

**TOWNSHIP OF WEISENBERG
LEHIGH COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

**AN ORDINANCE OF THE TOWNSHIP OF WEISENBERG, LEHIGH COUNTY,
PENNSYLVANIA, AMENDING ARTICLES II, III, IV, V, VI, AND IX OF THE
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF WEISENBERG
TOWNSHIP, DATED NOVEMBER 2000, AS AMENDED**

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, Weisenberg Township (hereinafter, “Township”) is a Second Class Township organized and existing under and pursuant to the Second Class Township Code, *as amended*, 53 P.S. § 65101, *et seq.*, the Pennsylvania Municipalities Planning Code (“MPC”), *as amended*, 53 P.S. § 10101, *et seq.*, and other laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the powers granted to a Second Class Township by Section 501 of the MPC, 53 P.S. § 10501, and in accordance with Section 504 of the MPC, 53 P.S. § 10504, the Township adopted its current Subdivision and Land Development Ordinance in November 2000 (hereinafter, “SALDO”); and

WHEREAS, the SALDO has been amended from time to time, pursuant to the powers granted to a Second Class Township by Section 505 of the MPC, 53 P.S. § 10505; and

WHEREAS, a current, official copy of the SALDO, *as amended*, is on file at the Township municipal building located at 2175 Seipstown Road, Fogelsville, Pennsylvania 18051 and is available for review and reproduction Monday through Thursday during normal business hours; and

WHEREAS, a current, unofficial copy of the SALDO, *as amended*, is available on the Township’s website for download as a portable document format (PDF) file; and

WHEREAS, the Board of Supervisors of Weisenberg Township (hereinafter, “Supervisors”) have determined that various amendments to the SALDO, *as amended*, are necessary to ensure good and orderly land development within the Township; and

WHEREAS, the purpose of this Ordinance is to amend the SALDO accordingly.

NOW, THEREFORE, the Board of Supervisors of Weisenberg Township, Lehigh County, Pennsylvania, does hereby enact and ordain the following amendments to the Subdivision and Land Development Ordinance of Weisenberg Township dated November 2000, *as amended*.

SECTION 2: TEXT AMENDMENTS TO ARTICLE II OF SALDO

Article II of the SALDO, titled, “Definitions,” is hereby amended as follows:

1. Section 202, titled, “Definitions,” is amended to insert the following definition of the term “Capacity” after the definition of the term “Building Setback Line” but preceding the definition of the term “Cartway:”

“Capacity. Except in the case of free-flowing wells, ‘capacity’ is construed to mean the daily capacity of the pumps installed and not the contemplated draft.”

2. Section 202, titled, “Definitions,” is amended to insert the following definition of the term “Drilling” after the definition of the term “Development Plan” but preceding the definition of the term “Driveway:”

“Drilling. All acts necessary to the construction of wells, such as drilling, boring, coring, washing, digging, driving, or jetting.”

3. Section 202, titled “Definitions,” is amended to insert the following definition of the term “Equivalent Dwelling Unit (EDU)” after the definition of the term “Easements” but preceding the definition of the term “Engineer:”

“Equivalent Dwelling Unit (EDU). When an on-lot sewage disposal system is utilized, a factor of 500 gallons of sewage per day per dwelling unit, as modified by the DEP, shall be applied for the purpose of calculating the equivalent number of dwelling units for a commercial or industrial use. When this calculation results in a fractional number, then that fraction shall be construed as a full dwelling unit.”

4. Section 202, titled “Definitions,” is amended to delete the currently utilized definition of “Lot Line Adjustment” in its entirety and to substitute the following definition therefor:

“Lot Line Adjustment. The revision or deletion of one or more lot lines in such a way that all of the following are true:

1. no new additional lots will be created beyond what was previously approved;

2. no additional non-conformities will be created, nor will any existing non-conformities be made less nonconforming under the Township Zoning Ordinance; and

3. no additional streets are proposed.”

5. Section 202, titled “Definitions,” is amended to insert the following definition of the term “Person” after the definition of the term “Performance Guarantee” but preceding the definition of the term “Plan:”

“Person. A corporation, partnership, municipal authority, or association, as well as a natural person.”

6. Section 202, titled “Definitions,” is amended to delete the currently utilized definition of “Subdivision, Minor” in its entirety and to substitute the following definition therefor:

“Subdivision, Minor.

