

# FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Tuesday, June 6, 2023

7:00 PM

## MEETING PARTICIPATION OPTIONS

### VIRTUAL:

Join Zoom Meeting Link:

<https://us02web.zoom.us/j/83406305774>

Meeting ID: 834 0630 5774

[Zoom Access Instructions](#)

### IN-PERSON:

Ferguson Township Municipal Building

Main Meeting Room

3147 Research Drive

State College, PA

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- I. CALL TO ORDER
  - II. PLEDGE OF ALLEGIANCE
  - III. ANNOUNCEMENTS
  - IV. PUBLIC INPUT
  - V. APPROVAL OF MINUTES
  - VI. AUTHORITIES, BOARDS, AND COMMISSION REPORTS
  - VII. SPECIAL REPORTS
  - VIII. COG AND REGIONAL REPORTS
  - IX. STAFF REPORTS
  - X. UNFINISHED BUSINESS
    - a. Continued Discussion on Draft Update for Centre Region Rental Housing and Building Safety Code
    - b. Pine Grove Mills Parking Study Review Draft Ordinance Amendment Chapter 15, Part 4, Section 403, Section 404 & Section 406
  - XI. NEW BUSINESS
    - a. Consent Agenda
    - b. Public Hearing Resolution Naming Private Street
    - c. Public Hearing Resolution Prof Services Agreement w/KCI Tech Slab Cabin Run
    - d. Public Hearing Resolution Prof Services Agreement w/KCI Tech Beaver Branch Stream
    - e. Public Hearing Resolution Agreement with PRI Management Group
    - f. Review Regional Growth Boundary & Sewer Service Area Implementation Agreement
    - g. Public Hearing Ordinance Amendment - Blue Course Drive Set Max Speed Limit
    - h. Discussion and Consideration on Process Zoning Ordinance Amendment and Zoning Map Amandment
    - i. 125 East Pine Grove Road - Preliminary Land Development Plan
  - XII. COMMUNICATIONS TO THE BOARD
  - XIII. CALENDAR ITEMS
  - XIV. ADJOURNMENT



Visit the Township's Web Site [www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us) and sign up for *Notify Me!* to receive email notices about Township Information.



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# TOWNSHIP OF FERGUSON

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## **BOARD OF SUPERVISORS Regular Meeting Agenda Tuesday, June 6, 2023 7:00 P.M.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ANNOUNCEMENTS**
- IV. PUBLIC INPUT**
- V. APPROVAL OF MINUTES**
  - 1. May 15, 2023 – Board of Supervisors Regular Meeting Minutes
- VI. AUTHORITIES, BOARDS, AND COMMISSION REPORTS**
  - 1. State College Borough Water Authority – written report
- VII. SPECIAL REPORTS AND ACKNOWLEDGEMENTS** 30 minutes
  - 1. Diversity, Equity, and Inclusionary Initiatives and Acknowledgements – National Caribbean-American Heritage Month, Pride Month, Immigrant Heritage Month, Administrative Offices Closed for Juneteenth 6/19; Centre Region Council of Government (CRCOG) DEI Training by Patty Stephens and Jeremie Thompson.
  - 2. Township and Fiscal Responsibility – no report.
  - 3. Community and Economic Development – no report.
  - 4. Environment – Annual Training on Ferguson Township’s Municipal Separate Storm Sewer System (MS4) Presentation by Aaron Jolin
- VIII. COG AND REGIONAL COMMITTEE REPORTS**
  - 1. COG COMMITTEE REPORTS** 10 minutes
    - a. Executive Committee
    - b. Parks and Recreation Governance Committee
    - c. Land Use and Community Infrastructure Committee
  - 2. OTHER COMMITTEE REPORTS**
- IX. STAFF REPORTS** 5 minutes
  - 1. Manager’s Report
  - 2. Public Works Director
  - 3. Planning & Zoning Director
- X. UNFINISHED BUSINESS**
  - 1. CONTINUED DISCUSSION ON DRAFT UPDATE FOR CENTRE REGION RENTAL HOUSING AND BUILDING SAFETY CODE** 10 minutes

*Centrice Martin, Township Manager*

**Narrative**

Continued discussion on Centre Region Code Administration proposed changes to the Centre Region Building Safety and Property Maintenance Code, 2017 edition (PM Code). Centre Region Code Administration conducted a participatory process with stakeholders to receive input for changes to the Code. Provided with the agenda is a copy of the changes in track changes. On May 2, 2023, Walt Schneider, Director of Centre Region Code Administration, provided an overview of the amendment to staff. The Board of Supervisors is asked to discuss the Code prior to the enactment tentatively scheduled for June. Mr. Schneider is in attendance to discuss the amendment with the Board. The Board is asked to continue the review of the code, provide feedback for additional information, and raise any questions regarding proposed amendments.

*Recommended motion: That the Board of Supervisors move to authorize advertisement for a public hearing on an ordinance to enact the 2023 Edition Centre County Rental Housing and Building Safety Code.*

**Staff Recommendation**

That the Board of Supervisors **authorize** advertisement for adoption of the 2023 Edition Centre County Rental Housing and Building Safety Code

- 2. PINE GROVE MILLS PARKING STUDY AND REVIEW OF DRAFT ORDINANCE TO AMEND THE CODE OF ORDINANCES AS FOLLOWS: CHAPTER 15 MOTOR VEHICLES AND TRAFFIC, PART 4, GENERAL PARKING REGULATIONS, SECTION 403 PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS, SECTION 404 PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS, AND SECTION 406 PARKING TIME LIMITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS** 25 Minutes

*Ron Seybert, Township Engineer*

**Narrative**

At the request of the Board of Supervisors and in accordance with the Pine Grove Mills Small Area Plan mobility study, the Township Engineer conducted a parking study on Pine Grove Road (which was extended to include South Nixon Road) and reviewed the draft study with the Board of Supervisors at the regular meeting on March 8, 2023. Staff conducted a review of existing parking restrictions in comparison to ordained parking restrictions. Staff also conducted site distance evaluations at road and driveway intersections. Based on feedback received at the March 8, 2023 meeting, the Township Engineer finalized the parking study and prepared a draft ordinance for consideration by the Board of Supervisors.

The large map set is available for viewing at:  [PINE GROVE PARKING SIGNS 5-31-23.pdf](#)

*Recommended motion: That the Board authorize a Public Hearing on the Ordinance for revised parking regulations in Pine Grove Mills.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the public hearing on the ordinance.

**XI. NEW BUSINESS**

- 1. CONSENT AGENDA**

5 minutes

- a. Donation Request for Route 45 Getaways Event
- b. Contract 2018-C20U TRU-TEK Drilling: \$235,328.69

**2. A PUBLIC HEARING ON A RESOLUTION OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA APPROVING THE NAMING OF FARMERS WAY TO IMPROVE AND ENHANCE THE RESPONSE FOR EMERGENCY SERVICES PERSONNEL FOR PROPERTIES LOCATED ON THE PRIVATE WAY** 5 minutes

*Jenna Wargo, Director of Planning and Zoning*

**Narrative**

Provided with the agenda is a copy of the resolution approving the naming of Farmers Way as a private street. On August 23, 2021, the Zoning Administrator approved of a second single-family residential home to be built on tax parcel 24-007-,004-,0000-. This property is zoned Rural Agriculture (RA) and is 181.30 acres.

Resolution 2017-8 designates the Board of Supervisors as the authority to approve the naming of lanes, roads, and streets in the Township, adhering to the Centre County 9-1-1 Street and Road Naming Criteria, when two (2) or more structures are sharing a road.

*Recommended motion: That the Board of Supervisors adopt the resolution approving the naming of Famers Way as a private street in Ferguson Township.*

**Staff Recommendation**

That the Board of Supervisors **adopt** the resolution

**3. A PUBLIC HEARING ON A RESOLUTION OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA TO AUTHORIZE THE MANAGER TO EXECUTE THE PROFESSIONAL SERVICE AGREEMENT WITH KCI TECHNOLOGIES INC. FOR SLAB CABIN RUN STREAM RESTORATION PROJECT** 5 minutes

*David Modricker, Director of Public Works*

**Narrative**

At the regular meeting of the Board of Supervisors on April 18, 2023, the Board approved staff to solicit a RFP (request for proposals) for preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (a section of Slab Cabin and a section of Beaver Branch). The 2023 budget includes funding for this work in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies with significant stream restoration experience (HRG, Biohabitats, KCI Technology, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technology, Inc.). Staff evaluated the proposals based on certain criteria.

*Recommended motion: That the Board of Supervisors authorize the Manager to execute a professional services agreement with KCI Technology, Inc. for the preliminary design of the MS4 PRP Slab Cabin Run - Stream Restoration Project as outlined in the Township RFP and KCI's proposal in the amount of \$51,195.04.*

**Staff Recommendation**

That the Board of Supervisors **execute** the Agreement

**4. A PUBLIC HEARING ON A RESOLUTION OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA TO AUTHORIZE THE MANAGER TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH KCI TECHNOLOGIES INC. FOR THE**

**PRELIMINARY DESIGN OF THE BEAVER BRANCH STREAM RESTORATION PROJECT**

5 minutes

*David Modricker, Director of Public Works*

**Narrative**

At the regular meeting of the Board of Supervisors on April 18, 2023, the Board approved staff to solicit a RFP (request for proposals) for preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (a section of Slab Cabin and a section of Beaver Branch). The 2023 budget includes funding for this work in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies with significant stream restoration experience (HRG, Biohabitats, KCI Technology, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technology, Inc.). Staff evaluated the proposals based on certain criteria.

*Recommended motion: That the Board of Supervisors authorize the Manager to execute a professional services agreement with KCI Technology, Inc. for the preliminary design of the MS4 PRP Beaver Branch - Stream Restoration Project as outlined in the Township RFP and KCI's proposal in the amount of \$47,930.00*

**Staff Recommendation**

That the Board of Supervisors **execute** the Agreement.

**5. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING TOWNSHIP TO ENTER INTO AN AGREEMENT WITH CONSORTIUM PARTIES TO ACQUIRE THE SERVICES OF PRI MANAGEMENT GROUP OF CORAL GABLES, FL TO PROVIDE CONSULTING SERVICES RELATED TO REPLACEMENT OF THE RECORDS MANAGEMENT SYSTEM.**

**Narrative**

Provided with the agenda is a copy of the resolution for authorization the Township to enter into an agreement with Regional Records Management Consortium members to acquire the services of PRI Management Group of Coral Gables, FL to provide consulting services related to replacement of the current records management system. The current records management system went live in 2019. However, the vendor has not been able to fulfill contractual obligations regarding the system's functionality and therefore needs replaced.

The Consortium includes State College Borough, Townships of Ferguson and Patton, and Pennsylvania State University. The services provided by PRI Management Group includes: project management, needs assessment activities, procurement services, implementation oversight and closeout support. The total cost of services is \$167,400. Ferguson Township's share is 12.5% or \$20,925.

Provided with the agenda is a copy of the agreement between the Regional Records Management Consortium members and PRI Management Group, Coral Gables, FL.

**Staff Recommendation**

That the Board of Supervisors **adopt** the resolution.

