10%) shall be added to such net bill, which net bill, plus such additional sum, shall constitute the gross bill. Payment made or mailed and postmarked on or before the first day of the end of such thirty-calendar-day period shall constitute payment within such period. If the end of such thirty-calendar-day period shall fall on a legal holiday or on a Saturday or Sunday, payment made or mailed and postmarked on the next succeeding day which is not a legal holiday shall constitute payment within such period. Any bill not paid within said thirty-calendar-day period shall be deemed delinquent.

§122.43. Liens.

The sewage charges imposed by this Article shall be a lien upon all real property within the Fairview Village Sewer District; and any such charges which are delinquent shall be filed as a lien against said property, which lien shall be filed in the office of the Prothonotary of Montgomery County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims. Interest collective on liens filed by the

Township shall accrue at the rate of ten percent (10%) per annum from the date of the filing of the lien until paid.

§122.44 - Adoption of Additional Rules and Regulations.

The Township reserves the right to adopt, from time to time, such additional rules and regulations as it shall deem necessary and proper in connection with the use and operation of the sewer system, which rules and regulations shall be, shall become and shall be construed as part of this Article.

SECTION II – DISCLAIMER

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION III – SEVERABILITY

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

SECTION IV - FAILURE TO ENFORCE NOT A WAIVER

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V - EFFECTIVE DATE

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester, Montgomery County, Pennsylvania, this 19th of May, 1999.

WORCESTER TOWNSHIP

BY: _____
FRANK L. DAVEY, Chairman
of the Board of Supervisors

ATTEST: _____
CHASE E. KNEELAND, Secretary

MAH:vbw/Worcester/Ordinance/Fairview Village Sewer Dist
W042199

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on May 19, 1999 at 7:30 P.M. at Fairview Village Assembly Hall, 1031 Valley Forge Road, Worcester, Pennsylvania, will hold a public hearing on and will consider for adoption an ordinance amending the Worcester Township Code, Chapter 122 (Sewers), to add a new Article VI to establish the Fairview Village Sewer District and setting forth regulations governing rates and charges, computation of charges, meter readings, billing procedures and sewage charges as liens.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Worcester, Pennsylvania, during normal business hours.

JAMES. J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 99-173

AN ORDINANCE AMENDING THE WORCESTER TOWNSHIP ZONING ORDINANCE, ARTICLE XXIV (GENERAL REGULATIONS) TO DELETE THE EXISTING SECTION 150-201 (HOME OCCUPATIONS) IN ITS ENTIRETY AND ADD A NEW SECTION 150-201 ENTITLED HOME OCCUPATIONS TO SET FORTH SPECIFIC CRITERIA FOR HOME OCCUPATIONS TO BE PERMITTED BY SPECIAL EXCEPTION IN SINGLE FAMILY DETACHED RESIDENTIAL DWELLINGS, LIMITING HOME OCCUPATIONS TO A RESIDENT OCCUPANT OF THE RESIDENTIAL DWELLING AND ONE EMPLOYEE, PERMITTING A MAXIMUM OF TWO PARKING SPACES FOR THE HOME OCCUPATION, PROHIBITING SIGNAGE, LIMITING THE HOME OCCUPATION TO 500 SQUARE FEET WITHIN THE DWELLING, PROHIBITING BUSINESS RELATED EXTERIOR STORAGE OR DISPLAY OF GOODS, PROHIBITING ALTERATION OF THE EXTERIOR OF THE DWELLING, PROHIBITING RETAIL OR WHOLESALE BUSINESSES, CLINICS, HOSPITALS, BARBER SHOPS OR OTHER PERSONAL SERVICE SHOPS, PROHIBITING DELIVERIES BY VEHICLES WITH MORE THAN TWO AXLES, PROHIBITING THE USE OF NOXIOUS CHEMICALS AND MACHINERY, PROHIBITING RETAIL SALES ON THE PREMISES, PERMITTING SALES VIA TELEPHONE AND/OR THE INTERNET AND DISTINGUISHING A HOME OFFICE, FAMILY DAY CARE AND GROUP DAY CARE HOMES FROM HOME OCCUPATIONS.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I - Amendment of the Code.

Section 150-201 of the Worcester Township Zoning Ordinance (Home Occupations) is hereby deleted in its entirety.

SECTION II - Amendment to the Code.

A new Section 201-150 shall be added to the Code as follows:

Section 150-201: Home Occupations.

Home occupations shall meet the following requirements.

A. Home occupations shall be in accordance with the following criteria:

Home occupations are permitted by special exception in all single family detached, residential dwellings and must meet the following criteria:

1. Subject only to the exception set forth in sub-paragraph (A)(2) below, the home occupation shall be conducted solely by resident occupants of the residential dwelling.

2. No more than one (1) additional person (not a resident in the dwelling) shall be employed by the practitioner of the home occupation to provide secretarial, clerical or other similar assistance.

3. The home occupation does not generate the need for any more than two parking spaces in excess of those required for the residence.

4. The home occupation does not have a sign.

   (a) a home occupation shall not be considered a lawful accessory use entitled to signage pursuant to §150-148A of this Chapter.

B. All home occupations shall meet the following standards:

1. No more than five hundred (500) square feet of the area or the equivalent of one-half of the first floor area of the dwelling, whichever is smaller, may be used for the home occupation.

2. Home occupations must be conducted entirely within the dwelling.

3. The home occupation shall not have any business related exterior storage or display of goods and/or merchandise.

4. The home occupation shall not alter the exterior of the dwelling.

5. The conducting of a retail or wholesale business, clinic, hospital, barber shop, realtor, beauty parlor, or other personal service shop, restaurant, motel, hotel, animal hospital, mortuary, or any similar use shall not be deemed to be a home occupation.

6. The operation of a family day care home and/or group day care home shall not be considered a home occupation.

7. There shall be no deliveries to or from a home occupation from a vehicle with more than two (2) axles.

8. No home occupation shall require trash pick-up in excess of that required normally in single family detached residential areas.

9. The use of noxious, combustible, explosive or other materials that would endanger the health and safety of the occupants and surrounding residents are prohibited.

10. No occupational sounds shall be audible outside the dwelling.

11. No machinery or equipment shall be used which will cause interference with the radio or television reception of neighboring residences.

12. No retail sales are to be conducted in person on the premises. Sales by telephone or via the internet are permitted provided no other criteria or standard of this section is violated.

13. A "home office" is not subject to these regulations and is defined as office use by a resident occupant primarily involving paperwork and the use of telephone or computer and not including:

    (a) Deliveries
    (b) Employees
    (c) Business related visits to the property by any non-resident
    (d) Storage of inventory or equipment of any kind
    (e) Parking of business trucks or equipment on the property or within any building on the property.

SECTION III - Disclaimer

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any

cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION IV - Severability

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

SECTION V - Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI - Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 21st day of July , 1999.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: Chase E. Kneeland
CHASE E. KNEELAND, Secretary

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NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township at its public meeting on July 21, 1999 at 7:30 P.M. in the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester Township, Pennsylvania, will hold a public hearing on and will consider for adoption an ordinance amending the Code of Worcester Township, Chapter 150 (Zoning), Article XXIV (General Regulations) to delete the existing Section 150-201 (Home Occupations) in its entirety and add a new Section 150-201 entitled Home Occupations to set forth specific criteria for home occupations to be permitted by special exception (formerly permitted by right) in single-family detached residential dwellings; limiting home occupations to a resident occupant of the residential dwelling and one employee; permitting a maximum of two parking spaces for the home occupation; prohibiting signage; limiting the home occupation to 500 square feet (formerly 400 square feet) within the dwelling; prohibiting business related exterior storage for display of goods; prohibiting alteration of the exterior of the dwelling; prohibiting retail or wholesale businesses, clinics, hospitals, barber shops or other personal service shops; prohibiting deliveries by vehicles with more than two axles; prohibiting the use of noxious chemicals and machinery; prohibiting retail sales on the premises; permitting sales via telephone and/or the internet; and distinguishing a home office, family day care and group day care homes from home occupations.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Worcester, Pennsylvania; the offices of the Reporter, 307 Derstine Avenue, Lansdale, Pennsylvania, 19446; and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for Worcester Township

ORDINANCE NO. 99-174

A PROPOSED ORDINANCE TO AMEND THE WORCESTER TOWNSHIP ZONING MAP TO REZONE THE PROPERTY KNOWN AS THE HUGANIR PROPERTY, 1038 WINDY HILL ROAD, WORCESTER TOWNSHIP, FROM ITS PRESENT CLASSIFICATION AS AGR-AGRICULTURAL TO A NEW CLASSIFICATION OF R-100 RESIDENTIAL DISTRICT

The Board of Supervisors of the Worcester Township hereby adopts an ordinance amending the official zoning map of Worcester Township as follows:

Section 1. Zoning Map Amendment

The zoning district designation of that certain tract known as the Huganir Property, located at 1038 Windy Hill Road, Worcester Township, Montgomery County, being Parcel No. 67-00-04162-00-1 is hereby changed from its current designation of "AGR" Agricultural District to the designation of "R-100" Residential District.