1. A lot line adjustment.

2. Any division or development of a parcel of land into not more than three lots, each lot being at least one acre in area and provided that no new street or easement of access is to be required. The enumerating of lots shall include as a lot that portion of the original tract or parcel as it existed within the last five (5) years, remaining after other lots have been subdivided therefrom and shall be assigned a lot number.

3. A correction plan, a revision of a recorded plan approved by the Board of Supervisors which is any plan that does not qualify under paragraphs 1 and 2.”

7. Section 202, titled “Definitions,” is amended to insert the following definition of the term “Well” after the definition of the term “Water Survey” but preceding the definition of the term “Well Driller:”

“Well. Any excavation that is drilled, cored, washed, driven, dug, or otherwise constructed for the location, diversion, or

acquisition of underground waters or charging of water into underground strata.”

8. Section 202, titled “Definitions,” is amended to insert the following definition of the term “Well Driller” after the definition of the term “Well:”

“Well Driller. Any water well contractor, his employee, or representative in charge of drilling or otherwise constructing a well.”

SECTION 3: TEXT AMENDMENTS TO ARTICLE III OF SALDO

Article III of the SALDO, titled, “Sketch Plan,” is hereby amended as follows:

1. Section 301, titled “Purpose,” is deleted in its entirety and the following is substituted therefor:

“301. PURPOSE. A Sketch Plan is an unofficial optional submission by the Applicant but strongly recommended by the Commission for proposed major subdivisions or land developments for conceptual discussion.”

2. Section 303 B, titled “Weisenberg Township Sketch Plan Checklist,” is amended to include the following changes:

- a. Subsection A., titled “General Submission Items,” is amended to insert the following Sub-subsection A.5:

“5. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.”

- b. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.1. thereof in its entirety and to substitute the following therefor:

“1. Standard Engineering Scale adequate to show the proposed development.

SECTION 4: TEXT AMENDMENTS TO ARTICLE IV OF SALDO

Article IV of the SALDO, titled, “Preliminary Plans for Major Subdivisions and/or Land Developments,” is hereby amended as follows:

1. Subsection 402.B., titled “Submission and Distribution,” is amended to delete Sub-subsection 402.B.1. thereof in its entirety and to substitute the following therefor:

“1. The Applicant shall file with the Township Administrator at least 21 days prior to a regular Commission meeting all of the required plans, information, and fees listed in Section 403 of this Ordinance.”

2. Section 403 C, titled, “Weisenberg Township Preliminary Plan for Major Subdivision and/or Land Development Checklist” is amended to include the following changes:

- a. Subsection A., titled, “General Submission Items,” is amended to insert the following Sub-subsection A.11.:

“11. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.”

- b. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.1. thereof in its entirety and to substitute the following therefor:

“1. Standard Engineering Scale adequate to show the proposed Development.”

- c. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.15. thereof in its entirety and to substitute the following therefor:

“15. All bearings shall be to the nearest second of arc.”

- d. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.19. thereof in its entirety and to substitute the following therefor:

“19. Tax Parcel ID.”

- e. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.49. thereof in its entirety and to substitute the following therefor:

“49. Location of primary and secondary drainage fields for on-lot sewage disposal systems, where applicable.”

- f. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.50. thereof in its entirety and to substitute the following therefor:

“50. PennDOT Highway Occupancy Permit or the following note on the plan:

NOTE: A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242 No. 428) known as the ‘State Highway Law’ before driveway access to a state highway is permitted.”

- g. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.51. thereof in its entirety and to substitute the following therefor:

“51. Certification of central water supply.”

- h. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.52. thereof in its entirety and to substitute the following therefor:

“52. Certification of central sewage disposal system.”

- i. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.53. thereof in its entirety and to substitute the following therefor:

“*53. Health, safety and recreation donation, per dwelling unit.

* To be discussed with the Board of Supervisors.”

- j. Subsection B., titled, “Drafting Requirements,” is amended to insert the following Sub-subsection B.54.:

“*54. Unimproved road fee.

* To be discussed with the Board of Supervisors.”

SECTION 5: TEXT AMENDMENTS TO ARTICLE V OF SALDO

Article V of the SALDO, titled, “Final Plan,” is hereby amended as follows:

1. Subsection 502.C., titled, “Submission and Distribution,” is amended to delete Sub-subsection 502.C.1. thereof in its entirety and to substitute the following therefor:

“1. The Applicant shall file with the Township Administrator at least 21 days prior to the regular Commission meeting all of the required plans, information, and fees listed in Section 503 of this Ordinance.”