**Staff Recommendation**

That the Board of Supervisors **adopt** the Resolution

**6. REVIEW OF THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA IMPLEMENTATION AGREEMENT**

*Centrice Martin, Township Manager*

10 minutes

**Narrative**

At their meeting on May 4, 2023, the COG Land Use and Community Infrastructure (LUCI) and the Centre Regional Planning Commission (CRPC) moved to forward the amended draft RGB and SSA Implementation Agreement to the municipalities for review. The Agreement is required to be reviewed every five years and the review is required to be completed prior to the end of 2023. Mr. May will summarize some of the proposed changes to the agreement. Staff is not proposing any substantive changes to the process to request an expansion of the RGB and SSA, or the process to review rezoning requests outside the RGB and SSA.

The RGB and SSA Implementation Agreement provides the guidance for the Centre Region municipalities to consider the merits of Development of Regional Impact applications and to provide advisory comments to municipalities that have proposed re-zonings outside the RGB and SSA.

The Board should provide any comments and suggestions to Mr. May. Any comments will be returned to the COG LUCI Committee and CRPC for consideration and forwarded to the COG General Forum for final action later this year.

**Staff Recommendation**

That the Board of Supervisors *receive and discuss* the presentation.

**7. REVIEW OF DRAFT ORDINANCE TO AMEND THE CODE OF ORDINANCES AS FOLLOWS: (1) SETTING A MAXIMUM SPEED LIMIT OF 35 MILES PER HOUR FOR EASTBOUND BLUE COURSE DRIVE BETWEEN WESTWIND DRIVE AND CIRCLEVILLE ROAD**

10 minutes

*Ron Seybert, Township Engineer*

**Narrative**

In conjunction with a capital improvement project on Blue Course Drive, staff worked with CATA regarding the relocation of a bus stop on Blue Course Drive. An existing bus stop on eastbound Blue Course Drive will be moved to the west side of Circleville Road. With the relocation, CATA expressed concern for traffic speed for eastbound Blue Course Drive between Westwind Drive and Circleville Road. The Township Engineer conducted a traffic study indicating this section of roadway meets criteria to be posted at 35mph.

*Recommended motion: That the Board of Supervisors authorize the Manager to advertise an ordinance for public hearing to set the maximum speed limit at 35mph for eastbound Blue Course Drive between Westwind Drive and Circleville Road.*

**Staff Recommendation**

That the Board of Supervisors *advertise* an ordinance for public hearing.

**8. DISCUSSION AND CONSIDERATION ON PROCESS FOR A ZONING ORDINANCE AMENDMENT AND ZONING MAP AMENDMENT**

10 minutes

*Jenna Wargo, Director of Planning and Zoning*

**Narrative**

Provided in the agenda is a draft zoning map amendment to the Village Zoning District in Pine Grove Mills, and a memorandum from staff summarizing areas of concern found in Chapter 27, Zoning as identified by the Pine Grove Mills Small Area Plan Advisory Committee (PGMSAP AC). At the March 7, 2023, the Board of Supervisors regular meeting, the Board chose to hold the referral of the Zoning Map Amendment until the Zoning Ordinance text.

Areas of concern as identified by the PGMSAP AC include:

- Lot sizes
- Uses (add schools, exhibit halls/museums, second floor residences above commercial)
- Shared parking regulations and requirements
- Landscaping/Buffer Yard Requirements

The Board is asked to discuss the proposed request for a zoning amendment and determine how staff should proceed with recommendations from the PGMSAP AC.

**Staff Recommendation**

That the Board of Supervisors **discuss** the process for an inclusive participatory process for amending the zoning ordinance.

**8. 125 EAST PINE GROVE ROAD PRELIMINARY LAND DEVELOPMENT PLAN**

*Jenna Wargo, Director of Planning and Zoning*

10 minutes

**Narrative**

Stahl Sheaffer Engineering has submitted on behalf of their client the 125 East Pine Grove Road Preliminary Land Development Plan, dated October 7, 2022, and last revised May 3, 2023. The 125 East Pine Grove Road Preliminary Land Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030-0000) and is zoned Village (V). The property is approximately 0.537 acres. Staff and Planning Commission has reviewed the proposed plan and is recommending approval with conditions as outlined in the Director of Planning & Zoning’s memorandum, dated May 31, 2023.

*Recommended motion:* That the Board of Supervisors approve the 125 East Pine Grove Road Preliminary Land Development Plan with conditions as outlined in the Planning Director’s memorandum date May 31, 2023.

**Staff Recommendation**

That the Board of Supervisors **approve** the 125 East Pine Grove Road Preliminary Land Development Plan with conditions.

**XII. COMMUNICATIONS TO THE BOARD**

**XIII. CALENDAR ITEMS – June**

- Parks & Recreation Committee, June 8
- Planning Commission, June 12, 26
- Tree Commission, June 20
- Pine Grove Mills Small Area Plan Advisory Committee, June 22

**XIV. ADJOURNMENT**

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, May 15, 2023

### ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, May 15, 2023 as a hybrid meeting. In attendance were:

<b>Board:</b>	Lisa Strickland, Chair	<b>Staff:</b>	Centrice Martin, Township Manager
	Patti Stephens, Vice Chair		Jaymes Progar, Assistant Township Manager
	Laura Dininni		Jenna Wargo, Director, Planning and Zoning
	Corey Gracie-Griffin		John Petrick, Chief of Police
	Jeremie Thompson		

Others in attendance included: Rhonda Demchak, Recording Secretary; Bill Keough, Ferguson Township Resident and Ferguson Township Planning Commission member; Nalini Krishnankutty, State College Borough Council member; Representative Scott Conklin; Detective Caleb Clouse, Ferguson Township Police Department; Sergeant Adam Hartswick; Morgen Hummel; Walt Schneider, Director of Centre Region Code Administration

### I. CALL TO ORDER

Ms. Strickland called the Monday, May 15, 2023, regular meeting to order at 7:00 p.m.

### II. PLEDGE OF ALLEGIANCE

### III. ANNOUNCEMENTS

Ms. Martin thanked and welcomed everyone to the meeting and noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a hybrid meeting with an option to attend online utilizing zoom and the main meeting room for any public members to participant. Persons attending the meeting as members of the public and wanted to participate were asked to state their name, municipality, and topic. Members of the public are to be muted during the meeting and must be acknowledged by the Chair. Board members are asked to indicate their name when motioning or seconding a motion so that the minutes are accurate.

Ms. Martin took Roll Call and there was a quorum.

Ms. Strickland reported they had an Executive Session on May 10<sup>th</sup> regarding land acquisition and personnel.

- a. A Proclamation of the Township of Ferguson, Centre County, Pennsylvania to recognize May 2023 as Asian American and Pacific Islander Heritage Month.

Ms. Nalini Krishnankutty, State College Borough Council member, thanked the Board and Manager for the proclamation. Ms. Krishnankutty acknowledged Sandy Fong and Grace Chang who are residents of Ferguson Township. Ms. Krishnankutty reported there are over 11,000 Asian Pacific Islander Desi American living and working in Centre County. Ms. Strickland read the proclamation that was included in the agenda packet.

Mr. Thompson moved that the Board of Supervisors **adopt** the Proclamation. Ms. Stephens seconded the motion. The motion passed unanimously.



- b. A Proclamation of the Township of Ferguson, Centre County, Pennsylvania to recognize Ferguson Township Police Department for outstanding achievement lead by Detective Caleb Clouse.

Detective Clouse thanked the Board for the proclamation and noted that the case was a team effort. Ms. Strickland read the proclamation that was included in the agenda packet. Chief Petrick thanked Detective Clouse and the team for their excellent work.

Mr. Gracie-Griffin moved that the Board of Supervisors **adopt** the Proclamation. Ms. Stephens seconded the motion. The motion passed unanimously.

- c. A Proclamation of the Township of Ferguson, Centre County, Pennsylvania to recognize and honor Sergeant Adam Hartswick.

Sergeant Hartswick thanked the Board for the proclamation and accepted it on behalf of all his fallen brothers and the wounded from May 14, 2013.

Representative Scott Conklin spoke about Sergeant Hartswick’s recovery and excelling in life.

Ms. Dininni thanked Sergeant Hartswick for his service and thanked the Township.

Ms. Morgan Hummel, Sergeant Hartswick’s mother read the proclamation that was included in the agenda packet.

Mr. Gracie-Griffin moved that the Board of Supervisors **adopt** the Proclamation. Mr. Thompson seconded the motion.

Ms. Stephens thanked Sergeant Hartswick and expressed appreciation.

Mr. Thompson, Mr. Gracie-Griffin, and Ms. Strickland thanked Sergeant Hartswick for his service.

The motion passed unanimously.

#### IV. PUBLIC INPUT

There were none.

#### V. APPROVAL OF MINUTES

- 1. May 2, 2023 – Board of Supervisors Regular Meeting Minutes

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of May 2, 2023. Mr. Gracie-Griffin seconded the motion. The motion passed unanimously.

#### VI. AUTHORITIES, BOARDS, AND COMMISIONS REPORT

There were no reports.

#### VII. SPECIAL REPORTS

- 1. Diversity, Equity, and Inclusionary Initiatives and Acknowledgements – Jewish-American Heritage Month, National Asian American and South Pacific Islander Heritage Month, Bike Month, Police

Week, 5/15-21, EMS Week 5/21-27, Public Works Week 5/21-27, Administrative Offices Closed for Memorial Day 5/29.

2. Township and Fiscal Responsibility – no report.
3. Community and Economic Development – no report.
4. Environment – no report.

## VIII. COG AND REGIONAL COMMITTEE REPORTS

### 1. COG COMMITTEE REPORTS

#### a. Human Resources Committee

Mr. Thompson reviewed the agenda from May 3<sup>rd</sup> that was included in the agenda packet.

#### b. Land Use and Community Infrastructure/Centre Region Planning Commission

Ms. Strickland reviewed the agenda that was included in the agenda packet.

#### c. Climate Action & Sustainability Committee – Cancellation notice

#### d. Public Safety Committee

Ms. Stephens stated that her report is included in the agenda packet.

#### e. Facilities/Finance Committee

Ms. Dininni stated that most of the meeting was spent on a sub section of the Capital Improvement Plan (CIP) regarding the engineering/design of the restroom and concession stand at Hess Field with adding the construction into the CIP.

Mr. Gracie-Griffin expressed frustration and concerns that other Townships are pushing to increase the CIP. Mr. Gracie-Griffin stated that even though Ferguson Township has a much larger share of the cost of all the parks, Ferguson Township will have the same amount of votes as smaller townships and it should be addressed.

The Board discussed and agreed that if the Millbrook Marsh is in the regional park system a different funding model needs to be discussed with the COG. Ms. Strickland will take the item to the Executive Committee.

Mr. Gracie-Griffin moved that the Board of Supervisors **charge** Chair Strickland to take to the Executive Committee of the COG to discuss the Millbrook Marsh, its relationship to the regional parks, the funding formula, and its governance structure. Ms. Stephens seconded the motion. The motion passed unanimously.

## IX. STAFF REPORTS

#### a. Manager's Report

Ms. Martin stated that her report is included in the agenda packet.

#### b. Public Works Director Report

Mr. Modricker's report is included in the agenda packet.

c. Planning and Zoning Report

Ms. Wargo's report is included in the agenda packet.

d. Chief of Police

Chief Petrick noted that his report is included in the agenda packet.