Section 2. Provisions Severable

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

Section 3. Disclaimer

Nothing in this ordinance shall be construed to effect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the ordinances of the Township of Worcester prior to enactment of this ordinance.

Section 4. Repealer

All other ordinances or resolutions or parts thereof insofar as they are inconsistent with this ordinance are hereby repealed.

Section 5. Effective Date

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

ORDAINED AND ENACTED, by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 20th day of October, A.D., 1999.

WORCESTER TOWNSHIP

BY: Frank L Davey
Frank L. Davey, Chairman

ATTEST: Chase E Kneeland
Chase E. Kneeland, Secretary

Legal Description:

ALL THAT CERTAIN TRACT OR PIECE OF LAND SITUATE IN THE TOWNSHIP OF WORCESTER, COUNTY OF MONTGOMERY AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED IN ACCORDANCE WITH A PLAN THEREOF DRAWN BY JOHN E. BURKHARDT, REGISTERED SURVEYOR, NORRISTOWN, PA. IN THE MONTH OF JULY, 1954, AS FOLLOWS:

BEGINNING AT A POINT ON THE LINE DIVIDING THE LAND HEREIN DESCRIBED AND LAND OF SARA H. O'DONNELL, WHICH POINT ALSO MARKS THE LINE DIVIDING THE LAND HEREIN DESCRIBED, AND THE LAND CONVEYED BY DEED BEARING EVEN DATE HEREWITH BY WILBUR C. KRIEBEL AND MILDRED M., HIS WIFE , TO GEORGE FAD, THE SAID POINT OF BEGINNING BEING ESTABLISHED AT THE DISTANCE OF ONE THOUSAND TWENTY TWO AND THIRTY THREE ONE HUNDREDTHS FEET MEASURED ALONG THE DIVIDING LINE OF LANDS OF SARA H. O'DONNELL; AND THE LANDS OF THE SAID PARTIES HERETO OF WHICH THIS IS PART, ON A COURSE OF NORTH FORTY TWO DEGREES THIRTY ONE MINUTES EAST FROM AN IRON PIN SET ON THE NORTHEASTERLY SIDE OF THE GERMANTOWN PIKE; THENCE FROM SAID POINT OF BEGINNING ALONG LAND CONVEYED TO GEORGE FAD NORTH FORTY SEVEN DEGREES THIRTY NINE MINUTES WEST THREE HUNDRED EIGHTY THREE AND FIVE ONE HUNDREDTHS FEET TO A POINT ON THE NORTHWESTERLY SIDE OF A FIFTY FEET WIDE PROPOSED ROAD, WHICH POINT IS ALSO IN THE LINE OF LAND OF ROBERT S. MUTCH; THENCE ALONG SAID LAND THE TWO FOLLOWING COURSES AND DISTANCES, NORTH FORTY FIVE DEGREES TEN MINUTES EAST FOUR HUNDRED TWENTY AND SEVEN TENTHS FEET TO A POINT THENCE NORTH FORTY EIGHT DEGREES EIGHTEEN MINUTES WEST THREE HUNDRED SIXTY SEVEN AND THIRTY THREE ONE HUNDREDTHS FEET TO AN IRON PIN A CORNER OF LAND OF KARL GROSS; THENCE ALONG SAID LAND NORTH FIFTY THREE DEGREES EIGHTEEN MINUTES WEST FIVE HUNDRED EIGHTY SEVEN AND SIX ONE HUNDREDTHS FEET TO AN IRON PIN; THENCE ALONG LAND OF VARIOUS OWNERS, NORTH FORTY ONE DEGREES SEVENTEEN MINUTES EAST FIVE HUNDRED TWENTY EIGHT FEET TO AN IRON PIN IN LINE OF LAND OF HENRY MARKLEY; THENCE ALONG SAID LAND AND BY OTHER LAND OF WILBRUG C. AND MILDRED KRIBEL SOUTH FORTY SEVEN DEGREES THIRTY TWO MINUTES EAST ONE THOUSAND ONE HUNDRED FIFTY TWO AND NINETY SEVEN ONE HUNDREDTHS FEET TO AN IRON PIN; THENCE CONTINUING BY LAND OF WILBUR C. AND MILDRED KRIEBEL, SOUTH EIGHT DEGREES NINE MINUTES EAST TWO HUNDRED TWENTY SIX AND FIVE ONE HUNDREDTHS FEET TO AN IORN PIN; THENCE STILL BY SAID LAND SOUTH FORTY TWO DEGREES ELEVEN MINUTES WEST ONE HUNDRED SEVENTY FOUR AND SEVEN ONE HUNDREDTHS FEET TO AN IRON PIN, A CORNER OF LAND OF SARA H. O'DONNELL; THENCE BY LAND OF SARA H. O'DONNELL, SOUTH FORTY TWO DEGREES THIRTY ONE MINUTES WEST FIVE HUNDRED SIXTY SEVEN AND TWELVE ONE HUNDREDTHS FEET TO THE PLACE OF BEGINNING.

BEING COUNTY PARCEL NO. 67-00-04162-00-1

BEING THE SAME PREMISES WHICH MILDRED M. KRIEBEL AND WILBUR C. KRIEBEL BY INDENTURE BEARING DATE THE 3RD DAY OF JANUARY AD, 1995 AND RECORDED AT NORRISTOWN IN THE OFFICE FOR THE RECORDING OF DEEDS, IN AND FOR THE COUNTY OF MONTGOMERY ON 11TH DAY OF JANUARY AD, 1995 IN DEED BOOK NO 5102 PAGE 2359 ETC., GRANTED AND CONVEYED UNTO WILLIAM HUGANIR, IN FEE.

THIS A TRANSFER FROM FATHER TO SON, AND IS THEREFORE TAX EXEMPT.

NOTICE OF PROPOSED REZONING

A PROPOSED ORDINANCE TO AMEND THE WORCESTER TOWNSHIP ZONING MAP TO REZONE THE PROPERTY KNOWN AS THE HUGANIR PROPERTY, 1038 WINDY HILL ROAD, WORCESTER TOWNSHIP, FROM ITS PRESENT CLASSIFICATION AS "AGR" AGRICULTURAL DISTRICT TO A NEW CLASSIFICATION OF "R-100" RESIDENTIAL DISTRICT

Notice is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on October 20, 1999, at 7:30 p.m. at the Worcester Township Community Hall, Worcester, Pennsylvania, will hold a public hearing and will consider for adoption an amendment to the Worcester Township Zoning map proposed by John L. Huganir which would accomplish the following:

The proposed ordinance would amend the official zoning map of Worcester Township to change the zoning district designation of that certain tract of approximately 17.8 acres located at 1038 Windy Hill Road (generally known as the Huganir property, being tax parcel no. 67-00-04162-001) from its current designation of "AGR" Agricultural to the proposed designation of "R-100" Residential District.

Copies of the proposed ordinance, as well as a detailed legal description of the property proposed to be rezoned, are available for public inspection at the Worcester Township Building, 1721 Valley Forge Road, Worcester, PA, the offices of The Reporter, 307 Derstine Avenue, Lansdale, PA and the Montgomery County Law Library, Courthouse, Norristown, PA, during normal business hours.

JAMES J. GARRITY
MARK A. HOSTERMAN
WISLER, PEARLSTINE, TALONE, CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 99-175

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE XXII (OFF-STREET PARKING AND LOADING), BY DELETING SECTION 150-155C (INGRESS AND EGRESS) LIMITING SINGLE-FAMILY DWELLINGS TO A MAXIMUM OF ONE DRIVEWAY ONTO THE STREET AND AMENDING CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE V (DESIGN STANDARDS), BY DELETING THE EXISTING SUBPARAGRAPH (6) FROM SECTION 130-17B (ALLEYS, DRIVEWAYS AND PARKING AREAS) AND ADDING A NEW SUBPARAGRAPH (6) PROHIBITING MORE THAN ONE (1) DRIVEWAY ACCESS FOR SINGLE-FAMILY HOMES.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I – Amendment of the Code.

Chapter 150 (Zoning), Article XXII (Off-street Parking and Loading), Section 150-155 (Ingress and Egress), subparagraph C (permitting a maximum of one driveway onto the street per single-family dwelling) is hereby deleted in its entirety and subsequent subparagraphs shall be re-lettered accordingly.

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SECTION II – Amendment of the Code.