2. Section 503 C, titled, “Weisenberg Township Final Plan for Major Subdivision and/or Land Development Checklist,” is amended to include the following changes:

- a. Subsection A., titled, “General Submission Items,” is amended to insert the following Sub-subsection A.5.:

“5. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.”

- b. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.4. thereof and to substitute the following therefor:

“4. Calculations showing that each lot in the final lot configuration has an error of closure not exceeding 1 foot in 10,000 feet.”

- c. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.5. thereof and to substitute the following therefor:

“5. Original date drawing was completed and all revision dates.”

- d. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.6. thereof and to substitute the following therefor:

“6. Proposed street names.”

- e. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.7. thereof and to substitute the following therefor:

“7. Proposed cartway widths and shoulders properly labeled and dimensions.”

- f. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.8. thereof and to substitute the following therefor:

“8. Right-of-way width and right-of-way lines of the street properly labeled and dimensions.”

- g. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.9. thereof and to substitute the following therefor:

“9. All proposed easements or rights-of-way properly labeled and dimensioned.”

- h. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.10. thereof and to substitute the following therefor:

“10. Copies of deed restrictions.”

- i. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.11. thereof and to substitute the following therefor:

“11. Lot addresses, provided by the Township.”

- j. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.12. thereof and to substitute the following therefor:

“12. Location of all existing and proposed permanent monuments and markers.”

- k. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.13. thereof and to substitute the following therefor:

“13. Final design of bridges.”

- l. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.14. thereof and to substitute the following therefor:

“14. Final profiles, cross-sections and specifications for all proposed streets showing all vertical and horizontal geometry.”

- m.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.15. thereof and to substitute the following therefor:

“15. Final profiles and details for all proposed sanitary sewer including invert and top of structure elevations.”

- n.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.16. thereof and to substitute the following therefor:

“16. Final profiles and details for all proposed storm sewer including invert and top of structure elevations.”

- o.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.17. thereof and to substitute the following therefor:

“17. Final profiles and details for all proposed water lines including all other utility crossings.”

- p.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.18. thereof and to substitute the following therefor:

“18. Final grading plan showing storm water runoff flow.”

- q.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.19. thereof and to substitute the following therefor:

“19. Final storm drainage calculations, with revision dates.”

- r.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.20. thereof and to substitute the following therefor:

“20. Final landscape plan.”

- s.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.21. thereof and to substitute the following therefor:

“21. A legal description of all areas to be dedicated to the municipality.”

- t. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.22. thereof in its entirety and to substitute the following therefor:

“22. Calculations showing that all areas to be dedicated to the municipality have an error of closure not exceeding 1 foot in 10,000 feet.”

- u. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.23. thereof in its entirety and to substitute the following therefor:

“23. Offer of dedication and acceptance of street rights-of-way, and certification of ownership with notarization. (See Appendix A)”

- v. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.24. thereof in its entirety and to substitute the following therefor:

“24. Certification for Township Planning Commission. (See Appendix A)”

- w. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.25. thereof in its entirety and to substitute the following therefor:

“25. Certification for Township Board of Supervisors. (See Appendix A)”

- x. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.26. thereof in its entirety and to substitute the following therefor:

“26. Space for Lehigh Valley Planning Commission review stamp. (See Appendix A)”

- y. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.27. thereof in its entirety and to substitute the following therefor:

“27. Space for Lehigh County Recorder of Deeds acknowledgment stamp.”

- z. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.28. thereof in its entirety and to substitute the following therefor:

“28. DEP permit for a private centralized water system, if applicable.”

- aa. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.29. thereof in its entirety and to substitute the following therefor:

“29. Public water supply agreement, if any.”

- bb. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.30. thereof in its entirety and to substitute the following therefor:

“30. DEP permit for a private centralized sanitary sewer system, if any.”

- cc. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.31. thereof in its entirety and to substitute the following therefor:

“31. Completed and executed copy of a subdivision improvement agreement.”

- dd. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.32. thereof in its entirety and to substitute the following therefor:

“32. Performance guarantee.”

- ee. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.33. thereof in its entirety and to substitute the following therefor:

“33. Maintenance guarantee.”