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**1. CONSENT AGENDA**

- a. Agreement for phone replacement
- b. Acceptance of Ms. Shannon Holliday's resignation, with regrets, from Pine Grove Mills Small Area Plan Advisory Committee
- c. Reject Bid 2022-C16 Accessible Pedestrian Signals and Ramp Upgrades Bids and Cancel Contract.
- d. Pay Application: 2018-C20U Park Hills Drainage; \$98,287.19
- e. Pay Application: Myco Mechanical, Inc. for payment 2 for contract 2022-C20; \$102,663.00
- f. Approve joining the Pennsylvania Municipal League and other Pennsylvania Local Government Associations in an Amicus Curiae brief in support of the Borough of West Chester in its appeal to the Pennsylvania Supreme Court concerning the Commonwealth Court's ruling in West Chester Borough vs. PA State System of Higher Education and West Chester University.
- g. Rescind Resolution No. 2023-10 as Happy Valley Adventure Bureau will transfer the grant application to Millheim Borough for the grant administration of the Rt. 45 Getaways Event.

Ms. Stephens moved that the Board of Supervisors **approve** the consent agenda. Mr. Thompson seconded the motion. The motion passed unanimously.

**2. Public Hearing Certifying Local Match for CATA Fiscal Year 2023-2024**

Ms. Martin noted that provided with the agenda is a copy of the resolution establishing the Township's contribution to the Centre Area Transportation Authority (CATA) for operating funds in an amount of \$137, 248.00 and capital funding in an amount of \$18,595.00 for the CATA fiscal year beginning July 1, 2023, and ending June 30, 2023. Contributions for the 2022 – 2023 CATA fiscal year totaled \$129,976.00 for operating funds and \$17,620.00 for capital funding.

Public Hearing – There we no comments and the hearing closed.

Mr. Gracie-Griffin moved that the Board of Supervisors **adopt** the resolution certifying provision of local match for State Operating and Capital Financial Assistance to the Centre Area Transportation Authority for fiscal year 2023 – 2024. Ms. Stephens seconded the motion.

Ms. Dininni asked if the funding formula will be reviewed. Ms. Strickland reported that it will be evaluated. Ms. Martin reported that a committee is revising the formula and that it will be in place for next year.

**ROLL CALL: MS. STRICKLAND – YES; MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES**

3. Public Hearing Authorizing Filing of Grant Application to Appalachian Regional Commission (ARC)

Ms. Martin noted that provided with the agenda is a copy of the resolution for authorization for a grant application submission to Appalachian Regional Commission. This opportunity is for a grant match to obtain a consultant for assistance with design and development of a master plan pursuing economic and enterprise strategies that promote economic diversification from within the Township. The Appalachian Regional Commission administers the Area Development Program and relies on a flexible “bottom up” approach to economic development, empowering communities to design impactful investment opportunities that support their mission and investment priorities.

Public Hearing – There we no comments and the hearing closed.

Ms. Stephens moved that the Board of Supervisors **adopt** the resolution and authorize the Township Manager to file a grant application with the Appalachian Regional Commission. Mr. Gracie-Griffin seconded the motion. The motion passed unanimously.

Ms. Dininni had questions about the process and costs. Mr. Gracie-Griffin stated that he has worked with the organization ARC and they will not force the Township to do anything they do not want to do.

**ROLL CALL: MS. STRICKLAND – YES; MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES**

4. Public Hearing Authorizing Submission of Grant Application from PADOT for 2024-2026 Traffic Safety

Chief Petrick noted that provided with the agenda is a copy of the resolution authorizing the submission of the Pennsylvania Department of Transportation’s FFY2024-2026 Police Traffic Services Enforcement Grant Program. The grant will provide funding for enforcement activities in Ferguson Township, Patton Township, Spring Township, State College Borough, and the Centre County Sheriff’s Department. The grant encompasses funding for DUI enforcement, Aggressive Driving, Unrestrained drivers (seat belts) Enforcement and Pedestrian Safety.

According to early estimates of 2022 crash data, approximately 445 traffic-related fatalities involved an impaired driver, 352 motorists were fatally injured while unrestrained, 116 lost their lives in an aggressive driving-related crash, 166 people died due to speeding crashes and 184 pedestrians were killed. This grant program is aimed at addressing the largest contributing factors resulting in a traffic-related fatality. These factors include impaired driving, seat belt usage, aggressive driving/speeding, and pedestrian safety.

Public Hearing – There we no comments and the hearing closed.

Mr. Thompson moved that the Board of Supervisors **adopt** the resolution authorizing the submission of an application for a grant from Pennsylvania Department of Transportation’s FFY2024-2026 Police Traffic Services Enforcement Grant Program and authorizing the Township Manager to sign all documents related to the grant on behalf of the Township. Ms. Stephens seconded the motion.

**ROLL CALL: MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES; MS. STRICKLAND – YES**

5. Public Hearing Repealing Resolution 2006-24 & Adopting Amended Procurement Policy

Ms. Martin noted that provided with the agenda is an updated version of the 2006 procurement card policy that details the management for process and practice for the use of Township procurement cards.

Public Hearing – There we no comments and the hearing closed.

Mr. Thompson moved that the Board of Supervisors **repeal** Resolution 2006-24 and **adopt** the resolution to amend the purchasing and procurement policy. Mr. Gracie-Griffin seconded the motion.

**ROLL CALL: MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES; MS. STRICKLAND – YES; MS. STEPHENS – YES**

6. Discussion – Update to Centre Region Building Safety & Property Maintenance Code

Ms. Martin reported that Centre Region Code Administration proposes changes to the Centre Region Building Safety and Property Maintenance Code, 2017 edition (PM Code). Centre Region Code Administration conducted a participatory process with stakeholders to receive input for changes to the Code. Provided with the agenda is a copy of the changes in track changes. On May 2, 2023, Walt Schneider, Director of Centre Region Code Administration, provided an overview of the amendment to staff. The Board of Supervisors is asked to discuss the Code prior to the enactment tentatively scheduled for June. Mr. Schneider is in attendance to discuss the amendment with the Board. The Board is asked to continue the review of the code, provide feedback for additional information, and raise any questions regarding proposed amendments. No action is required.

Mr. Schneider discussed the three major changes that included Chapter 11, bringing the document up to date regarding code language, and required notifications for inspections and right of entry.

Mr. Schneider discussed the temperature range in Section 602.2 on page 263 of the agenda packet.

Ms. Dininni suggested that Ferguson Township include visibility sections like the Borough has. Mr. Schneider noted that he did not need a motion because the Board will review a proposed ordinance in June 2023.

Ms. Strickland expressed concerns with tenants needing to supply their utilizing costs to the landlords.

7. Zoning Variance - 2616 Tadpole Road

Ms. Wargo stated that on April 24, 2023, Merle Eyer submitted an application for a variance hearing at 24-006-046B-0000. The property is zoned Rural Residential (RR) and the applicant is requesting a variance from the RR setback requirements to add an addition to the 20' x 30' existing structure. The additional would encroach 10' into the setback.

Ms. Stephens moved that the Board of Supervisors **remain** neutral. Mr. Gracie-Griffin seconded the motion.

Ms. Wargo stated that the structure was built prior to the Township's zoning ordinance.

The motion passed unanimously.

**XII. COMMUNICATIONS TO THE BOARD**

Mr. Thompson reported that he received a communication regarding tall grass and forwarded it to Township staff.

**XIII. CALENDAR ITEMS –MAY**

- a. Election Day, May 16
- b. Planning Commission Meeting, May 22
- c. Spring Bulk Waste Collection, May 22-26
- d. Pine Grove Mills Small Area Plan Advisory Committee, May 25

**XIV. ADJOURNMENT**

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting with Ms. Strickland seconding the motion. The motion passed unanimously. The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Centrice Martin, Township Manager  
for the Board of Supervisors

**SCBWA Report to Ferguson Township Supervisors**  
**Date: June 6, 2023, meeting**

1. Name of Representative: Ford Stryker
2. Reporting on: State College Borough Water Authority
3. Requires Supervisors comments/response: NO
4. Links to SCBWA agendas and minutes: See following website  
<https://www.scbwa.org/board-meetings>.
5. Copy of SCBWA May meeting agenda, see attached.
6. Brief overview of authority actions related to Ferguson Township:
  - There have been no significant SCBWA board actions since my report in March.

Attachment:  
May meeting agenda

# CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 Fax: (814) 231-3083 Website: [www.crcog.net](http://www.crcog.net)

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## EXECUTIVE COMMITTEE

Hybrid Meeting

May 17, 2023

2:00 PM

GENERAL MEETING INFORMATION	
<u>RSVP</u>	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZ0sf6spjwoH91ZVVTx3U307ZzeZkOPpyeR">https://us02web.zoom.us/meeting/register/tZ0sf6spjwoH91ZVVTx3U307ZzeZkOPpyeR</a>
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZ0sf6spjwoH91ZVVTx3U307ZzeZkOPpyeR">https://us02web.zoom.us/meeting/register/tZ0sf6spjwoH91ZVVTx3U307ZzeZkOPpyeR</a>
	To attend this meeting by phone: +1 929 205 6099   Meeting ID: 891 8748 7259
In-Person Participants	<b>COG Building – General Forum Room</b> 2643 Gateway Drive, State College, PA 16801
Meeting Contact: Scott Binkley   email: <a href="mailto:sbinkley@crcog.net">sbinkley@crcog.net</a>   814-235-7818	
<p style="text-align: center;"><a href="#">Click HERE to locate the AGENDA and ATTACHMENTS</a> <i>Should you desire to annotate any attachments you must download them first.</i></p>	

- To simplify meeting management and to ensure that all attendees have equal ability to participate, the Chat feature has been disabled on the Zoom platform. A recording of the meeting will be made available on the COG website upon its conclusion.
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- To access agendas and minutes of previously held meetings, and to learn more about the COG Executive Committee on our website, please click [HERE](#).



## EXECUTIVE COMMITTEE

Hybrid Meeting

May 17, 2023

2:00 PM

### AGENDA SUMMARY

1.	CALL TO ORDER AND ROLL CALL
2.	PUBLIC COMMENTS
3.	NEW AGENDA ITEMS
4.	CONSENT AGENDA
CA-1	Approval of Minutes: April 19, 2023 - Executive Committee Meeting
5.	ENERGY PROCUREMENT AGREEMENT
6.	CAPITAL IMPROVEMENT PLAN 2024 - 2028 RECOMMENDATION
7.	ELECTED OFFICIAL/STAFF COMMUNICATION PROTOCOL
8.	EXECUTIVE DIRECTOR'S REPORT
9.	OTHER BUSINESS
10.	CALENDAR
11.	HELPFUL REFERENCE LINKS
12.	RECESS TO AN EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER
13.	ADJOURNMENT

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## **EXECUTIVE COMMITTEE**

Hybrid Meeting

May 17, 2023

2:00 PM

## **AGENDA**

1. **CALL TO ORDER AND ROLL CALL**

Chair will convene the meeting. Staff will take a roll call of committee members.

2. **PUBLIC COMMENTS**

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit please). Comments relating to specific items on the agenda should be deferred until that point in the meeting. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

3. **NEW AGENDA ITEMS**

Executive Committee members may request additional items of business be added to this meeting's agenda. If approved by a majority vote of the members, the proposed new agenda item(s) will be placed on the agenda at the discretion of the Chair.

4. **CONSENT AGENDA (Action)**

The following items listed on the Consent Agenda portion of the Executive Committee agenda may be approved with a single motion by the Executive Committee unless a Committee member or member of the public requests that an item be removed from the Consent Agenda for a question or further discussion.