Chapter 130 (Subdivision and Land Development), Article V (Design Standards), is hereby amended by deleting Subparagraph 6 of Section 130-17B (Alleys, Driveways and Parking Areas) and replacing it with the a new Subsection 6 as follows:

> (6) Single-family homes shall not be permitted more than one point of driveway access to a public or private road unless this requirement is specifically waived by the Worcester Township Board of Supervisors.

SECTION III – Repealer.

The Worcester Board of Supervisors, by virtue of this Ordinance, hereby repeals all other portions of any prior Ordinance or Resolutions of the Township insofar as they are inconsistent with this Ordinance.

SECTION IV – Disclaimer

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION V – Severability

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

SECTION VI – Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VII – Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 15th day of December, 1999.

WORCESTER TOWNSHIP

BY: _____
FRANK L. DAVEY, Chairman
Board of Supervisors

ATTEST: _____
CHASE E. KNEELAND, Secretary

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NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 15, 1999 at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending the Code of the Township of Worcester, Chapter 150 (Zoning) Article XXII (Off-street Parking and Loading), by deleting Section 150-155C (Ingress and Egress), subparagraph C (limiting single-family dwellings to a maximum of one driveway onto the street) and amending Chapter 130 (Subdivision and Land Development), Article V (Design Standards), Section 130-17 (Alleys, driveways and parking areas), by amending the existing Subparagraph (6) of Section 130-17B (Alleys, Driveways and Parking Areas) to prohibit more than one (1) driveway access for single-family homes unless specifically permitted by the Board of Supervisors.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Worcester, Pennsylvania, the offices of The Times Herald and the law library at the Montgomery County Courthouse, Norristown, during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for Worcester Township

ERECTED INTO A TOWNSHIP IN 1733

TOWNSHIP OF WORCESTER

AT THE CENTER POINT OF MONTGOMERY COUNTY

PENNSYLVANIA

Board of Supervisors
FRANK L. DAVEY, CHAIRMAN
JOHN H. GRAHAM, VICE CHAIRMAN
CHASE E. KNEELAND, SECRETARY

Township Manager
CHARLES A. SARDO, SR.

1721 Valley Forge Road
P.O. Box 767
Worcester, PA 19490
(610) 584-1410
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WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 99-176

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), BY DELETING IN ITS ENTIRETY THE EXISTING ARTICLE IV (AGR AGRICULTURAL DISTRICT), SECTIONS 150-10 THROUGH 150-17, INCLUSIVE, AND REPLACING IT WITH A NEW ARTICLE IV ENTITLED "AGR AGRICULTURAL DISTRICT"; SETTING FORTH THE NEW LEGISLATIVE INTENT; USE REGULATIONS; LOT AREA AND WIDTH REGULATIONS; YARD REGULATIONS; COVERAGE REGULATIONS; HEIGHT REGULATIONS; PARKING REGULATIONS; SPECIAL REQUIREMENTS INCLUDING SIGNS, DRIVEWAYS, LOT LAYOUT, NON-DWELLING STRUCTURES, DETENTION BASINS AND APPLICATION PROCEDURE; AMENDING ARTICLE III OF THE ZONING CODE (TERMINOLOGY), SECTION 150-9 (DEFINITIONS) TO INCLUDE DEFINITIONS FOR "BUILDING HEIGHT", "COUNTRY CLUB", "DAY CAMP", "FARM MARKET", "PLACE OF RELIGIOUS WORSHIP" AND "RESIDENTIAL LIFE CARE FACILITY"; AMENDING ARTICLE XVI OF THE ZONING CODE (R-50 DISTRICT) BY ADDING A NEW SUBPARAGRAPH G TO SECTION 150-107 (USE REGULATIONS) TO INCLUDE NURSING HOMES, PERSONAL CARE FACILITIES AND LIFE CARE FACILITIES; AMENDING ARTICLE XXVII OF THE ZONING CODE (C COMMERCIAL DISTRICT) SECTION 150-112.I (SPECIAL EXCEPTIONS) TO INCLUDE NURSING HOMES, PERSONAL CARE FACILITIES, LIFE CARE FACILITIES AND HOSPITALS AS USES PERMITTED BY SPECIAL EXCEPTION.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I. <u>Amendment to the Code</u>.

The Code of Worcester Township, Article IV (AGR Agricultural District) is hereby amended by deleting the existing Article IV, Sections 150-10 through 150-17 (inclusive) in its entirety and replacing it with a new Article IV, Sections 150-10 through 150-17 inclusive as follows:

ARTICLE IV
AGR Agricultural District

Section 150-10. Legislative Intent

In expansion of the legislative intent and community development objectives contained in Article I, Sections 150-2 and 150-3, of this chapter and in support of the goals and recommendations of the Worcester Township Comprehensive Plan, it is the intent of the Article to:

A Preserve agricultural land and open space areas of Worcester.

B. Allow agricultural, institutional, and low density single-family detached development to co-exist in a manner that limits the impact of each use on the other.

C. Buffer residential development from agricultural uses and existing roads.

D. Limit the adverse environmental impacts of development on the township's steep slopes, floodplains, streams, wetlands, woodlands, riparian corridors, and groundwater.

E. Preserve the township's historic, rural character and heritage.

F. Limit the impact of development traffic on the township's major roads.

Section 150-11. Use Regulations

A building may be erected or used and a lot may be occupied for any of the following purposes, and no other:

A. Agriculture.

B. A single-family detached dwelling. Single-family detached dwellings may be developed in accordance with the requirements of Article IV or, as a conditional use, may be clustered in accordance with the requirements of Article XVIA, the RPD Rural Preservation District.

C. Accessory uses in accordance with Article XXIV.

D. Any one (1) of the following uses shall be permitted when authorized as a conditional use by the township Board of Supervisors, subject to the provisions in section 150-215, all applicable requirements of the AGR district, and the specific standards listed below:

(1) Any country club, provided the use is located on a lot fifty (50) acres or larger, building coverage does not exceed two percent (2%) of the net lot

area and impervious coverage does not exceed five percent (5%) of the net lot area.

(2) Public or private schools, provided the use is located on a lot twenty five (25) acres or larger, building coverage does not exceed fifteen percent (15%) of the net lot area and impervious coverage does not exceed thirty percent (30%) of the net lot area and provided a safe and efficient off-street passenger drop-off/pick-up area is provided.

(3) Non-commercial playing fields, parks, playgrounds, passive recreation areas, nature preserves, forest preserves, and nature centers, providing the use is located on a lot ten (10) acres or larger, building coverage does not exceed one percent (1%) of the net lot area, and impervious coverage does not exceed five percent (5%) of the net lot area.

(4) Place of religious worship, provided the use is located on a lot twenty five (25) acres or larger, building coverage does not exceed ten percent (10%) of the net lot area and impervious coverage does not exceed thirty percent (30%) of the net lot area and such facility may also be used on a daily basis for Sunday school, pre-school and day care purposes.

(5) Day camp, provided the use is located on a lot twenty five (25) acres or larger, the building coverage does not exceed one percent (1%) of net lot area and impervious coverage does not exceed two percent (2%) of the net lot area.

(6) A farm market or roadside stand for the retail sale of produce, plants and dairy products may be permitted, subject to the following provisions:

(a) Minimum site size. Twenty five (25) acres shall be the minimum size parcel on which a farm market or roadside stand may be erected or operated.

(b) Ownership. The farm market or roadside stand must be owned and operated by the owner or the immediate family of the owner of the parcel of land.

(c) Maximum site utilization.

(i) The maximum amount of land that may be used for the farm market or roadside stand shall be limited to five percent (5%) of the developable area of the site not to exceed 7.5 acres. This includes parking.

(ii) The balance of the land shall remain undeveloped, except for active farming, passive open space or one single-family dwelling. The sale, development or use of the balance of the land in any way that would result in the violation of

these requirements shall result in the termination of the conditional use approval and require the cessation of all farm market or roadside stand activity.

(d) Master plan. All development and use shall be in strict accordance with the detailed Master Plan as approved by the Board of Supervisors, which shall be kept on file in the township. Any proposed deviation or addition to that plan must be presented to the Board of Supervisors at a public hearing for approval. Such approved revision shall go on record as the approved revised Master Plan.

(e) Setbacks. Any and all activity of the farm market or roadside stand shall be set back a minimum of two hundred fifty (250) feet from any ultimate right-of-way line of a street. All parking related to such use shall be set back a minimum of forty (40) feet from any ultimate right-of-way line of a street.

(f) Buffers. A buffer screen shall be provided between this use and any adjacent single-family residential use. The setback at the frontage of this shall be landscaped.

(g) Signs. Signs shall be regulated in accordance with the provisions of Article XXI

F. Municipal use, as defined in Article III.

Section 150-12. Lot Area and Width Regulations

A. Minimum lot area. Eighty thousand (80,000) square feet shall be the minimum lot area that shall be provided for every building or use.