- ff.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.34. thereof in its entirety and to substitute the following therefor:

“34. L.C.C.D. approval letter.”

- gg.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.35. thereof in its entirety and to substitute the following therefor:

“35. NPDES approval letter.”

- hh.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.36. thereof in its entirety and to substitute the following therefor:

“36. Lehigh Valley Planning Commission review letter.”

- ii.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.37. thereof in its entirety and to substitute the following therefor:

“37. State and Federal permits, approval letter.”

- jj.** Subsection B., titled, “Drafting Requirements,” is amended to insert the following Sub-subsection B.38.:

“*38. Health, safety and recreation donation.

* Determined by the Board of Supervisors.”

- kk.** Subsection B., titled, “Drafting Requirements,” is amended to insert the following Sub-subsection B.39.:

“*39. Unimproved road fee.

* Determined by the Board of Supervisors.”

SECTION 6: TEXT AMENDMENTS TO ARTICLE VI OF SALDO

Article VI of the SALDO, titled, “Minor Subdivisions,” is hereby amended as follows:

- 1.** Subsection 602.B., titled, “Submission and Distribution,” is amended to delete Sub-subsection 602.B.3.d. thereof in its entirety and to substitute the following therefor:

“d. Submitting a copy of the Erosion and Sedimentation Control plans to the County Conservation District if the area of disturbance is 1 acre or greater, or to the Township if the area of disturbance is less than 1 acre, together with any required review fees;”

- 2.** Section 603 C, titled, “Weisenberg Township Final Plan for Minor Subdivision Checklist,” is amended to include the following changes:

- a.** Subsection A., titled, “General Submission Items,” is amended to insert the following Sub-subsection A.11.:

“11. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.”

- b.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.1. thereof in its entirety and to substitute the following therefor:

“1. Standard engineering scale adequate to show the proposed configuration of lots. For large tracts, the parent lot may be at a smaller scale, provided that proposed new lots are shown at a maximum scale of 1 inch equals 60 feet.”

- c.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.2. thereof in its entirety and to substitute the following therefor:

“2. Plan size: 18” x 24”, 24” x 36”, or a maximum size of 30” x 42”.”

- d.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.10. thereof in its entirety and to substitute the following therefor:

“10. Calculations showing that each lot in the final lot configuration has an error of closure not exceeding 1 foot in 10,000 feet. (Remaining lots greater than 10 acres may be shown by deed bearings/dimensions.)”

- e. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.11. thereof in its entirety and to substitute the following therefor:

“11. North arrow graphic and written scale.”

- f. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.12. thereof in its entirety and to substitute the following therefor:

“12. Original date drawing was completed and all revision dates.”

- g. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.13. thereof in its entirety and to substitute the following therefor:

“13. Location map, scale 1” = 2000” or less.”

- h. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.14. thereof in its entirety and to substitute the following therefor:

“14. Total tract acreage and boundaries showing bearings and distances.”

- i. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.15. thereof in its entirety and to substitute the following therefor:

“15. All dimensions shown in feet and hundredths of a foot.”

- j. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.16. thereof in its entirety and to substitute the following therefor:

“16. All bearings shall be to the nearest second of arc.”

- k.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.17. thereof in its entirety and to substitute the following therefor:

“17. Lot line dimensions, showing bearings and distances.”

- l.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.18. thereof in its entirety and to substitute the following therefor:

“18. Lot areas, lot numbers, and a statement of total number of lots.”

- m.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.19. thereof in its entirety and to substitute the following therefor:

“19. A statement of all proposed uses.”

- n.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.20. thereof in its entirety and to substitute the following therefor:

“20. Tax parcel ID.”

- o.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.21. thereof in its entirety and to substitute the following therefor:

“21. Zoning districts and tract location address.”

- p.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.22. thereof in its entirety and to substitute the following therefor:

“22. Building setback lines along each street and along lot lines, including dimensions.”

- q. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.23. thereof in its entirety and to substitute the following therefor:

“23. All existing buildings within subdivision.”

- r. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.24. thereof in its entirety and to substitute the following therefor:

“24. All existing street rights-of-way, including dimensions.”

- s. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.25. thereof in its entirety and to substitute the following therefor:

“25. Location, width, and purpose of proposed easements and utility rights-of-way.”