CA-1 **APPROVAL OF MINUTES**

**Enclosed** is a copy of the minutes of the April 19, 2023, Regular Executive Committee meeting.

*Approval of this item approves the listed minutes of previous meetings.*

**Consent Agenda Approval Motion:**

***“That the Executive Committee approves item CA-1 as listed on the April 19, 2023, Executive Committee Consent Agenda.”***

**All municipalities should vote on this motion.**

5. ENERGY PROCUREMENT AGREEMENT (Action)

Executive Committee members are asked to consider a Finance Committee recommendation to extend an electricity contract.

In June 2021, the Executive Director entered a contract between the Centre Region COG and Premier Power Solutions to provide consulting services relating to the aggregation of COG's energy usage with the energy usage of other participating governments to obtain the best price possible. The COG's electricity contract is set to expire in June 2023. The Solar Power Purchase Agreement process is expected to take effect in the next several months but will not be finalized by June. The SPPA contracts are being reviewed and negotiated by our consultant and the SPPA Project Management Team (PMT).

Staff has requested pricing from David Kristian of Premier Power Solutions, the current retail services provider, and Direct Energy, the retail services provider for the SPPA. **Enclosed** are current estimates for energy prices from Premier Power. The pricing from Direct Energy is anticipated to change and updated figures will be available prior to the meeting. COG staff recommends a six-month purchase with an end-of-contract date of December 31, 2023, with Direct Energy as it is the intent to remain consistent with the timeline expectations for the Solar Power Purchase Agreement project.

On May 11, 2023, the Finance Committee, at its joint meeting with the Facilities Committee, reviewed and discussed this matter. The motion as approved by the Finance Committee is shown as follows.

*That the Finance Committee recommends that the General Forum authorize the Executive Director to enter into a contract extension to purchase electricity on the open market through Direct Energy to obtain financial advantage of purchasing electric power in large quantities through the remainder of 2023.*

Executive Committee members are asked to consider forwarding the Finance Committee's recommendation to purchase electricity on the open market for the six-month time period to the General Forum for consideration. To proceed, the Executive Committee could consider referring the following motion to the General Forum:

*“That the Executive Committee, as recommended by the Finance Committee, recommends that the General Forum authorize the Executive Director to enter into a contract extension to purchase electricity on the open market with Direct Energy as to obtain financial advantage of purchasing electric power in large quantities through the remainder of 2023.”*

**All municipalities should vote on this motion.**

**Enclosed** are the minutes from the June 2021 General Forum meeting when the last energy contract was voted upon.

Further, the Executive Committee is asked to consider whether to authorize the Executive Director to purchase Renewable Energy Credits (RECs), to match the above purchase of power, in support of the Centre Region Council of Government's climate action and sustainability commitments. In June 2021, when the current electric supply contract was entered into, the General Forum directed staff to obtain pricing for RECs to match the power supply purchased to enable the COG facilities to be powered by renewable energy. Staff has requested pricing for RECs to match the period through the end of the year and plans to present this information to the Executive Committee during the upcoming meeting. Direction is sought from Executive Committee members and for a potential recommendation for the General Forum to consider.

*“That the Executive Committee recommends that the General Forum approves purchasing electric power utilizing renewable energy credits through Direct Energy for the remainder of 2023.”*

**All municipalities should vote on this motion.**

6. CAPITAL IMPROVEMENT PLAN 2024 – 2028 RECOMMENDATION – Presented by Eric Norenberg

On May 11, 2023, the Finance and Facilities Committees met jointly to discuss the 2024 – 2028 Capital Improvement Plan (CIP). During the review and discussion of the municipal comments, a recommendation was made by Mr. Graham. The following motion was voted on jointly by the Committees and was approved by an 8-4 vote.

*That the Finance and Facilities Committees recommend to the General Forum that the CIP Plan for 2024-2028 be amended to prioritize the completion of the Hess Softball Complex project to add bathroom/concession and storage facilities, for design in 2024 as currently planned and to include for 2025 an estimate of the cost to start construction on this project in 2025.*

The Executive Committee is asked to consider forwarding this item to the General Forum. If Executive Committee members agree, the following motion could be considered.

*“That the Executive Committee as recommended by the Finance and Facilities Committees recommend to the General Forum that the CIP Plan for 2024-2028 be amended to prioritize the completion of the Hess Softball Complex project to add bathroom/concession and storage facilities, for design in 2024 as currently planned and to include for 2025 an estimate of the cost to start construction on this project in 2025.*

**All municipalities may vote on this motion.**

7. ELECTED OFFICIAL / STAFF COMMUNICATION PROTOCOL – Presented by Eric Norenberg

Executive Committee members are asked to review, discuss, provide any feedback, and consider approving the **enclosed** procedure designed to guide staff when contacted by Centre Region Municipal Elected Officials or Municipal Managers.

If members agree with the document, this procedure will be shared with staff, and General Forum members by way of Matter of Record, and included for reference with other COG governance documents for review by elected officials, COG staff, and others on the COG Governance SharePoint site.

8. EXECUTIVE DIRECTOR'S REPORT

The Executive Director will update the Executive Committee on other items of current interest.

May General Forum Agency Director Updates:

Emergency Management - Main discussion points will be reported to General Forum members as discussed at the May 9, 2023, Public Safety Committee meeting related to the Emergency Medical Services Annual Update.

Centre Regional Planning Agency (CRPA) - A summary report will be provided regarding the regional activities that were conducted to promote National Bike Month in May.

9. OTHER BUSINESS

- A. Matter of Record - The next meeting of the Executive Committee is scheduled to be a hybrid meeting on **Tuesday, June 20, 2023, at 12:15 PM.**
- B. Matter of Record - At the May 11, 2023, Joint meeting of the Facilities and Finance Committees, municipal comments were discussed on the 2024-2028 Capital Improvement Plan (CIP). **Enclosed** are the municipal comments received to date. Municipal comments will be transposed to a matrix and staff responses included. The completed matrix will be provided in the June 8, 2023, Finance Committee meeting agenda packet and utilized to guide staff in their efforts in preparing the 2024 Program Plan and COG Budget.
- C. Matter of Record - Please see the **enclosed** tables for the Whitehall Road Regional Park project that were shared with the Parks and Recreation Authority at its May 5, 2023 meeting.
- D. Matter of Record - Please see the **enclosed** tables for the Millbrook Marsh Nature Center project that were shared with the Parks and Recreation Authority at its March 31, 2023 meeting.
- E. Matter of Record - The Centre Region Code Agency (CRCA) disposed of six (6) vehicles via transfer of ownership to the State College Area School District (SCASD) for use in the Career & Technology Center Automotive Technology program. The cost to repair these vehicles for various reasons (frame and transmission issues) exceeded the value of the vehicles. Therefore, in consultation with the Finance Director prior to his departure, the participating municipalities were offered first right of refusal prior to granting ownership transfer rights to the SCASD in accordance with the policy on the disposal of assets. **Enclosed** is a thank you letter signed by students of the State College Area School District Career and Technical Center - CTC.

- F. Matter of Record - COG is partnering with the CBICC to host energy educational sessions for businesses, local government, and non-profits. The remaining session will cover the topic of energy efficiency on June 8. Information and registration for the EnergyBiz series: <https://www.cbicc.org/events.html>. **Enclosed** is a flyer with additional information.
- G. Matter of Record - After being defunct for over a year, the Pennsylvania Association of Councils of Governments (PACOG) has been rebooted. With the help of the Pennsylvania Department of Community and Economic Development (DCED) and other partners, PACOG stakeholders met on May 2 and a new board of directors was formed (COG Executive Director was elected to the Board to represent central Pennsylvania). The new board has been charged with preparing new bylaws, obtaining a 501(c)3 tax exemption to obtain grants and assistance from DCED, and entering into an agreement with the Pennsylvania Economy League executive director and support services (partial funding from DECD). Key goals will be for the PACOG to provide more direct assistance to existing councils of government, as well as to municipalities seeking to provide shared services and collaboration by forming a COG.
- H. Matter of Record - The CPI-U for the unadjusted 12 months ending March, 2023 was 5.0%. According to the COG formula, the 2024 COLA will be based on the average of the 12-month changes from July 2022 through June 2023. For the first nine months of the measurement period (July 2022 - March 2023), the 2024 COLA is trending towards 7.1% (and decreasing). The Human Resources Committee was notified of this and plans to have further consideration on the topic in June.
- I. Matter of Record - The Solar Power Purchase Agreement Working Group is looking beyond the point where contracts are signed to generate and use power, ongoing management activities for the project are being investigated. The solar consultant has provided the **enclosed** document outlining the activities and services which could be provided. The project management team recommended to the working group that GreenSky be retained for these services as a result of the understanding of and relationship built for the project. The fee, which will be shared by the member organizations, is expected not to exceed \$50,000 annually.

Initially, the fee will be paid by the State College Area School District with reimbursement occurring under a cost-sharing agreement with the member organizations for a period of five years which will match the delivery and supply contract. After the initial five years, the cost-sharing agreement will be reviewed to reflect the current delivery and supply contract, which may include a change to a brokerage fee structure that would assess the fee based on actual power usage.

The SPPA Working Group will be preparing a contract and cost-sharing agreement for its members to consider at an upcoming meeting.

- J. Matter of Record - The following represents a list of vacancies of COG full-time and part-time, year-round positions:

- **Admin** – Finance Director – GovHR has been engaged to assist in the recruitment of the position through their virtual recruitment service. Several screening interviews have taken place and rolling interviews will be conducted as qualified candidates are identified. In the interim, Ms. Jennifer Steigelman of Government Financial Solutions is filling the role of Interim Finance Director.
  - **Fire** – Assistant Chief – Position is currently vacant and will remain vacant for the foreseeable future with the creation of the Captain position.
  - **Fire** – Director – Position is currently filled by Interim Director, Mr. Shawn Kauffman, funded through the Fire budget. Part-time Deputy EM Coordinator, Mr. Derek Hoover, has picked up additional hours and responsibilities under the EM budget. The deadline for applications was April 30, 2023, staff will begin working with Municipal Resources, Inc. (MRI) to screen applications, conduct screening interviews, and ultimately conduct an Assessment Center with the top candidates.
  - **Parks** – Director – Position is currently filled by Interim Director, Ms. Kristy Owens. Screening interviews wrapped up on Wednesday, April 26, and soon in-person interviews will be conducted with the top candidates.
  - **Parks** – Caretaker I – An offer of employment was accepted and Ms. Riley Wiesinger will begin employment on Monday, May 22, 2023.
  - **Planning** – Senior Land Use Planner – This is a split position for a Senior Planner for Halfmoon Township and the Regional Program. The CRPA readvertised for this position in January and has conducted rolling interviews as qualified candidates are identified. The position remains open until filled.
- K. Matter of Record – The Refuse and Recycling Program recently extended the deadline for the Request for Quotes for consulting services for the solid waste collection contract to be due by May 19, 2023. The Climate Action and Sustainability Committee will review the quotes and select a consultant or consulting team at its June 12, 2023, meeting.
- L. Matter of Record – Planning Intern: Ben Dworsky, a local resident and junior at Penn State majoring in Community, Environment, and Development with a minor in Civic and Community Engagement started a summer internship with the CRPA on May 15, 2023. Planned projects for Ben include helping prepare the Centre Region for public electric vehicle (EV) charging infrastructure by identifying potential changes to zoning ordinances to facilitate EV infrastructure for passenger vehicles and e-bikes; reviewing best practices from other communities to potentially increase the inventory of accessory dwelling units in the Centre Region; and research best practices to preserve large-lot agricultural uses in the Region.
- M. Matter of Record – William Wyatt, a York resident and student at Penn State York majoring in Business and Corporate Communications will be starting a summer internship with CRPA’s Sustainability Program beginning on May 29, 2023. Planned projects for William include assisting with the development of one or more aspects of a public outreach program; identifying best practices to implement a climate action and adaptation plan; working with professionals, elected officials, the public, and other

stakeholders; collecting, tracking, and assessing sustainability performance indicators; and measuring results of the performance indicators.