B. Minimum lot width. All lots shall meet the following lot width requirement:

(1) Two hundred fifty (250) feet shall be the minimum lot width for every building or use.

(2) Lots which front secondary collector or primary streets (highways) shall have a minimum lot width measured at both the building and street lines, of at least two hundred fifty (250) feet for every building or use. Flag lots shall not be permitted along collector or primary streets.

Section 150-13. Yard regulations

A. Single-family detached uses.

(1) Front yard. All lots shall meet the following front yard setback requirements measured from the ultimate right-of-way:

(a) Seventy five (75) feet shall be the minimum size of front yards measured from local streets, which include marginal access, rural, residential, and cul-de-sac streets.

(b) Seventy five (75) feet shall be the minimum size of front yards measured from secondary feeder streets.

(c) One hundred (100) feet shall be the minimum size of front yards measured from secondary collector or primary streets (highways).

(d) One hundred (100) feet shall be the minimum size of front yards measured from scenic roads, as identified in the township's current Comprehensive Plan.

(e) Dwellings that existed as of the date of adoption of this revised AGR district that do not comply with the required front yard setback of the AGR district may be expanded to the side or rear of the dwelling as a matter of right, provided the expansion will comply with the side and rear yard setbacks of the AGR district and the building and impervious coverage standards in the AGR district. In no case shall an expansion be permitted to extend closer to the road ultimate right-of-way than the non conforming front wall of the existing dwelling closest to the road.

(2) Rear yard.

(a) One hundred (100) feet shall be the minimum size of the rear yard on each lot.

(b) A separate detached structure accessory to a single-family residential use may be erected in the rear yard not closer to the rear or side property lines than forty (40) feet.

(3) Side yards.

(a) Fifty (50) feet shall be the minimum size of each of two (2) side yards on each lot.

(b) Corner lots shall be regulated by Article XXIV.

B. Nonresidential uses.

All nonresidential uses shall be governed by the following yard requirements:

(1) One hundred fifty (150) feet shall be the minimum size of front, side, and rear yards for religious and agricultural buildings.

(2) Two Hundred Fifty (250) feet shall be the minimum size of front yards and one hundred twenty-five (125) feet shall be the minimum size of side and rear yards for all structures except single-family detached, religious, and agricultural uses.

(3) In no case shall the minimum yard area for any use be smaller than the minimum yard area required for single-family detached homes, as specified in section 150-13A.

Section 150-14 Coverage regulations

A. Building Coverage. Ten percent (10%) shall be the maximum total building coverage on residential, municipal or agricultural use lots.

B. Impervious coverage. Twenty percent (20%) shall be the maximum total impervious coverage on residential, municipal or agricultural use lots.

Section 150-15 Height regulations

Building height. Thirty (30) feet, not exceeding two and five tenths (2.5) stories, shall be the maximum height for any building or other structure erected or enlarged in this district, except as noted below:

A. Fifteen (15) feet, not exceeding one and five tenths (1.5) stories, shall be the maximum height for any structure accessory to a single-family detached dwelling.

B. Sixty (60) feet shall be the maximum height for silos used to store ensilage.

C. Eighty five (85) feet shall be the maximum height for steeples and/or bell towers of places of worship

Section 150-16 Parking regulations

A. Single-family detached residential parking.

(1) For each dwelling in this district, two (2) all weather off-street parking spaces shall be provided in accordance with the applicable provisions of Article XXII.

(2) Setbacks. No parking area or driveway shall be located within fifteen (15) feet of any property line except as required for normal ingress and egress.

B. Nonresidential parking.

(1) For any uses other than single-family detached residential uses in this district, off-street parking and loading facilities shall be provided in accordance with Article XXII. Further, such parking shall not occupy any of the front, side or rear yards required under this Article.

(2) Setbacks. No parking area or driveway shall be located within one hundred (100) feet of any property line for any use except as required for normal ingress and egress.

Section 150-17 Special requirements

A. Signs. Signs shall be permitted in accordance with the applicable provisions of Article XXI.

B. Driveways. Along secondary collector and primary streets (highways), driveways for all uses shall be located at least three hundred (300) feet from street intersections and other driveways on the same side of the street, unless the township Board of Supervisors determines that a shorter distance between driveways is safer or that meeting the three hundred (300) foot setback is physically infeasible.

C. Lot layout. All AGR subdivisions shall be laid out in a manner that minimizes the number of new driveway access points onto existing roads. Subdivisions may take advantage of new roads, common driveways, and other means found acceptable to the township to meet this requirement. It shall be incumbent on applicants to demonstrate to the township Board of Supervisors that the number of new driveway access points onto existing roads have been reduced to the greatest extent possible.

D. Non-dwelling structures. Swimming pools, tennis courts and domestic animal shelters may be permitted in this district subject to the applicable regulations under Article XXIV, General Regulations.

E. Additional regulations. Lots in this district shall be subject to modified and/or additional regulations under Article XXIV, General Regulations, as applicable.

F. Detention basins in yard areas. Detention basins shall be allowed in yard areas only in accordance with the applicable regulations under Article XXIV, General Regulations.

G. Application procedure. The procedure for making application for uses other than single-family detached residential uses shall be in accordance with section 150-202 of Article XXIV, General Regulations, and section 150-214 of Article XXV, Administration.

SECTION II. Amendment to the Code.

The Code of Worcester Township, Article III (Terminology), Section 150-9 (Definitions) is hereby amended by adding the following new definitions:

BUILDING HEIGHT - The vertical distance of a building measured from the average elevation of the finished grade surrounding the building to the average height of the highest roof surface provided that chimneys and other similar projections not exceeding 10 feet above the roof surface shall not be included in the height.

COUNTRY CLUB - Land area and buildings that contain a golf course(s)and may contain tennis courts and pools, a clubhouse, and/or other customary accessory uses.

DAY CAMP - A facility for children with organized and supervised recreational facilities such as swimming, horseback riding, etc. with no boarding of patrons.

FARM MARKET - A booth, stall, or building located on a farm from which produce, plants, dairy products, and farm products grown or produced on the site are sold to the general public.

PLACE OF RELIGIOUS WORSHIP - A building or structure, or a group of buildings or structures, that are primarily used for organized religious services.

RESIDENTIAL LIFE CARE FACILITY - A residential development restricted to the elderly that provides a continuum of accommodations and care, from independent living units to personal care and nursing homes. Independent living units are dwelling units located within a residential life care facility.

SECTION III. Amendment to the Code.

The Code of Worcester Township, Article XVI (R-50 District) Section 150-107 (Use Regulations) is hereby amended by adding the following new subparagraph:

G. Nursing homes, personal care facilities and life care facilities.

SECTION IV. Amendment to the Code.

The Code of Worcester Township, Article XVII (C Commercial District) Section 150-112.I (Special Exceptions) is hereby amended by adding the following new subsections:

(11) Nursing homes, personal care facilities, and life care facilities.

(12) Hospitals.

SECTION V. Disclaimer.

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION IV. Severability.

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

SECTION V. Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI. Effective Date.

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 15th day of December, 1999.

WORCESTER TOWNSHIP

BY: _____
FRANK L. DAVEY, Chairman
Board of Supervisors

ATTEST: _____
CHASE E. KNEELAND, Secretary

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NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 15, 1999 at the Worcester Township Community Hall, Fairview Village, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance to amend the Code of the Township of Worcester, Chapter 150 (Zoning) by deleting in its entirety the existing Article IV (AGR Agricultural District), Sections 150-10 through 150-17, inclusive, and replacing it with a new Article IV entitled "AGR Agricultural District"; setting forth the new legislative intent; use regulations; lot area and width regulations; yard regulations; coverage regulations; height regulations; parking regulations; special requirements including signs, driveways, lot layout, non-dwelling structures, detention basins and application procedure; amending Article III of the Zoning Code (Terminology), Section 150-9 (Definitions) to include definitions for "building height," "country club," "day camp," "farm market," "place of religious worship" and "residential life care facility"; amending Article XVI of the Zoning Code (R-50 District) by adding a new subparagraph G to Section 150-107 (Use Regulations) to include nursing homes, personal care facilities and life care facilities; amending Article XXVII of the Zoning Code (C Commercial District) Section 150-112.I (Special Exceptions) to include nursing homes, personal care facilities, life care facilities and hospitals as uses permitted by special exception.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1031 Valley Forge Road, Fairview Village, the offices of the Reporter, 307 Derstine Avenue, Lansdale, Pennsylvania and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for Worcester Township

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 99- 177

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE V (DESIGN STANDARDS), SECTION 130-28 (LANDSCAPING) BY DELETING THE EXISTING SECTION 130-28 IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 130-28 ENTITLED "LANDSCAPING"; SETTING FORTH THE LEGISLATIVE INTENT; APPLICATION OF LANDSCAPING DESIGN STANDARDS; DEFINITIONS; LANDSCAPE PLAN SUBMISSION REQUIREMENTS; SUBMISSION PROCEDURE; REQUIRING CERTAIN PRESERVATION OF EXISTING VEGETATION AND NATURAL FEATURES; LANDSCAPE REQUIREMENTS; RECOMMENDED PLANT MATERIALS FOR CANOPY TREES; UNDERSTORY TREES; EVERGREEN TREES AS FOR BUFFERS; SHRUBS; OTHER BUSHES AND PLANTS AND SETTING FORTH THE REQUIREMENT FOR THE POSTING OF FINANCIAL SECURITY FOR PLANTS AND LANDSCAPING.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I. Amendment to the Code.