- t. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.26. thereof in its entirety and to substitute the following therefor:

“26. Location and width of all proposed rights-of-way, including dimensions.”

- u. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.27. thereof in its entirety and to substitute the following therefor:

“27. Calculations showing that all areas to be dedicated to the municipality have an error of closure not exceeding 1 foot in 10,000 feet.”

- v. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.28. thereof in its entirety and to substitute the following therefor:

“28. All existing underground utilities, bridges, culverts or railroads within the project area, if required by the Township Engineer or Sewage Enforcement Officer.”

- w. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.29. thereof in its entirety and to substitute the following therefor:

“29. Location, width and purpose of all existing easements or rights-of-way within the project area.”

- x. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.30. thereof in its entirety and to substitute the following therefor:

“30. Location of natural drainage patterns, streams, ponds, flood plains, etc., if required by the Township Engineer or Sewage Enforcement Officer.”

- y. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.31. thereof in its entirety and to substitute the following therefor:

“31. Location and description of soil types present within the proposed subdivision, including wetlands, if required by the Township Engineer or Sewage Enforcement Officer.”

- z. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.32. thereof in its entirety and to substitute the following therefor:

“32. Location of wooded area, rock outcropping, etc., if required by the Township Engineer or Sewage Enforcement Officer.”

- aa. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.33. thereof in its entirety and to substitute the following therefor:

“33. A topography of the tract delineating slope areas 15% and over, if required by the Township Engineer or Sewage Enforcement Officer.”

- bb.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.34. thereof in its entirety and to substitute the following therefor:

“34. Contour lines 2 ft. or 5 ft. maximum intervals, if required by the Township Engineer or Sewage Enforcement Officer.”

- cc.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.35. thereof in its entirety and to substitute the following therefor:

“35. Benchmark elevation and location based on USGS datum, where available, if required by the Township Engineer or Sewage Enforcement Officer.”

- dd.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.36. thereof in its entirety and to substitute the following therefor:

“36. Parks, playground, etc. reserved for public or common use.”

- ee.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.37. thereof in its entirety and to substitute the following therefor:

“37. Storm Drainage Calculations.”

- ff.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.38. thereof in its entirety and to substitute the following therefor:

“38. Erosion and Sedimentation Control plans or note on plan.”

- gg.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.39. thereof in its entirety and to substitute the following therefor:

“39. PennDOT Highway Occupancy Permit or the following note on the plan:

NOTE: A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242 No. 428) known as the 'State Highway Law' before driveway access to a state highway is permitted.”

- hh.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.40. thereof in its entirety and to substitute the following therefor:

“40. DEP Planning Module approval letter.”

- ii.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.41. thereof in its entirety and to substitute the following therefor:

“41. Latest source of title to the land (grantor and grantee) as found on the deed, book and page number of the County Recorder.”

- jj.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.42. thereof in its entirety and to substitute the following therefor:

“42. Copies of deed restrictions.”

- kk.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.43. thereof in its entirety and to substitute the following therefor:

“43. Offer of dedication and acceptance of street rights-of-way, and certification of ownership with notarization. (See Appendix A)”

- ll.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.44. thereof in its entirety and to substitute the following therefor:

“44. Certification for Township Planning Commission. (See Appendix A)”

- mm.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.45. thereof in its entirety and to substitute the following therefor:

“45. Certification for Township Board of Supervisors. (See Appendix A)”

- nn.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.46. thereof in its entirety and to substitute the following therefor:

“46. Space for Lehigh Valley Planning Commission review stamp. (See Appendix A)”

- oo.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.47. thereof in its entirety and to substitute the following therefor:

“47. Space for Lehigh County Recorder of Deeds acknowledgment stamp. (See Appendix A)”

- pp.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.48. thereof in its entirety and to substitute the following therefor:

“48. Lehigh Valley Planning Commission review letter.”

- qq.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.49. thereof in its entirety and to substitute the following therefor:

“49. Lot addresses, provided by Township.”

- rr.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.50. thereof in its entirety and to substitute the following therefor:

“50. Two mylars for recordation purposes.”

- ss.** Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.51. thereof in its entirety and to substitute the following therefor:

“51. LCCD approval letter.”

- tt. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.52. thereof in its entirety and to substitute the following therefor:

“52. NPDES approval letter.”