- N. Matter of Record - To watch an informational session on the Centre Region Council of Governments (COG) please go to <https://www.crcog.net/orientation>. This video is designed to provide an informational overview of COG, its operations, and its agencies. If you have questions regarding this video please contact COG Executive Director, Eric Norenberg at [enorenberg@crcog.net](mailto:enorenberg@crcog.net).
- O. Matter of Record - Connect with Us! To be included on email distribution lists to receive agenda packets and more, sign up at [www.crcog.net/connect](http://www.crcog.net/connect).
- P. Matter of Record - A COG Committee assignments roster can be found on the COG website at <https://www.crcog.net/cogcommitteeassignments>.
- Q. Matter of Record - You can subscribe to the official COG YouTube channel by going to [youtube.com/@crcog](https://youtube.com/@crcog). Staff has begun to live stream some of its meetings as well as started to include informational videos on COG and its services to educate viewers.
- R. Matter of Record - In 2022, COG staff installed acoustical sound panels throughout the General Forum meeting room to help improve the audio aspects of its meetings. Your feedback is appreciated in completing this short survey <https://www.surveymonkey.com/r/Z8SSQLZ> to determine if these improvements have had a positive impact compared with the meetings you may have attended earlier this year. Your participation in this survey will help direct staff to determine any possible next steps.

## 10. CALENDAR

A calendar with upcoming COG committee, General Forum, and municipal meetings can be found by clicking the following link: [COG and Municipal Meeting Overlay Calendar](#)

## 11. HELPFUL REFERENCE LINKS

Repositories of helpful information have been assembled for use by the elected officials and COG staff:

- Governance policies, procedures, and other related documents can be viewed on SharePoint by clicking [here](#) or going to <https://www.crcog.net/governance>.
- Updates on current COG Studies and Projects can be found by clicking [here](#) or going to <https://bit.ly/3vZP8Zs>.
- The COG's *Program Preface* is now online at <https://www.crcog.net/preface>. The *Program Preface* is designed to educate current, prospective, and incoming elected officials; prospective and current staff; municipal officials; and others by providing historical background information for each of the COG Budgets.



- The Whitehall Road Regional Park project site facilitates easy access to documents, resources, and current information about the project. Staff continues to develop and update the site which can be found at <https://www.crcog.net/wrrpinfoguide>.
- COG Facilities Reference information can be found at: <https://bit.ly/3qnEbMA>. The Facilities Committee uses this information as a collection point and serves as a resource for new members of the Committee as well as others. Please contact Kathy at [kbisko@crcog.net](mailto:kbisko@crcog.net) for access.

12. RECESS TO AN EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

The Chair will adjourn the meeting to an Executive Session at this point for the committee to discuss a personnel matter.

13. ADJOURNMENT

ENCLOSURES

<u>Item #</u>	<u>Description</u>
CA-1	<a href="#">March 21, 2023 – Executive Committee Meeting Minutes</a>
05-A	<a href="#">Premier Power Solutions Estimates</a>
05-B	<a href="#">June 2021 - General Forum Minutes</a>
07	<a href="#">Elected Official / Staff Communication Protocol</a>
09-B1	<a href="#">CIP 2024-2028</a>
09-B2	<a href="#">College Township – 2024-2028 CIP Comments</a>
09-B3	<a href="#">Patton Township – 2024-2028 CIP Comments</a>
09-B4	<a href="#">Halfmoon Township – 2024-2028 CIP Comments</a>
09-B5	<a href="#">SC Borough – 2024-2028 CIP Comments</a>
09-B6	<a href="#">Ferguson – 2024-2028 CIP Comments</a>
09-B7	<a href="#">Harris Township - 2024-2028 CIP Comments</a>
09-C1	<a href="#">2023 MAY 05 Project Summary Report</a>
09-C2	<a href="#">2023 MAY 05 Table 4 WRRP CHANGE ORDER SUMMARY</a>
09-D1	<a href="#">MMNC FOR REVIEW Project Summary FEB 2023</a>
09-D2	<a href="#">MMNC FOR REVIEW Budget Breakdown FEB 2023</a>
09-E	<a href="#">CTC - Donation Letter</a>
09-F	<a href="#">EnergeryBiz Flyer</a>
09-I	<a href="#">Solar RFP On-going Services - DRAFT 032923</a>

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## PARKS AND RECREATION GOVERNANCE SPECIAL COMMITTEE

Hybrid Meeting

May 24, 2023

8:30 AM

GENERAL MEETING INFORMATION	
<u>RSVP</u>	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZUscemuqDwvH9c0bIWYDpZjkTfAaTsGMn-w">https://us02web.zoom.us/meeting/register/tZUscemuqDwvH9c0bIWYDpZjkTfAaTsGMn-w</a>
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZUscemuqDwvH9c0bIWYDpZjkTfAaTsGMn-w">https://us02web.zoom.us/meeting/register/tZUscemuqDwvH9c0bIWYDpZjkTfAaTsGMn-w</a>
	To attend this meeting by phone: +1 929 205 6099   Meeting ID: 811 6066 7553
In-Person Participants	<b>COG Building – General Forum Room</b> 2643 Gateway Drive, State College, PA 16801
Meeting Contact: Scott Binkley   email: <a href="mailto:sbinkley@crcog.net">sbinkley@crcog.net</a>   814-235-7818	
<a href="#">Click HERE to locate the AGENDA and ATTACHMENTS</a> <i>Should you desire to annotate any attachments you must download them first.</i>	

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- To access agendas and minutes of previously held meetings, and to learn more about the COG Parks and Recreation Governance Special Committee on our website, click [HERE](#).

**PARKS AND RECREATION GOVERNANCE  
SPECIAL COMMITTEE**

Hybrid Meeting

May 24, 2023

8:30 AM

**AGENDA SUMMARY**

1.	CALL TO ORDER AND ROLL CALL
2.	PUBLIC COMMENTS
3.	NEW AGENDA ITEMS
4.	APPROVAL OF MINUTES
5.	FACILITATION PLAN FOR UPCOMING WORK
6.	OTHER BUSINESS
7.	CALENDAR
8.	HELPFUL REFERENCE LINKS
9.	ADJOURNMENT

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## PARKS AND RECREATION GOVERNANCE SPECIAL COMMITTEE

Hybrid Meeting

May 24, 2023

8:30 AM

### AGENDA

1. CALL TO ORDER AND ROLL CALL

Chair will convene the meeting. Staff will take a roll call of committee members.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit please). Comments relating to specific items on the agenda should be deferred until that point in the meeting. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

3. NEW AGENDA ITEMS

Committee members may request additional items of business be added to this meeting's agenda. If approved by a majority vote of the members, the proposed new agenda item(s) will be placed on the agenda at the discretion of the Chair.

4. APPROVAL OF MINUTES (Action)

**Enclosed** is a copy of the minutes of the April 26, 2023, Parks and Recreation Governance Special Committee meeting.

5. FACILITATION PLAN FOR UPCOMING WORK (Discussion / Action) – Presented by Eric Norenberg, and Ms. Nancy Hess

During its last meeting, the Special Committee agreed to retain Nancy J. Hess, HR & Organization Development Consultant, to facilitate the future work of the Special Committee. Ms. Hess has prepared a proposed plan (**enclosed**) that includes a combination of facilitated half-day retreats and regular 1.5-hour meetings.

Ms. Hess will attend the meeting to review the proposed plan and schedule, as well as the outline (**enclosed**) for the planned July retreat and an exercise (**enclosed**). The members of the Special

Committee are asked to come prepared to agree to a schedule for a half-day retreat in July, tentatively to be held in the Downsborough Community Room at Schlow Centre Region Library.

Possible Dates/Times Include:	
9:00 AM - 3:30 PM	Wednesday, July 19
9:00 AM - 12:30 PM	Monday, July 24
9:00 AM - 11:30 AM	Wednesday, July 26 (normal meeting day)
9:00 AM - 3:30 PM	Friday, July 28

In addition, the Committee is asked to consider approving the following motion:

*“That the Parks and Recreation Governance Special Committee requests that the Finance Committee review and recommend that the General Forum approve the use of Contingency Funds in the amount of \$5,000 to retain a facilitator for the Parks and Recreation Governance Special Committee during 2023.”*

**Halfmoon Township should abstain from voting on this motion.**

6. OTHER BUSINESS

A. Matter of Record - Due to scheduling conflicts and the preparation for the July retreat, the June 28, 2023, meeting of the Parks and Recreation Governance Special Committee will be cancelled.

7. CALENDAR

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8. HELPFUL REFERENCE LINKS

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9. ADJOURNMENT

ENCLOSURES

<u>Item #</u>	<u>Description</u>
04	<a href="#">April 26, 2023 - Parks and Recreation Governance Special Committee Meeting Minutes</a>
05-A	<a href="#">NJH CRCOG Facilitator Services Prp 5.9.23</a>
05-B	<a href="#">CRPR Special Committee Retreat Outline - Google Docs</a>
05-C	<a href="#">Retreat Hat Exercise</a>



# CENTRE REGION COUNCIL OF GOVERNMENTS

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## AGENDA SUMMARY

1.	CALL TO ORDER AND ROLL CALL
2.	PUBLIC COMMENTS
3.	NEW AGENDA ITEMS
4.	CONSENT AGENDA
4a.	Approval of March 2, 2023 LUCI meeting minutes
4b.	Approval of May 4 Joint LUCI and CRPC meeting minutes
5.	CENTRE COUNTY SOLUTIONS-BASED AFFORDABLE HOUSING STUDY - PRELIMINARY OPPORTUNITIES AND CHALLENGES IN THE CENTRE REGION
6.	CENTRE REGION 2040 DRAFT SCHEDULE AND UPCOMING COMMUNITY ENGAGEMENT
7.	OTHER BUSINESS
8.	ADJOURNMENT



## LAND USE AND COMMUNITY INFRASTRUCTURE (LUCI) COMMITTEE

Hybrid Meeting  
Thursday June 1, 2023  
12:15 PM

### Agenda

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1. CALL TO ORDER AND ROLL CALL

Mr. Hameister will convene the meeting. Staff will take a roll call of committee members.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit please). Comments relating to specific items on the agenda should be deferred until that point in the meeting. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

3. NEW AGENDA ITEMS

Members may request additional items of business be added to this meeting's agenda. If approved by a majority vote of the members, the proposed new agenda item(s) will be placed on the agenda at the discretion of the Chair.

4. CONSENT AGENDA

The following items listed on the Consent Agenda portion of the Committee agenda may be approved with a single motion by the Committee unless a Committee member or member of the public requests that an item is removed from the Consent Agenda for a question or further discussion.

4.a APPROVAL OF MINUTES – The minutes of the March 2, 2023 meeting are **enclosed**.