The Code of Worcester Township, Chapter 130 (Subdivision and Land Development) Article V (Design Standards) Section 130-28 (Landscaping) is hereby amended by deleting the existing Section 130-28 in its entirety and replacing with a new Sections 130-28 as follows:

Section 130-28. Landscaping

A. Intent.

(1) The intent of this section is to provide landscaping requirements applicable to all land development in order to promote groundwater recharge, to stimulate air purification and oxygen regeneration, to provide for noise abatement, to retard erosion and sedimentation and to otherwise maintain the township's natural amenities.

(2) Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania states that people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and aesthetic values of the environment. It is

the intent of these landscape requirements to protect this right by conserving existing vegetation and/or requiring new plant material in critical areas of land developments.

Further, it is the intent of these landscape requirements to protect the health, safety and welfare of Worcester by promoting sound landscape design standards and practices which take into account the horticultural requirements of individual plant species, aesthetic characteristics and safety considerations of landscaping plans.

Specifically, it is the intent of these landscape requirements to preserve existing healthy plant communities such as woodlands and to require new landscape plantings in critical areas of new developments in order to:

1. Reduce soil erosion by minimizing stripping of existing woodlands or tree masses hereby preserving existing soil and protecting Worcester's water quality.

2. Reduce storm water runoff velocity and quantity by preserving and providing planting areas where runoff velocities are reduced and storm water can infiltrate, ultimately recharging local ground water supplies.

3. Improve air quality by conserving existing or creating new plantings that produce oxygen and remove carbon dioxide from the atmosphere.

4. Provide habitat for wildlife such as small mammals and birds

5. Provide windbreaks, shade and other microclimate benefits of trees and landscape plantings.

6. Conserve historically, culturally, or environmentally important landscapes such as wooded hillsides, scenic views, or aesthetic natural areas.

7. Preserve and enhance property values of Worcester through the implementation of good landscape architectural standards.

8. Provide planted buffers between land developments that act to visually integrate developed areas into the existing landscape.

9. Preserve or provide planted and architectural visual screens around visually obtrusive site elements within areas to be developed.

10. Enhance the aesthetic appearance of the community and provide privacy and beauty.

11. Conserve energy through moderating solar radiation (shade).

B. Application. This section shall apply to the following types of subdivision and land developments:

(1) Single-family detached dwelling uses of more than one (1) building lot.

(2) Multi-family residential uses.

(3) Agricultural and residential-agricultural uses authorized by special exception or conditional use.

(4) Shopping center and commercial uses.

(5) Limited industrial uses.

(6) Mobile home development and other residential alternative uses.

C. The provisions of this section are not intended to restrict existing residential owners from removing trees from their property nor to restrict the clearing of land for agricultural purposes.

D. Definitions.

BUFFER-- An area designed and functioning to separate the elements and uses of land(s) which abut it and to ease the transition between them.

CALIPER-- The diameter of a planting tree as measured at a point on the trunk six (6) inches above the ground surface.

CANOPY TREE -- In general canopy trees are those whose mature heights may exceed 50 Feet. In natural woodlands, such trees make up the uppermost layer of the forest.

DBH-- The diameter of a tree at breast height, measured four and one-half (4½) feet from the ground surface.

DRIPLINE-- A generally circular line, the circumference of which is determined by the outer reaches of a tree's branching points.

ENCROACHMENT-- Any physical action which may jeopardize the health and longevity of a natural feature as that term is describes in Subsection F (1).

GROUNDWATER RECHARGE-- Replenishment of geologic structures and rock and soil interstices which have the capacity to store water.

HEDGEROW-- A line or band of plants one hundred (100) feet or greater in length where seeds collect and are left undisturbed, such as along fence lines or property lines or between fields or that is specially planted, i.e. to act as a windbreak.

SPECIMEN TREE -- A plant worthy of preservation because of species, size, shape, form, historical importance or any other significant characteristic; including canopy trees over twenty (20) inches DBH and understory trees greater than six (6) inches DBH.

UNDERSTORY TREE -- Trees whose mature heights are generally less than 50 feet. In natural woodlands, understory trees occur below the upper layer canopy trees.

WOODLAND-- A stand of woody vegetation covering at least one (1) acre, predominantly trees of varying age or size and including at least fifty percent (50%) cover of trees at least six (6) inches DBH.

E. Landscape plan submission requirements.

(1) Tree survey plan.

(a) The township shall require the developer or subdivider to verify the presence of existing trees on a site by field investigation or by the use of aerial photographs. A separate tree survey plan at a scale of not less than one (1) inch to fifty (50) feet shall be submitted showing the location of existing live trees with a DBH of six (6) inches or more, except in large wooded areas which are not proposed to be disturbed. The edges of large wooded areas to be preserved shall be clearly delineated on the initial tree survey plan and all revisions.

(b) The tree survey plan shall include the following:

[1] Plan scale, date, north arrow, property lines and location map with zoning district designations for the site and adjacent properties.

[2] Existing contours at two-foot intervals.

[3] Individual freestanding trees with trunk diameters of six (6) inches DBH or greater, indicating the location and diameter of each tree.

[4] All trees meeting the definition of specimen tree shall be identified as such on the plant and shall be subject to the alternatives analysis as described in F(4).

[5] Trees in hedgerows or lines with trunk diameters of six (6) inches DBH or greater, indicating the outer canopy or drip line of the tree grouping.

[6] Trees in woodlands or groves with trunk diameters of six (6) inches DBH or greater, indicating the outer canopy or drip line of the tree grouping

[7] Designation of existing trees to remain and existing trees to be removed, either by indicating individual trunk diameters with an "x" for removal or by cross hatching or similar graphical method to indicate woodlands to be removed. Existing trees that are relocated on site shall be classified as existing trees to remain.

(c) When one or more existing trees six (6) inches DBH or greater are proposed to be removed by a plan of development, they shall be replaced as described in Subsection F(7)(a) and (b).

(d) The plan shall contain a schedule, listing trees over six (6) inches DBH and the quantity of existing trees to be removed. A schedule of the replacement trees indicating species, height, spread, caliper and quantity shall also be included on the tree survey plan or the final landscape plan.

(e) The tree survey plan and/or any of the above requirements may be waived by the township if it is found that the application will involve a de minimis impact on landscaping.

(f) On plans with wooded tracts greater than 5 contiguous acres proposed to be disturbed, an applicant may consider a sampling approach as an alternative to single tree counting of all live trees greater than six (6) inches DBH. However, the sampling methodology must be submitted to the Worcester Township Shade Tree Commission for approval prior to its application.

(2) Preliminary landscape plan. The preliminary landscape plan shall be drawn at a scale of not less than one (1) inch to fifty (50) feet and shall contain the following:

(a) Plan scale, date, north arrow, property lines and location map with zoning district designations for the site and adjacent properties.

(b) The location of all existing and proposed buildings.

(c) The location of all existing and proposed roads, parking, service areas and other paved roads.

(d) The location of all outside storage and trash receptacle areas.

(e) Sidewalks, berms, fences, walls, freestanding signs and site lighting.

(f) The location, common names, quantity and sizes of all proposed trees, shrubs and areas for lawns or other ground cover (see Subsection H, Recommended plant materials).

(g) A plant schedule indicating the botanical and common names, height, spread, caliper, quantity and any special remarks for all plant material proposed.

(h) If not provided on the tree survey plan, an enumeration of existing trees to remain, existing trees to be removed, existing and proposed water bodies and significant natural features.

(i) Existing and proposed contours at two-foot intervals; and, in order to determine the relationship of planting and grading, areas with slopes in excess of ten percent (10%) shall be indicated on the plan.

(k) Information in the form of notes or specifications concerning planting and areas to be devoted to lawns. Such information shall convey the proposals for seeding, sodding, ground cover, mulching and the like.

(3) Final landscape plan. The final landscape plan shall contain a final version of all plan requirements stated in Subsection F(2) below and shall further contain the following:

(a) Details for the planting and staking of trees, the planting of shrubs and any other details which depict other related installation.