- uu. Subsection B., titled, “Drafting Requirements,” is amended to delete Sub-subsection B.53. thereof in its entirety and to substitute the following therefor:

“53. State and Federal permits, approval letter.”

- vv. Subsection B., titled, “Drafting Requirements,” is amended to insert the following Sub-subsection B.54.:

“*54. Health, safety and recreation donation.

* To be discussed with the Board of Supervisors.”

- ww. Subsection B., titled, “Drafting Requirements,” is amended to insert the following Sub-subsection B.55.:

“*55. Unimproved road fee.

* To be discussed with the Board of Supervisors.”

SECTION 7: TEXT AMENDMENTS TO ARTICLE IX OF SALDO

Article IX of the SALDO, titled, “Design Standards,” is hereby amended as follows:

- 1. Subsection 902.B., titled, “Street Design Standards,” is amended to include the following changes:
 - a. Sub-subsection 902.B.1. is deleted in its entirety and the following is substituted therefor:

“1. Street Types - streets/roadways listed below shall be generally classified as follows:

- (a) Freeway: Interstate I-78 (S.R. 0078)

(b) Arterial/Regional Corridor:

- i. Old 22
- ii. Mill Creek Road

(c) Collector/Community or Critical Local or Local Connector:

- i. Independent Road
- ii. Golden Key Road
- iii. Werley’s Corner Road
- iv. Seipstown Road
- v. Ziegels Church Road
- vi. Kecks Road (from Zeigels Church Road to Seipstown Road)
- vii. Claussville Road
- viii. Holbens Valley Road

(d) All other roads are considered Local Streets.”

b. Sub-subsection 902.B.2. is deleted in its entirety and the following is substituted therefor:

“2. Interstate I-78 is a limited-access highway and shall meet all PennDOT criteria.”

c. Sub-subsection 902.B.3. is deleted in its entirety and the following is substituted therefor:

“3. The following table shall be the minimum street design standards, unless PennDOT establishes a more restrictive requirement. All dimensions in feet unless specified.

<u>Design Specification</u>	<u>Type of Street</u>		
	<u>Arterial</u>	<u>Collector</u>	<u>Local</u>
Right-of-way Width	80’	60’	50’
Cartway Width			
Commercial/Industrial	32’	28’	26’
Residential	28’	24’	20’
Shoulder Width (each side)			
Paved	8’ each	6’ each	2’ each

On Street Parking

NO

NO

NO”

2. Subsection 902.L., titled, “Street Construction Standards,” is amended to include the following changes:

a. Sub-subsection 902.L.1. is deleted in its entirety and the following is substituted therefor:

“1. Streets shall be graded, improved and surfaced to the grades and dimensions identified in the Weisenberg Township Standards for Improvements Construction (Township Standards), as referenced in Section 702.”

b. Sub-subsection 902.L.2., titled, “Right-of-Way Grading,” is amended to include the following changes:

i. Sub-sub-subsection 902.L.2.a. is deleted in its entirety and the following is substituted therefor:

“a. The entire right-of-way shall be graded to the approved cross-section. All trees, stumps and other material deemed unsuitable by the Township Engineer shall be removed. The excavation shall be backfilled and suitably compacted per the Township Standards.”

ii. Sub-sub-subsection 902.L.2.b. is deleted in its entirety and the following is substituted therefor:

“b. The finished street surface shall be crowned in conformance with the Township Standards.”

c. Sub-subsection 903.L.3. is amended to delete Sub-sub-subsection 903.L.3.d. thereof in its entirety and the following is substituted therefor:

“d. In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of 3 feet horizontal to 1 foot vertical. In areas of rock excavation, such grading shall be done to a maximum slope of one foot horizontal to 2 feet vertical.”

- d. Sub-subsection 902.L.4. is deleted in its entirety and the following is substituted therefor:

“4. All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill per the Township Standards and acceptable to the Township Engineer or be stone backfilled if the cartway is to be paved in the same construction season.”

- e. Sub-subsection 902.L.5. is deleted in its entirety and the following is substituted therefor:

“5. All street pavements, including shoulder, shall consist of the appropriate paving cross-section shown in the Township Standards.”

- f. Sub-subsection 902.L.7. is deleted in its entirety and the following is substituted therefor:

“7. An applicant may, if recommended by the Township Engineer and approved by the Board of Supervisors, use an alternative roadbed design that is specifically recommended for that type of street by a current official publication of PennDOT. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above.”