4.b APPROVAL OF MINUTES – The minutes of the May 4, 2024 Joint LUCI and CRPC meeting are **enclosed**

**All members may vote to approve the consent agenda.**

5. CENTRE COUNTY SOLUTIONS-BASED AFFORDABLE HOUSING STUDY – PRELIMINARY OPPORTUNITIES AND CHALLENGES IN THE CENTRE REGION (discussion) – *presented by Jim May*

Centre County will be releasing the *Centre County Solutions-Based Affordable Housing Study* for Centre County. The *Study* will be uploaded to Committee SharePoint folder when available. The *Study* provides the most recent demographic and market conditions for affordable owner and rental housing markets in Centre County and the Centre Region. The final *Study* was released without specific recommendations for potential implementation. This item presents some initial information from the *Study* and includes preliminary areas to improve the inventory of affordable housing in the Centre Region. The *Study* does include very detailed information that will be useful for the Centre Region to consider specific recommendations on moving forward,

particularly with the upcoming Comprehensive Plan Update. Staff from the CRPA and the Centre County Office of Planning and Community Development will coordinate with each other to minimize any potential redundancies.

The consultant study concluded that *“several factors hinder the creation and preservation of affordable housing in Centre County but two have the greatest influence: restrictive zoning and lack of financial resources dedicated to affordable housing.”* Removing barriers to permit more housing choices for people who are currently excluded from single family zoning districts is within the jurisdiction of each municipality. The second factor that has the most influence is having dedicated sources of funding for affordable housing, public entities, for-profit, and nonprofit affordable housing developers, and builders. The consultant concludes that to have a transformational impact, more resources need to be readily available. Ideally, these would come from strong public-private partnerships in addition to increased public resources.

#### Market Typology for the Centre Region

The *Study* includes five market typologies in Centre County defined by demographics, housing inventory, and access to opportunities. The typologies were developed by identifying census tracts that shared similar levels of housing market activity, access to opportunity, and demographic changes. This will allow municipalities and housing providers a tool to strategically align matching public resources and policies where they can have the greatest impact across Centre County.

#### Housing Gap Analysis

A housing gap analysis can reveal the number of additional housing units, by tenure and affordability, that are needed for housing inventory to match the number of households within the corresponding affordability/income tiers.

##### Rental housing mismatch due to lack of inventory

- **There are 936 units affordable for 0-30% AMI households, which number 4,650 households. Of the 936 units, only 479 are occupied by 0-30 AMI households resulting in a housing gap of 4,171 units.** The impact of college students influences the housing gap significantly. The ability to determine the impact of college students cannot be determined using the data set available for the *Study* (known as a Comprehensive Housing Affordability Strategy is CHAS).

##### Housing supply is low for households above median area income

- **There are 22,895 households at 101%+ AMI with a gap of 13,715 units.** Essentially what is happening here is that lack of inventory for this group of AMI households are due to purchasing units further down the AMI scale, and absorbing inventory that could be purchased by lower income households.

##### Wages for many jobs are not keeping up with the cost of typical rental units.

- **Wages in the most common occupational category cannot reasonably afford a one or two-bedroom apartment.** The estimated hourly wage of a person working in the Office and Administrative Support occupational category is \$18.03/hourly. Thirty percent of monthly salary is \$940.68, while current HUD fair market rents are \$1,055 monthly for a one-bedroom apartment and \$1,212 monthly for a two-bedroom apartment

Lack of diverse housing types

- **The *Study* concluded that there is a lack of diverse housing types.** There is an abundance of single family and multi-family housing units in the Region. The consultant concluded that dwelling units in the four to eight dwelling unit per acre density range for owners and renters was lacking. This is commonly referred to as the “missing middle” housing by planners because it is in the middle range of density.

A substantial number of workers commute from surrounding areas to Centre County

- **In 2021, the average daily regional worker commuters into the Centre Region numbered 14,000.** Housing affordability is one of many reasons why workers commute to work in the Centre Region. A larger inventory of affordable housing could provide an opportunity to keep these workers in the Centre Region.

Other Factors Impacting the Market

- **Many factors influence housing availability and affordability in Centre County.** These include cost of materials, supply chain issues, and a shortage of labor; rising sale prices; low sales inventory; rising mortgage rates; high cost of land; student rental market; and public perception of higher density housing.

Next Steps

- The Centre Region will begin to work with Centre County and municipal staff this summer to update the County’s Underutilized Site Inventory and Adaptive Reuse Scenarios.
- The development of recommendations specifically for the Centre Region could be incorporated into the Centre Region 2040 Comprehensive Plan Update process.
- Municipalities should continue to look at local regulatory barriers to affordable housing and consider assessing existing affordable housing ordinances and determine if they can be improved.

*This item is for discussion.*

**No motion is required.**

6. CENTRE REGION 2040 DRAFT SCHEDULE AND DRAFT COMMUNITY ENGAGEMENT SURVEY (discussion) – presented by Jim May

This item provides draft schedules for the Centre Region 2040 Comprehensive Plan Update and the first phase of the update which is the initial community engagement process as shown on the enclosure. Mr. May will review the schedules.

The Draft Community Engagement Survey (see enclosure) is intended to be the initial foray into learning more about how residents view the implementation of the themes from the 2013 Comprehensive Plan to begin to understand how residents feel about the Region today, and what they believe the most important challenge is for the future.

The input from these initial survey questions will be utilized to prepare information for a series of community events in late summer and early fall. The late summer and early fall events will be utilized to test the results of the initial survey and to dig deeper into the concerns residents have. The results of these events will begin to shape the component of the Centre Region 2040 Comprehensive Plan Update.

The LUCI Committee members should provide any feedback regarding the draft Community Engagement Survey.

*This item is for discussion.*

**No motion is required.**

## 7. OTHER BUSINESS

- a. Matter of Record - The LUCI Committee should consider cancelling its July 6, 2023 meeting. The next meeting would be a hybrid format on August 3, 2023 at 12:15 p.m. Anticipated items include final review and potential motion to forward the draft RGB and SSA Implementation Agreement to General Forum.
- b. Matter of Record - CRPA staff is facilitating meetings with Centre Region Parks and Recreation, the UAJA, Penn State, Trout Unlimited, and ClearWater Conservancy to help coordinate several projects happening in and around Millbrook Marsh. This was prompted by the Borough of State College Calder Way Act 537 Plan Special Study, which forecast considerable growth in the Calder Way Sewer Basin that could result in surcharges in UAJA downstream sewer mains. These meetings are intended to be collaborative so that all stakeholders have a chance to actively participate; so multiple projects and programs can be coordinated and the impacts of each can be understood within the context of many individual projects; and to limit adverse impacts of multiple projects on formal programming and enjoyment by community members over many years in Millbrook Marsh.
- c. Matter of Record - The CRPA has advertised for the Senior Planner position that is split between Regional Planning and Halfmoon Township. The first review of applications will be June 12, 2023.
- d. Matter of Record - Municipal governing body meetings have been scheduled with all six municipalities to review and comment on the draft Regional Growth Boundary and Sewer Service Area Implementation Agreement. Municipal governing body meetings are scheduled through the middle of June. CRPA staff will review municipal comments with the LUCI Committee in August and request that the item be forwarded to the General Forum for final action.

## 8. ADJOURNMENT

### ENCLOSURES

<u>Item #</u>	<u>Description</u>
4a & 4b	Minutes
5a	PowerPoint - Summary of Centre County Affordable Housing Study - to be uploaded by Tuesday May 30
5b	Centre County Solutions-Based Affordable Housing Study - to be uploaded when available.
6a	Centre Region 2040 - Draft Schedule - to be uploaded by Tuesday May 30
6b	Draft Community Engagement Survey

**CENTRE REGION COUNCIL OF GOVERNMENTS (COG)  
LAND USE AND COMMUNITY INFRASTRUCTURE (LUCI) COMMITTEE**

**Minutes**

**Thursday, March 2, 2023**

*(please refer to the COG audio/video meeting file website when referencing timestamps)*

Mr. Hameister called the Thursday, March 2, 2023 hybrid meeting of Land Use and Community Infrastructure (LUCI) Committee to order at 12:15 p.m. A roll call by Mrs. Adams was conducted.

**Members Present:** Denny Hameister, Harris Township; Lisa Strickland, Ferguson Township; Eric Bernier, College Township; Deanna Behring, State College Borough; Rose Ann Hoover, Halfmoon Township; and Neil Sullivan, Penn State University

**Others Present:** Jim May, Centre Regional Planning Agency (CRPA) Director; Jim Saylor, Principal Transportation Planner; Mark Boeckel, Principal Land Use Planner; Pam Adams, Sustainability Planner; Greg Kausch, Senior Transportation Planner; Leslie Warriner, Senior Land Use Planner; Marcella Hoffman, Office Manager; Scott Binkley, COG Admin Office Manager; Jenna Wargo, Ferguson Township Planning Director; Kristina Bassett, Ferguson Township Community Planner; Lori Miller, CATA Director of Business Development & Community Engagement; Ben Burns, Herbert, Rowland & Grubic Inc.

**PUBLIC COMMENTS (00:01:08)**

There were no public comments.

**NEW AGENDA ITEMS (00:01:25)**

There were no new agenda items requested.

**CONSENT AGENDA (00:01:41)**

**Approval of Minutes**

*Motion was made by Ms. Strickland and seconded by Mr. Bernier to approve the minutes of the February 2, 2023 meeting of the LUCI Committee, as presented. The motion carried 6-0 (Mr. Abrams was not in attendance).*

**CENTRE COUNTY ROAD CONSTRUCTION UPDATE (00:2:25)**

The LUCI Committee received a presentation from Mr. Saylor regarding the upcoming construction project across Centre County. Projects for 2023 include:

- Atherton Street Phase III: Utility work for this phase is continuing this year and the contractor will begin work on the streetscape, drainage, and repaving. There will be road closures this year; however, the contractor is coordinating these closures around school and Penn State University Schedules. Lastly, Phase IV coordination and design will begin soon.
- State Route 150 Wall in Bellefonte: In the fall of 2022, a section of the retaining wall on Water Street collapsed after a heavy rain. A temporary repair was made, and a full repair has been planned for this construction season.
- I-80/Route 26 Local Access Interchange: The Local Access Interchange connecting I-80 to State Route 26 was completed and opened in November 2022. The Jacksonville Betterment and High-Speed Interchange projects will be bid late in 2023 or early 2024, with construction starting in 2024.

- State College Area Connector: The Draft Planning and Environmental Linkages (PEL) Study is out for public review and comment until March 19, 2023. The PEL will be finalized after the comment period. This will begin the two-year period to identify a preferred alternative and gain NEPA approval.
- Pike Street in Lemont: This project is in its third phase, which brings stormwater pipe replacements, reconstruction and overlay, guiderail installation, and sign replacements. This year, there will not be a long-term closure of Pike Street. The project is expected to last four months.
- Blue Course Drive: This project will take place on Blue Course Drive between Martin Street and Circleville Road and will include stormwater and pavement improvements, along with pedestrian crossing upgrades.
- Smith and Tow Hill Roads: This project includes drainage improvements, which was delayed due to supply chain issues.
- Mary Elizabeth Street Culvert repair: This project is scheduled to be completed this year, and the road will stay open during the project.
- In Patton Township, the following roads will be overlaid: Toftrees Avenue, Canterbury Drive, Wooded Way, and North Oak Lane.
- In State College Borough, utility improvements will take place on Calder Way from Fraser to McAllister Street. In addition, paving will take place on Ellen Street and Taylor Street.
- On the Penn State University Campus, base repairs will take place on Curtin Road and Fischer Road. Mill and overlay projects will take place on Fraser Road, Shortlidge Road, and Bigler Road, with several short term projects around campus including crack seal, dust suppressant, and parking lot repairs.
- PennDOT County Maintenance will replace a failed storm drain line on Park Avenue and seal coat and resurface on State Routes 45 and 26.