(b) A detailed cost estimate shall be submitted as part of the final landscape plan submission, showing the value of all proposed landscaping, to include all labor, materials and guaranty.

(4) Submission procedure.

(a) The preliminary landscape plan and tree survey plan shall be submitted at the time the preliminary plan is filed. The final landscape plan shall be submitted at the time the final plan is filed.

(b) All landscape plans other than minor subdivisions shall be prepared by a landscape architect registered by the Commonwealth of Pennsylvania.

F. Preservation of existing vegetation and natural features.

(1) All subdivisions and land developments shall be laid out in such a manner as to minimize the removal of healthy trees and shrubs on the site. Special consideration shall be given to all specimen trees.

(2) For the purpose of this section, the term "natural features" shall mean such vegetation, soils, surface streams, ponds and wetlands, planting, specimen plants, trees and topography which exist on the site proposed to be developed prior to any development activity.

(3) In cases where natural features that exist and will be retained on site duplicate the planting requirements of Subsection G, any and all of such requirements may be waived by the township.

(4) It shall be incumbent upon the applicant to demonstrate that vegetation removal is avoided and minimized to the maximum degree possible by showing that no alternative layouts or alternative clearings or grading plan would reduce the loss of mature trees, tree masses or woodlands. This alternatives analysis shall consist of alternative layout sketches and accompanying written rationale.

(5) At all times during the construction on any site, all trees to be retained within twenty-five (25) feet of a construction area, including disturbance for roads and parking, shall be protected by four (4) foot high barrier fencing, or equal, situated ten (10) feet beyond the canopy drip line or 25 feet from the trunk of the tree, whichever is greater, staked every ten (10) feet to insure that there is no encroachment within the area of the drip line by regrading, trenching, stockpiling of building materials or topsoil, or the compaction of the soil and roots by any motor vehicles. The trees shall not be used for roping, cables, signs, fencing or lighting. No hardware shall be driven into trees to be retained, unless as part of a tree preservation procedure.

(6) Protection of topsoil.

(a) No topsoil shall be removed from the site or used as spoil with out the written permission of the Board of Supervisors. Topsoil must be removed from the areas of construction and stored separately. Upon completion of construction or project phase, the topsoil must be redistributed uniformly on the disturbed areas of the site. All disturbed areas of the site shall be stabilized as follows:

[1] Slopes ten percent (10%) or less: by seeding or planting.

[2] Slopes ten percent (10%) to twenty percent (20%): by sodding or planting

[3] Slopes twenty percent (20%) to twenty-five percent (25%): by planting of groundcover

[4] Slopes exceeding twenty-five percent (25%): by utilization of riprap.

(7) Removal and replacement of existing trees.

(a) Any person, organization, association or corporation engaging in site work such as grading, new construction or other activity which will result in the destruction of existing trees six (6) inches DBH or greater shall prepare a tree survey plan in accordance with Subsection F (1). This requirement may be waived by the township for clearing done to prepare land for agricultural uses.

(b) If greater than twenty-five (25) percent of the existing trees on a site with a trunk diameter of six (6) inches DBH or greater are destroyed because of street alignment, building, placement parking area location, grading or otherwise then replacement of those trees over twenty-five (25) percent threshold shall be required as follows:

[1] The replacement trees may be selected from the recommended lists in Subsection H. Unless otherwise specified by the township, preference shall be given to replacement trees identical to those removed or other native species.

[2] Such new trees shall be planted in addition to the trees required under Subsection G. If requested by the applicant, and at the discretion of the township, a number of trees as determined by the township may be planted on lands owned by the township in lieu of the development site.

[3] The replacement trees shall be shown:

[a] On the tree survey plan with a schedule of trees to be removed and trees to be provided for replacement in accordance with subsection E; or

[b] On a landscape plan with a separate plant schedule for replacement trees: and/or

[c] If applicable, on a schedule of trees to be contributed to the township.

[4] A maximum of twenty percent (20%) of the required trees may be replaced as shrubs at a ratio of ten (10) shrubs per required tree. Refer to Subsection H for sizes and types of trees and shrubs recommended.

[5] Replacement trees shall not be all the same species or size. The range of size classes for replacement shall be variable and non-uniform. No more than ten percent (10%) of understory trees shall be less than 3 caliper inches and no less than 10% shall be larger than 3-1/2 caliper inches. No more than ten percent (10%) of canopy trees shall be less than 4 caliper inches and no less than 10% shall be larger than 4-1/2 caliper inches.

G. Landscape requirements.

(1) The locations, dimensions and spacing of required planting should be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as wind, soil, moisture and sunlight.

(2) Plantings should be selected and located where they will not create or contribute to conditions hazardous to the public's safety. Such locations include but shall not be limited to public street rights-of-way; sidewalks; underground and above ground utilities; and sight triangle areas required for unobstructed view at street intersections, as discussed in § 130-16E(5). A clear sight triangle shall be maintained at all points where private vehicular access-ways intersect public streets.

(3) All plant material used shall, at the time of planting, meet the minimum size requirements as stated in Subsection H.

(4) Street trees.

(a) Street trees shall be planted for any subdivision or land development where suitable street trees as defined in Subsection H do not exist, as part of the design and construction of:

[1] New streets.

[2] New sidewalks or pedestrian-ways.

[3] Existing streets, sidewalks, pedestrian-ways, highways, bicycle trails or pathways when they abut or lie within the subdivision or land development.

[4] Access driveways to residential developments having more than four (4) dwelling units.

[5] Renovations to or widening of existing streets or sidewalks.

(b) Spacing. The number of street trees required shall be determined based on twenty-five (25) feet on center for each side of the street, except along primary streets where they may be up to fifty (50) feet on center spacing. Informal groupings of more closely spaced plants which reflect the natural character of the site are encouraged. Required street trees which are not planted on the property shall be placed at the direction of the township.

(c) Setback. Street trees shall be planted a minimum distance of five (5) feet outside and parallel to the right-of-way line, unless otherwise approved by the township. Trees located at intersections shall respect the sight triangle as defined in § 130-16E(5).

(5) Perimeter buffers.

(a) Consistent with the intent of this section, the entire perimeter of a property being developed shall have a buffer which includes trees, shrubs and other landscape improvements necessary to screen or soften the visual impact the development will have on the property, on adjoining properties and on the township.

(b) Softening buffer. Along the side and rear property lines of all developments, where existing vegetation is not sufficient and to meet the requirements of a softening buffer, Subsection G (5)(b)[1] below, and a screen buffer is not required, a permanent softening buffer shall be planted. The following landscape requirements must be adhered to:

[1] The softening buffer plant materials shall include a mix of evergreen and deciduous trees and shrubs in a naturalistic arrangement. The following are minimums for the quantity of plant materials to use. The buffer shall consist of a minimum of one (1) evergreen tree for each thirty five (35) linear feet; one (1) ornamental or shade tree for each fifty (50) linear feet; and one (1) shrub for each ten (10) linear feet of property line. Informal groupings of more closely spaced plants which reflect the natural character of the site are encouraged. Existing vegetation of appropriate species and quantities on the property can be considered in the fulfillment of these requirements.

(c) The buffer planting area along the property lines shall be used for no purpose other than the planting of trees, shrubs and lawn and may include a wall or fence. Parking shall not be permitted. Any wall or fence shall be constructed in such a manner that it will not conflict with the character of the abutting district

(d) The buffer planting shall be aligned adjacent to and within thirty (30) feet of property lines or right-of-way boundaries. An innovative and naturalistic arrangement of plant materials is encouraged.

(e) Within the buffer area, no proposed slope shall be steeper than four to one (4:1) [one (1) foot height for each four (4) feet width] unless it previously existed.

(f) Screen buffer. Where under applicable sections of Chapter 150, Zoning, screen buffers are required for the entire length of all common boundaries abutting adjacent districts, such sections are hereby amended and the following landscape requirements shall be adhered to:

[1] Trees and shrubs used for a screening shall be composed of at least seventy-five percent (75%) evergreen trees and shrubs and shall be so arranged as to provide an immediate visual screen of fifty percent (50%) measured at five (5) feet from the ground. Evergreen trees shall be at least eight (8) feet in height at the time of planting. The balance of the plantings may be deciduous trees and shrubs.

[2] Earthen berms may be used in conjunction with vegetative buffers, either softening or screening, provided that the slopes within the buffer area are no steeper than4:1 and that the overall visual topographic effect is natural, with undulating contours.

[3] Innovative means of screening are encouraged; however, there shall be a minimum on one (1) evergreen tree and three (3) shrubs for each twelve (12) linear feet of property

(6) Off-street parking areas.