3. Section 903., titled, “Driveways,” is amended to delete Subsections 903.A. through 903.E. thereof in their entirety, and the following Subsection 903.A. is substituted therefor:

“903.A. All driveways shall be graded to and meet the requirements of the Driveway Ordinance. Subdivision plans shall identify that proposed driveway locations meet the requirements of the Driveway Ordinance.”

4. Subsection 904.C., titled “Flag Lots,” is amended to delete Sub-subsection 904.C.1. thereof in its entirety and to substitute the following therefor:

“1. All lots must front upon existing roadways. No new flag lots shall be permitted.”

5. Section 907, titled, “Storm Water Management,” is re-titled as “Storm-Water Management.”
6. Section 907, titled, “Storm-Water Management,” is amended to delete Subsections 907.A. through 907.I. and to substitute the following Subsection 907.A. therefor:

“907.A. All subdivision and land developments shall meet the requirements of the Township’s Stormwater Management Ordinance.”

7. Subsection 908.B., titled, “On-Lot Water System (Wells),” is deleted in its entirety and the following is substituted therefor:

“908.B. On-Lot Water System (Wells)

1. When a on-lot water or wells is proposed the locations of the wells must be shown on the plan. Wells shall be located no closer than 25 feet from any future street right of way line. All construction shall be in accordance with DEP Standards.
2. Standards for quantity of test wells and water quality.

Where individual on-lot water supply systems (private wells) are proposed to service a residential, commercial, industrial, or institutional subdivision and/or land development project requiring water usage equivalent to four (4) EDU’s or less, the owner / subdivider / developer shall provide for a minimum of one (1) test well for the project. If the subdivision or land development project is proposed to be greater than four (4) lots or require more than four (4) EDU’s, or if the subdivision or land development project is proposed to be expanded at some point after final plan approval, the number of test wells required shall equal the total number of lots or EDU’s

(whichever is greater) for the entire subdivision and/ or land development project (including all previously approved and all newly proposed lots) divided by five (5). Any fractional number shall be rounded upward to the next higher number. For any tract previously subdivided after the effective date of this Ordinance, the number of previously drilled test wells shall be deducted as a credit toward the aforementioned requirement.

Such wells shall be drilled, cased and grout-sealed at least ten (10) feet into bedrock and shall have a production capacity in excess of five (5) gallons per minute for a period of not less than twenty-four (24) hours. In addition, the quality of the water produced by the test well shall be tested by a water quality laboratory certified by the Department of Environmental Protection of the Commonwealth of Pennsylvania to determine compliance with the current standards set forth by said Department for maximum containment limits.

In general, test wells should be located up slope from containment sources and shall be a reasonably safe distance from said sources. Further, all well casings shall be extended at least eight (8) inches above ground and well heads should be designed to prevent flooding from surface water runoff.

Should any of the test wells be abandoned, said well shall be sealed in accordance with accepted standards so as to prevent future contamination of the groundwater source.

Each test well should be located in such an area as to be usable by one of the lots proposed for said subdivision.”

SECTION 8: UPDATE TO OFFICIAL COPY OF SALDO ON FILE AT TOWNSHIP MUNICIPAL BUILDING AND UPDATE TO UNOFFICIAL COPY OF SALDO ON TOWNSHIP WEBSITE

1. Township staff are hereby authorized to take whatever actions are necessary to cause a current, official copy of the SALDO, *as amended*, to be kept on file at the Township municipal building.
2. Township staff are hereby authorized to take whatever actions are necessary to update the unofficial copy of the SALDO available for download as a portable document format (PDF) file on the Township website so that it reflects the most current version of the SALDO, *as amended*.

SECTION 9: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance, all ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10: EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Weisenberg Township.

SECTION 11: SAVINGS CLAUSE

To the extent that any word, portion, or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion, or provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion, or provision found to be invalid or void.

DULY ENACTED AND ORDAINED, this ____ day of _____, 2023, by the Board of Supervisors of Weisenberg Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

[SIGNATURE PAGE FOLLOWS]

(Signature Page to Ordinance No. _____)

**TOWNSHIP OF WEISENBERG
BOARD OF SUPERVISORS**

Linda Gorgas, Chairperson

ATTEST:

Anthony C. Werley, Vice Chairperson

Township Secretary

Richard A. Bleiler, Supervisor