Regarding the State College Area Connector Project, Ms. Strickland encouraged the LUCI Committee members to coordinate with their respective municipalities to provide comments to PennDOT for the PEL Study during the comment period. Several clarifying questions were addressed by Mr. Saylor, but the LUCI Committee had no specific comments for staff to consider.

*A motion was made by Ms. Strickland and seconded by Mr. Hameister that the Land Use and Community Infrastructure Committee forward the Centre County Construction update to the COG Executive Committee to place on the March 27 COG General Forum Agenda. The motion carried 6-0.*

**DRAFT OF THE AMENDED REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA (RGB AND SSA) IMPLEMENTATION AGREEMENT (00:40:12)**

The LUCI Committee received a report from Mr. May regarding the Regional Growth Boundary and Sewer Service Area (RGB and SSA) Implementation Agreement that is required to be reviewed every five years and required to be completed prior to the end of 2023. Mr. May reviewed the proposed changes; however, the changes are not substantive in nature and are intended to clarify the process by removing the background, history, and other information and including it in appendices.

The LUCI Committee reviewed the proposed changes and did not offer staff any comments to consider. The LUCI Committee will review the Implementation Agreement again at its joint meeting with the Centre Regional Planning Commission in April.

### **TEN-YEAR STAFF ASSESSMENT OF THE COMPREHENSIVE PLAN (00:44:46)**

The LUCI Committee received a presentation from Mr. May regarding staff's assessment of the 2013 Centre Region Comprehensive Plan. The assessment includes a summary of the progress made on the implementation of the policies of the 2013 Plan, an assessment of the shortcomings and successes of the 2013 Plan, and key findings regarding how the upcoming plan update can be structured to be more effective and relevant to the community.

Mr. May stated that originally, staff considered using Lancaster County's Comprehensive Plan model; however, after further research was conducted, it was determined that their model was very similar to the Centre Region's 2013 Comprehensive Plan model. Mr. May communicated that staff is proposing to follow the Greensboro, North Carolina model, also known as the GSO2040. This model is organized around six big ideas that the community wants to work towards accomplishing over the life of the plan. It also limits the big ideas to two or three goals with two or three strategies for each goal, which means the plan does not try to address every conceivable problem. He went on to say that the plan is organized in a way that shifts the emphasis from working in silos to working in a systems approach that integrates many disciplines to address the big ideas. In addition, this model has multiple paths for participants to be engaged in developing community values, preparing a vision statement, the big ideas, and the goals throughout the process. Mr. May communicated that this type of model will allow teams to be multi-disciplinary to more directly support the municipalities and requires the CRPA to be both consensus builders and project managers to bring subject matter experts to bear on specific projects. Lastly, Mr. May stated that this model will improve implementation tools in the policy plan integration between implementation at the municipal level using the CHIP process. Most importantly, this action plan will satisfy the requirements of the Pennsylvania Municipalities Planning Code (MPC).

The LUCI Committee had no specific comments for staff to consider and supported the proposed model approach.

### **OTHER BUSINESS (01:08:20)**

The next meeting of the LUCI Committee is a joint meeting with the CRPC and will be held on April 6, 2023 at 12:15 p.m. This will be a hybrid meeting and members may also attend in person. Potential agenda items include: receive comments from the LUCI Committee and CRPC on the CRPC 2022 Annual Report; review the Comprehensive Plan Implementation Program (CHIP) for 2023-2024, and review a more detailed work program for the Comprehensive Plan Update.

### **ADJOURNMENT**

There being no other business, the March 2, 2023 LUCI Committee meeting was adjourned at 1:26 p.m.

Respectfully submitted,

Marcella Hoffman  
Recording Secretary

**CENTRE REGION COUNCIL OF GOVERNMENTS (COG)  
JOINT MEETING OF THE  
LAND USE AND COMMUNITY INFRASTRUCTURE (LUCI) COMMITTEE  
AND THE CENTRE REGIONAL PLANNING COMMISSION**

**Minutes**

**Thursday, May 4, 2023**

*(please refer to the COG audio/video meeting file website when referencing timestamps)*

Mr. Hameister called the Thursday, May 4, 2023 joint meeting of Land Use and Community Infrastructure (LUCI) Committee and the Centre Regional Planning Commission (CRPC) to order at 12:15 p.m. A roll call by Mrs. Hoffman was conducted.

**LUCI Members Present:** Denny Hameister, Harris Township; Lisa Strickland, Ferguson Township; Eric Bernier, College Township; Deanna Behring, State College Borough; Rose Ann Hoover, Halfmoon Township; Elliot Abrams, Patton Township; and Neil Sullivan, Penn State University

**CRPC Members Present:** Ray Forziat, College Township; Andrew Meehan, Halfmoon Township; Ellen Taricani, Ferguson Township; Chris Gamble, Harris Township; Sharon Collins, Patton Township; Josh Portney, State College Borough; and Neil Sullivan, Penn State University

**Others Present:** Jim May, Centre Regional Planning Agency (CRPA) Director; Mark Boeckel, Principal Land Use Planner; Pam Adams, Sustainability Planner; Greg Kausch, Senior Transportation Planner; Leslie Warriner, Senior Land Use Planner; Marcella Hoffman, Office Manager; Scott Binkley, COG Admin Office Manager; Jenna Wargo, Ferguson Township Planning Director; Lori Miller, CATA Director of Business Development & Community Engagement

**PUBLIC COMMENTS (00:01:21)**

There were no public comments.

**NEW AGENDA ITEMS (00:01:41)**

There were no new agenda items requested.

**CONSENT AGENDA (00:01:57)**

There were no items for the consent agenda.

**PRELIMINARY FINDINGS OF THE 2022 REGIONAL DEVELOPMENT CAPACITY (REDCAP) REPORT (00:2:18)**

The LUCI Committee and CRPC received a presentation from Mr. Boeckel regarding preliminary findings of the five-year review of the Regional Development Capacity (REDCAP) Report, which estimates the total amount of remaining residential and non-residential development potential within the Regional Growth Boundary and Sewer Service Area (RGB and SSA), assesses the ability of vacant lands to accommodate forecast growth, and examines the capacity of the Region's sewer system to support anticipated growth. The CRPA began updating the REDCAP report in the spring of 2022 and provided an update to the LUCI Committee and CRPC at its November 2022 meetings. Since that time, staff have identified the remaining vacant lands within the RGB and SSA and analyzed the development potential. CRPA staff have coordinated with Penn State University to obtain remaining development capacity for portions of the University Park Campus and Innovation Park areas that utilize the UAJA for wastewater treatment. This information will be consolidated into the analysis once received.



Mr. Boeckel communicated that based on the preliminary findings of the analysis, the amount of vacant land remaining in the RGB and SSA declined by approximately 12.7% since 2017. The approximately 3,300 remaining vacant acres can support over 10,700 dwelling units and 18.5 million square feet of non-residential development. Mr. Boeckel noted that these findings do not include the Penn State University Campus, Innovation Park, or the Mount Nittany Medical Center. The findings also conclude that redevelopment has significantly reduced the consumption of vacant land within the RGB and SSA while municipal rezonings have helped to expand development capacity within the boundaries.

Mr. Boeckel went on to review the impacts of redevelopment on the Centre Region, which include developing approximately 1,150 new units since 2017 and over 390,000 square feet of non-residential area. Mr. Boeckel stated that had these redevelopment projects been developed on green fields, it would have likely consumed more than 500 acres of vacant land. Mr. Boeckel reported that municipal actions also had an impact on the development capacity. Since 2017, there have been two major municipal rezoning projects: Harner Farms and Patton Crossings. The Harner Farm project rezoned 71.4 acres of rural agricultural land to Residential-1 and Commercial zoning. As of 2023, this project has been partially developed. The Patton Crossings project rezoned 27 acres of Commercial-1 and Residential-3 to Commercial-2 and Mixed-Use Development-2 zoning. This rezoning increased potential/proposed residential units by 94.1% and increased potential/proposed non-residential square footage by 135.9%.

Mr. Boeckel then presented information on the current versus potential sewer capacity. In 2022, there was an average discharge of 5.31 million gallons per day, and the UAJA has capacity to discharge up to 9 million gallons per day. Mr. Boeckel stated that planned and potential development flows are nearly equal to the remaining discharge capacity but impacts from future redevelopment and municipal actions are difficult to assess.

The LUCI Committee and CRPC had a detailed discussion about the findings of the RECAP Report and offered staff the following comments to consider:

- Staff should consider delineating the data that is shown as red dots in the presentation for residential and non-residential capacity.
- Staff should consider comparing the impact of rezoning that was approved before the last update to what has been developed as of 2023.

In response to a few questions from Mr. Portney, Mr. Boeckel explained that staff used the original method of analyzing vacant properties in the Borough. In addition, CRPA staff worked with Borough staff to ensure that there was no vacant land missing from the data. Because the Borough doesn't have a lot of vacant land, a majority of the focus was on capturing the properties that had been redeveloped. Mr. Boeckel explained that staff defined residential capacity as how many residential units can be developed on a vacant parcel based on the underlying zoning, or how many units have been approved but not yet developed. In response to a question from Mr. Abrams regarding master plans, Mr. Boeckel communicated that the REDCAP is updated every five years, so staff updates the numbers based on what has changed in the master plan amendments.

In response to a few questions from Mr. Forziat, Mr. Boeckel explained that staff did not analyze the Aspen Heights development because the rezoning for that property was approved before the last update. However, staff did calculate the capacity based on the zoning that is in place for the remaining vacant portion of the Aspen Heights development. Mr. Boeckel stated that it will be interesting to see how College Township's form-based codes define maximum density as it relates to calculating a reasonable ratio of residential versus non-residential capacity for the REDCAP Report.

Mr. Boeckel communicated that staff will finalize the report after data from Penn State University is received and comments provided today are incorporated.

**DRAFT OF THE AMENDED REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA (RGB AND SSA) IMPLEMENTATION AGREEMENT (00:40:12)**

The LUCI Committee and the CRPC received a presentation from Mr. May regarding the Regional Growth Boundary and Sewer Service Area (RGB and SSA) Implementation Agreement that is required to be reviewed every five years and required to be completed prior to the end of 2023. Mr. May reviewed the proposed changes and reiterated that staff is not proposing any substantive changes to the process to request an expansion of the RGB and SSA, or the process to review rezoning requests outside the RGB and SSA. On its face, the RGB and SSA Implementation provides the guidance for the Centre Region municipalities to consider the merits of Development of Regional Impact (DRI) applications and to provide advisory comments to municipalities that have proposed rezonings outside the RGB and SSA.

Mr. May explained that the RGB and SSA Implementation Agreement sets policies that directs higher density development into certain areas and improves the ability to preserve farmland and rural communities. In addition, directing higher density developments into certain areas helps to utilize existing infrastructure. It also aligns growth with sewer availability, preserves the capacity at the University Area Joint Authority (UAJA), and protects the Region's source water and other environmental resources. The RGB and SSA Implementation Agreement has helped municipalities and the Centre Region meet these goals.

Mr. May went on to communicate that the process to expand the RGB and SSA is meant to be rigorous and requires all six municipalities to approve any changes to the Implementation Agreement. However, only five of six municipalities must vote to approve requested expansions of the RGB and SSA. The agreement continues to maintain a contiguous RGB and SSA boundary and does not require a DRI inside the boundary.