(a) The perimeters of off-street parking lots in all districts shall be buffered in accordance with the above regulations by means of screening buffers. Internal spaces between buildings and parking areas shall have a minimum width of fifteen (15) feet and be buffered with softening buffers. This shall include a softening buffer between buildings and parking as well as between parking areas and public streets. In addition, any parking closer than fifty (50) feet to a public street, right-of-way or residential district, shall have a continuous row of shrubs, fence, wall, berm or combination of these to a minimum height of three (3) feet between the street or residential district and parking area.

(b) Not more than fifteen (15) parking spaces shall be placed in a continuous row without an intervening raised planting island of at least ten (10) feet in width and the length of the parking stall.

(c) Within a parking area of over two thousand (2,000) square feet, a minimum of ten percent (10%) of the area shall be devoted to landscaping. This landscaping shall include a minimum of one (1) tree per fifteen (15) parking spaces, and all planting islands within a parking lot shall be surfaced in lawn or ground cover planting.

(d) Raised planting islands shall be placed at the end of each row of parking spaces which begins or terminates at an internal circulation aisle.

(e) For any land use where the total number of parking spaces in one (1) parking lot exceeds one hundred (100) stalls, the parking areas shall be divided by continuous center planting islands perpendicular to the spaces every one hundred thirty (130) feet [one hundred thirty (130) feet assuming four (4) rows of parking at twenty-foot lengths and two (2) aisles at twenty-five foot widths]. These divider islands shall be a minimum of ten (10) feet wide.

(f) Raised continuous concrete curbing shall be required around each planting island.

(g) The placement of lighting standards shall be coordinated with the landscape design to avoid conflicts and to avoid blocking of the lighting by the landscaping.

(h) As a alternatrive to subsections (d) and (f) above, designs incorporating biofiltration or other best management practices may be submitted for consideration, subject to rejection in favor of the traditional designs of subsection (d) and (f).

(7) Drainage area and detention basin landscaping. Whenever a detention or retention basin is provided, such basin shall conform to the requirements set forth in § 130-24, Chapter 150, Zoning and the following landscaping requirements:

(a) The basin shall be so designed that the plantings in and adjacent to it shall not have a negative effect on the hydrological function of the basin.

(b) All continuously flowing natural watercourses shall be maintained in their natural state except that the removal of debris and correction of severe erosion shall be required.

(c) Intermittent streams shall be maintained essentially at their existing alignments and gradients except that they may be improved by minor re-grading, subject to the approval of the Township Engineer, and shall either be planted and stabilized in vegetative cover or provided with erosion preventive improvements such as riverstone or riprap.

(d) Drainage ways and detention and retention basins should be compatible with the adjacent land use. Creative grading and innovative basin forms shall be utilized wherever physically possible. Where basins adjoin existing woodlands, it is recommended that planting be selected to blend with the natural surroundings.

(e) Basin floors:

[1] Floors dry most of the year shall be landscaped in one (1) or combination of the following:

[a] Seeded or sodded lawn.

[b] Seeded in low-maintenance wildflowers and meadow grasses.

[c] All-season groundcover

[2] Basin floors, portions of a floor or channels which are wet most of the year shall be landscaped in one (1) or a combination of the following:

[a] Wet habitat grasses and ground covers.

[b] Seeded in wildflower mix suitable for wet areas.

(f) Basin perimeter plantings. There shall be a minimum of one (1) shade tree for each fifty (50) linear feet of basin perimeter. To promote diversity, up to 50% of the shade trees may be substituted with an option of two flowering trees, one evergreen tree or ten (10) shrubs for every shade tree. Plantings shall be at least ten (10) feet from the toe of the berm.

(8) Service, loading, trash disposal areas, outdoor displays, material storage, transformers and mechanical equipment. All service, utility, delivery, loading and outdoor storage and trash disposal areas shall be screened from all residential districts, public streets, parking lots and pedestrian walkways. Screening shall be by the use of fences, walls, berms or a combination of these. Screening shall be installed and maintained at a height which effectively blocks the view but shall not be less than six feet. The screening shall have exterior plantings at minimum intervals of 10 feet. See Subsection H (4) for recommended plant types.

(9) Individual lot landscaping requirements. In addition to the landscape requirements as defined in Subsection G (4), Street trees, Subsection G (5), Perimeter buffers, Subsection G (6) Off-street parking areas, Subsection G (7), Drainage area and detention basin landscaping, and Subsection G (8) Service, loading and trash disposal areas, each individual building lot or dwelling unit shall provide the following unless an equivalent number of existing trees are present on the lot:

(a) Each single-family detached dwelling shall have a minimum of three (3) deciduous or evergreen trees as listed in Subsection H.

(b) Each multi-family dwelling unit shall have one (1) deciduous or evergreen tree as listed in Subsection H.

(c) Each building lot in all other districts shall provide one (1) deciduous or evergreen tree as listed in Subsection H per 5,000 square feet of gross floor area of building.

(10) RPD cluster landscaping requirements. All RPD Rural Preservation District developments shall comply with the following requirements:

(a) Developments shall provide street trees, drainage area and detention basin landscaping, service area landscaping and individual lot landscaping, as required by § 130-28G(4), G(7), G(8) and G(9) of this chapter.

(b) Within all required setbacks between neighborhoods and along tract boundaries located within 200 feet of a neighborhood, a planted buffer area at least 25 feet in width shall be established. Where natural plant materials do not exist or are insufficient, the following plant materials shall be provided per 100 linear feet:

[1] Four canopy trees.

[2] Four ornamental trees.

[3] Four evergreen trees.

(c) Within all required setbacks from external road ultimate rights-of-way, a planted buffer area at 25 feet in width shall be established. Where natural plant materials do not exist or are insufficient, the following plant materials shall be provided per 100 linear feet:

[1] Two canopy trees.

[2] Four ornamental trees.

[3] Ten evergreen trees.

(d) plant materials may be arranged in an informal manner. An informal arrangement of native plant species combined with infrequent mowing is strongly encouraged to create a low-maintenance naturalized landscape.

H. Recommended plant materials. The following are recommended plant materials which are provided as guidance to the landowner or applicant. Subsection H (1) and (2) includes those tree species considered to be well adapted to southeastern Pennsylvania and Worcester Township. All trees listed may be used in rear and side yard buffers. Trees marked with an asterisk (*) have characteristics making them suitable for use as street trees or in buffers along streets. Subsection H (5) provides a list of native trees and shrubs. Indigenous to the region, they are hardy and well-adapted to the climate and soils. All are commercially available, some as several varieties. The use of native plant materials is encouraged to promote the preservation of native landscape diversity. This approach maintains the natural character unique to this region and protects the associated wildlife habitat. These native materials are especially suitable in buffer plantings. The township will permit other planting types than those specified on the following lists if the species are hardy to the area, are not subject to blight or disease and are of the same general character and growth habit as those listed below or subject to the approval of the Township Engineer or other designated professional.

(1) Canopy trees; minimum three and one half (3½) inch caliper.

Scientific Name	**Common Name**
*Acer rubrum	Red maple
Acer saccharum	Sugar maple
Betula nigra	River birch
*Celtis occidentalis	Hackberry
Cladrastris lutea	Yellow wood
*Corylus colurna	Turkish filbert
Fagus grandifolia	American beech
*Fraxinus americana	White ash
*Fraxinus pennsylvanica var. lanceolata	Green ash "Marshall's seedless"
*Ginkgo biloba (male only)	Ginkgo

*Gleditsia triacanthos var. inermis	Thornless honey locust
Gymnocladus dioicus	Kentucky coffee tree
*Koelrueteria paniculata	Goldenrain tree
* Liquidambar styraciflua	Sweetgum
*Liriodendron tulipifera	Tulip tree
Nyssa sylvatica	Black gum
Ostrya virginiana	Hop hornbeam
*Phellodendron amurense	Amur corktree
*Platanus acerfolia cv. Bloodgood	Bloodgood London plane-tree
*Quercus acutissima	Sawtooth oak
*Quercus alba	White oak
*Quercus bicolor	Swamp white oak
*Quercus coccinea	Scarlet oak
*Quercus mac*ro*carpa	Bur oak
*Quercus palustris	Pin oak
*Quercus phellos	Willow oak
*Quercus rober	English oak
Quercus rubra (borealis)	Red oak
*Sophora japonica	Japanese pagodatree
Taxodium distichum	Baldcypress
*Tilia cordata	Littleleaf linden
*Tilia x euchlora	Crimean linden
*Ulmus american*a* libertas	American liberty elm
*Ulmus parviflora	Chinese lacebark elm
*Zelkova serrata	Japanese zelkova

(2) Small understory trees: minimum two and one-half (2½) inches in caliper or eight (8) feet in height.

Scientific Name	**Common Name**
*Acer campestre	Hedge maple
*Acer ginnala	Amur maple
Amelanchier canadensis	Shadblow serviceberry
Amelanchier laevis	
Carpinus betulus	European hornbeam
Carpinus caroliniana	American hornbeam
Chionanthus virginicus	White fringetree
Cornus florida	Flowering dogwood
Cornus kousa	Kousa dogwood
Cornus mas	Cornelian cherry
Cotinus coggygria	Smoke tree
*Crataegus phaenopyrum	Washington hawthorn
*Crataegus toba	Toba hawthorn
*Crataegus viridis cv. winter king	Winter king hawthorn
*Eucommia ulmoides	Hardy rubber tree

Magnolia soulangeana	Saucer magnolia
Magnolia stellata	Star magnolia
Magnolia virginiana	Sweetbay magnolia
*Malus floribunda	Japanese flowering crab apple
*Malus cv. Donald Wyman	Donald Wyman crabapple
*Malus cv. Centurian	Centurian crabapple
Metasequoia glyptostroboides	Dawn redwood
Oxydendrum arboreum	Sourwood
*Prunus sargentii	Sargent cherry
*Prunus yedoensis	Yoshino cherry
Styrax japonica	Japanese snowbell tree
Syringa reticulata	Lilac

(3) Evergreen trees for buffers; minimum height of eight (8) feet; not for use as street trees; may be used for buffers along streets, if a minimum width of ten feet is available.

Scientific Name	**Common Name**
Cedrus atlantica	Atlas cedar
Chamaecyparis obtusa	Hinoki cedar
Chamaecyparis pisifera	Sawara false cypress
Ilex opaca	American holly
Picea abies	Norway spruce
Picea omorika	Siberian spruce
Picea orientalis	Oriental spruce
Pinus bungeana	Lace Bark pine
Pinus strobus	White pine
Pinus thunbergii	Japanese black pine
Pseudotsuga menziesii	Douglas fir
Taxus cuspidata var. capitata	Japanese yew
Thuja occidentalis cv. nigra	Dark green arborvitae
Tsuga canadensis	Canadian hemlock
Tsuga caroliniana	Carolina hemlock

(4) Shrubs. Any locally grown shrubs with a minimum height of three (3) feet that are free of insects, pests and disease, in conformity with the standards of the American Association of Nurseryman and which are either native or well-adapted to southeastern Pennsylvania may be planted in buffers or other landscape areas.

(5) Native plant materials:

(a) Deciduous shade trees: minimum one and one-half (1½) inch caliper.

Scientific Name	**Common Name**
Acer rubrum	Red maple
Acer saccharum	Sugar maple

Carya ovata	Shagbark hickory
Fagus grandifolia	American beech
Fraxinus americana	White ash
Fraxinus pennsylvanica	Green ash
Liquidambar styraciflua	Sweetgum
Liriodendron tulipifera	Tulip tree
Nyssa sylvatica	Black gum
Platanus occidentalis	American sycamore
Quercus alba	White oak
Quercus borealis	Northern red oak
Quercus coccinea	Scarlet oak
Quercus palustris	Pin oak
Quercus velutina	Black oak
Tilia americana	Basswood, American linden

(b) Shrubs and small trees: Shrubs, thirty-six inch (36") minimum height; small trees, minimum eight-foot (8') height and two to two and one-half inch (2-2½") caliper.

Scientific Name	**Common Name**
Amelanchier canadensis	Downy shadbush
Amelanchier laevis	Smooth serviceberry
Cercis canadensis	Redbud
Cornus florida	Flowering dogwood
Cornus alternifolia	Alternate leaf dogwood
Cornus amomum	Silky dogwood
Hamamelis virginiana	Common witch hazel
Ilex glabra	Inkberry
Ilex verticillata	Winterberry
Magnolia virginiana	Sweetbay magnolia
Myrica pennsylvanica	Northern Bayberry (semi-evergreen)
Rhododendron maximum	Rhododendron
Sambucas canadensis	Elderberry
Vaccinium corymbosum	Highbush blueberry
Viburnum acerifolium	Mapleleaf viburnum
Viburnum dentatum	Arrowwood
Viburnum prunifolium	Blackhaw

(c) Evergreen trees: minimum height eight (8) feet.

Scientific Name	**Common Name**
Ilex opaca	American holly
Pinus strobus	Eastern white pine
Tsuga canadensis	Canadian hemlock
Juniperus virginiana	Eastern red cedar

(6) The following vegetation shall not be installed as landscape material because they are invasive or prone to pests and disease:

Scientific Name	**Common Name**
Acer platanoides	Norway maple
Acer psuedoplatanus	Sycamore maple
Acer saccharinum	Silver maple
Lonicera japonica	Japanese honeysuckle
Pyrus calleryana	Callery pear
Polygonum cuspidatum	Japanese knotweed
Populus spp.	Poplars
Puerarie thunbergiana	Kudzu
Ulmus pumila	Siberian elm

I. Guaranty/performance bond.

(1) Any tree or shrub which dies within eighteen (18) months of planting shall be replaced in kind. Any tree or shrub which within eighteen (18) months of planting or replanting is deemed by the township not to be healthy and vigorous shall be replaced in kind. Replacements may be of a substitute species only when approved by the township.

(2) The developer or landowner shall submit a plan of estimated landscaping planting dates. When landscaping planting is done in phases, the township shall be notified of the date on which each planting has actually been completed. Satisfactory survival of each phase as verified by the Township Engineer in accordance with Subsection I(1) above will be based on the date of actual planting.

(3) The money deposited for each phase of landscaping will not be released until the time has expired for determining, in accordance with Subsection I(1) and (2) above, if the planting for that phase is viable.

SECTION II. Disclaimer

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION III. Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences,

clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 15th day of December, 1999.

WORCESTER TOWNSHIP

BY: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

ATTEST: Chase E. Kneeland
CHASE E. KNEELAND, Secretary

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NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 15, 1999 at the Worcester Township Community Hall, Fairview Village, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending the Code of the Township of Worcester, Chapter 130 (Subdivision and Land Development), Article V (Design Standards), Section 130-28 (Landscaping) by deleting the existing Section 130-28 in its entirety and replacing is with a new Section 130-28 entitled "Landscaping" and setting forth the legislative intent; application of landscaping design standards; definitions; landscape plan submission requirements; submission procedure; requiring certain preservation of existing vegetation and natural features; landscape requirements; recommended plant materials for canopy trees; understory trees; evergreen trees for buffers; shrubs; other bushes and plants and setting forth the requirement for the posting of financial security for plants and landscaping.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1031 Valley Forge Road, Fairview Village, the offices of the Reporter, 307 Derstine Avenue, Lansdale, Pennsylvania and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township

WORCESTER TOWNSHIP
BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 99-178

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, CHAPTER 145 (VEHICLES AND TRAFFIC), ARTICLE I (SPEED LIMITS), SECTION 145-1.B (MAXIMUM SPEED LIMITS) TO ESTABLISH A MAXIMUM SPEED LIMIT OF 35 MILES PER HOUR ALONG THE ENTIRE LENGTH OF WEBER ROAD WITH A SHORT SEGMENT BEING POSTED AT 15 MILES PER HOUR WHERE WEBER ROAD MAKES A SHARP BEND AND ESTABLISHING A SPEED LIMIT OF 35 MILES PER HOUR ALONG THE ENTIRE LENGTH OF TROOPER ROAD.

The Board of Supervisors of Worcester Township does hereby enact and ordain:

SECTION I – Amendment to the Code.

The codified ordinances of Worcester Township, Chapter 145 (Vehicles and Traffic), Article I (Speed Limits), Section 145-1.B (Maximum Speed Limits) is hereby amended to add the following roads and speed limits to the existing list of roads and speed limits:

Name of Street	Speed Limit (miles per hour)	Location
Trooper Road	35	Entire length
Weber Road	35	35 mph for entire length except for a short segment being posted at 15 mph due to a sharp curve in the road.

SECTION II – Disclaimer.

Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or

causes of action existing under the Ordinances of the Township prior to the enactment of this Ordinance.

SECTION III – Severability.

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

SECTION IV – Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V – Effective Date

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

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 15th day of December, 1999.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: Chase E. Kneeland
CHASE E. KNEELAND, Secretary

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WORCESTER TOWNSHIP
NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 15, 1999 at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending the Codified Ordinances of Worcester Township, Chapter 145 (Vehicles and Traffic), Article I (Speed Limits), Section 145-1.b (Maximum Speed Limits)to establish a maximum speed limit of 35 miles per hour along the entire length of Weber Road with a short segment being posted at 15 miles per hour at the point where Weber Road makes a sharp bend and establishing a speed limit of 35 miles per hour along the entire length of Trooper Road.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Worcester, the offices of The Times Herald, 410 Markley Street, Norristown, Pennsylvania and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township