In response to a question from Mr. Portney and Mr. Meehan, Mr. May clarified that a developer presents a DRI request to the municipal governing body first, prior to it being discussed at the COG level. If a municipal governing body declines a DRI request, the COG municipalities will not review it. Mr. May went on to explain that the municipalities must adopt the Implementation Agreement correctly for the Agreement to be valid in the municipality. Staff plans to meet with the municipalities individually to ensure the ordinances are adopted correctly.

In response to a question from Ms. Behring, Mr. May explained that the Implementation Agreement is updated every five years and the municipalities will review the Agreement this summer. Afterwards, the Implementation Agreement will be voted on by all COG municipalities later in the fall.

*Motion was made by Mr. Abrams and seconded by Mr. Hameister to recommend that the draft amended Regional Growth Boundary and Sewer Service Area Implementation Agreement be referred to the municipal governing bodies for review and comment. The motion carried unanimously.*

*Motion was made by Mr. Portney and seconded by Mr. Meehan to recommend that the draft amended Regional Growth Boundary and Sewer Service Area Implementation Agreement be referred to the municipal governing bodies for review and comment. The motion carried unanimously.*

**TEN-YEAR STAFF ASSESSMENT OF THE COMPREHENSIVE PLAN (00:44:46)**

The LUCI Committee and CRPC received a presentation from Mr. May regarding staff's assessment of the 2013 Centre Region Comprehensive Plan. The assessment includes a summary of the progress made on the implementation of the policies of the 2013 Plan, an assessment of the shortcomings and successes of the 2013 Plan, and key findings regarding how the upcoming plan update can be structured to be more effective and relevant to the community.

Mr. May stated that after further research, staff decided that the Greensboro, NC “GSO2024” plan would be an adequate model for the Centre Region Comprehensive Plan update. Staff chose this model because it is organized around six big ideas, limits these ideas to two or three goals with two or three strategies for each goal, shifts the emphasis to working in silos to working in integrated systems, and has multiple paths for participants to be engaged. Since November 2022, staff refined the organization of the Comprehensive Plan using the GSO2024 model and completed a staff-level inventory and assessment of the 2013 Comprehensive Plan as a basis to launch this planning effort. Staff plans to frame the Comprehensive Plan update with objectives such as beginning the structure for the visioning process, providing a brief overview of the key results from the assessment, introducing draft principles for the Plan, and testing the principles to learn what the community sees.

Mr. May communicated that after some analysis, staff found that the current Comprehensive Plan is too wordy, gets too much into the “weeds”, and does not do a good job of communicating the story of what the community wants to be. The updated Comprehensive Plan should integrate the subject areas into systems instead of keeping them siloed. Mr. May stated that digital tools have transformed community engagement and the updated Comprehensive Plan should continue to drive community engagement without overlooking underrepresented groups. Mr. May pointed out that the updated Comprehensive Plan should strengthen resilience so that the Centre Region can adapt to issues beyond local control. Lastly, Mr. May explained that the updated Comprehensive Plan should be value driven, thematic based, collaborative, link values with outcomes, and strengthen the value of multi-municipal cooperation.

Mr. May then reviewed the proposed principles for the Centre Region 2040 Plan:

- **Livable Built Environment**: Ensure all elements of the built environment work together to provide sustainable, green places for living, working, and recreation with a high quality of life.
- **Harmony with Nature**: Ensure that the contributions of natural resources to human well-being are explicitly recognized and valued and that maintaining their health is a primary objective.
- **Resilient Region**: Ensure that the community is prepared to deal with both positive and negative changes in its economic health and to initiate sustainable urban development and redevelopment strategies to foster green business growth and build resilience on local assets.
- **Interwoven Equity**: Ensure fairness and equity in providing for the housing, services, health, safety, and livelihood needs of all citizens and groups.
- **Healthy Community**: Ensure that public health needs are recognized and addressed through provisions for health foods, physical activity, access to recreation, health care, environmental justice, and safe neighborhoods.
- **Responsible Regionalism**: Ensure that all local proposals account for, connect with, and support the plans of adjacent jurisdictions and the surrounding region.

Using this model approach will allow for multi-disciplinary support for the municipalities and requires the CRPA to be both consensus builders and project managers to bring subject matter experts to bear on specific projects. This model will also improve the implementation tools in the policy plan to integrate implementation at the municipal level using the Comprehensive Plan Implementation Program (CHIP) process. This model will also provide an actionable plan that will satisfy the requirements of the Municipalities Planning Code (MPC).

The LUCI Committee and CRPC provided staff with the following comments:

- Regarding the Healthy Community principle, there should be an emphasis on local provisions and the CPRA should consider engaging the other planning regions and the Centre County Planning and Community Development Office to find out how their residents travel and engage with the Centre Region.
- Staff should consider all types of community engagement to collect data and information from residents regarding what they'd like to see in the Centre Region.

The LUCI Committee and CRPC asked several clarifying questions, which were answered by Mr. May. There was a consensus from the Committee and Commission that CRPA staff are headed in the right direction with the Comprehensive Plan Update.

#### **OTHER BUSINESS (01:08:20)**

The next meeting of the LUCI Committee will be held on Thursday, June 1, 2023 at 12:15 p.m. This will be a hybrid meeting and members may also attend in person. Potential agenda items include: a report back on municipal comments to date regarding changes to the RGB and SSA Implementation Agreement and a draft of a preliminary community engagement plan for the Comprehensive Plan Update. The next meeting of the CRPC is Thursday, June 1 at 7:00 p.m. This will be a hybrid meeting and members may also attend in person. Potential agenda items include: a report back on municipal comments to date regarding changes to the RGB and SSA Implementation Agreement and a draft of a preliminary community engagement plan for the Comprehensive Plan Update.

#### **ADJOURNMENT**

There being no other business, the May 4, 2023 joint LUCI Committee and CRPC meeting was adjourned at 1:29 p.m.

Respectfully submitted,

Marcella Hoffman  
Recording Secretary

## **Draft Community Engagement Survey – Centre Region 2040**

The Centre Region Comprehensive Plan is a tool that helps the Centre Region municipalities prepare for growth and change. It's a long-range plan that looks forward 20 years to anticipate the needs of people who live, work, and play in the Centre Region.

The last Comprehensive Plan was adopted by the Centre Region municipalities in 2013. The Plan has a series of themes, goals, objectives, and policies that outline the direction for growth, development, and change in the future. It is used by the Centre Region municipalities to guide decision-making on housing, transportation, land use, environmental protection, and more. The purpose of this survey is to ask survey participants to rate the Region's progress in achieving each theme by identifying their degree of satisfaction or dissatisfaction with the themes from the 2013 Comprehensive Plan. This initial survey information will help CRPA understand how well survey participants believe the Region is achieving goals from the 2013 Comprehensive Plan and to help develop initial strengths and challenges that should be addressed in the Centre Region 2040 Plan. The input from this initial survey will be one input utilized to prepare for a series of community events in late summer and early fall.

The 2013 Comprehensive Plan contained seven themes that had a number of goals, objectives, and policies to implement. Please indicate your level of satisfaction or dissatisfaction with each question.

**Neighborhood Quality** – Diverse well-planned neighborhoods are essential to a strong region. Protect established neighborhoods and build new neighborhoods that support the community.

How satisfied or dissatisfied are you with the overall quality of your neighborhood?

How satisfied or dissatisfied are you with the level of crime in your neighborhood?

How satisfied or dissatisfied are you with the ability to walk or bike safely in your neighborhood?

How satisfied or dissatisfied are you with the ability to walk or bike safely to destinations outside of your neighborhood?

**Environmental Quality** – Protect natural resources, including air, water, energy, wildlife, and wetlands in the Centre Region.

How satisfied or dissatisfied are you with environmental quality in the Centre Region?

How satisfied or dissatisfied are you with preservation of natural areas in the Centre Region?

How satisfied or dissatisfied are you with the air quality in the Centre Region?

**Multi-municipal and Agency Cooperation** – Continue to maintain and improve multi-municipal solutions to issues that transcend municipal boundaries.

How satisfied or dissatisfied are you with the cooperation between municipalities in the Centre Region?

How satisfied or dissatisfied are you with the level of cost sharing for services between municipalities.

How satisfied or dissatisfied are you with are with

**Sustainable Region** – Plan for social, environmental, and economic sustainability at a regional level.

How satisfied or dissatisfied are you with the sustainability efforts in the Centre Region?

How satisfied or dissatisfied are you with the availability of programming for environmental protection in the Centre Region?

How satisfied or dissatisfied are you with the availability of programming for renewable or solar energy?

How satisfied or dissatisfied are you with the availability of home weatherization programs in the Centre Region?

**Mobility and Connectivity** – Provide multiple options for residents to travel and connect neighborhoods, businesses, schools, and parks.

How satisfied or dissatisfied are you with the ability to travel in the Centre Region?

How satisfied or dissatisfied are you with the availability of local bus services in the Centre Region?

How satisfied or dissatisfied are you with the availability of multi-use bike and pedestrian paths in the Centre Region?

How satisfied or dissatisfied are you with bike and pedestrian connectivity from your home to work?

How satisfied or dissatisfied are you with vehicle travel to areas outside the Centre Region?

How satisfied or dissatisfied are you with air travel from or to the Centre Region?

**Agriculture** – Agriculture is an important part of the economy and the heritage of the region. Protect and support this way of life to ensure the viability of agriculture in the region.

How satisfied or dissatisfied are you with the protection of agricultural uses in the Centre Region?

**Economic Development** – Expand and diversify the local economy to provide jobs for existing and future residents.

How satisfied or dissatisfied are you with the economy of the Centre Region?

How satisfied or dissatisfied are you with the diversity of jobs in the Centre Region?

#### Likert Scale

Very satisfied | Somewhat satisfied | Neither satisfied nor dissatisfied | Somewhat dissatisfied | Very dissatisfied

The previous section of the survey was a look back at how well the Region has accomplished the themes of the 2013 Comprehensive Plan. The last section of the survey has three questions will help us understand your thoughts on the Region today, what you think is most important in the future. These questions are intended to help the Centre Regional Planning Agency (CRPA) understand what is most important and to prepare for some community engagement events in the late summer and early fall of 2023.

- What are the three words you would use to describe the Centre Region?
- What is something you love about the Centre Region that you want future generations to enjoy?
- What is the most important challenge the Centre Region should focus on to make sure future generations can flourish?

Demographic profile - The demographic profile will help us understand who is engaging with us and how we can improve outreach efforts and to determine if there are underrepresented groups we need to reach.

Age

Ethnicity

Household income

General location of home

Years living in the Centre Region

Children at home

Dwelling type, single family, townhome, duplex, apartment, other

Employment status

Ownership - own or rent



**Township Manager's Report  
June 6, 2023**

1. On Thursday, May 11, 2023, held a virtual two and half hours Supervisor Training for the Building and Grounds Superintendent, Mechanic, Road Crew Superintendent and both road crew foremen.
2. Met with the Department of Conservation and Natural Resources (DCNR) regional advisor and the Land and Water Conservation Fund (LWCF) advisor for a screening to determine eligibility status if awarded LWCF grant funding to construct Cecil Irvin Park – Phase 2.
3. On Thursday, May 18, 2023, met with the Solicitor and Elizabeth Treadway, now with WSP USA, to discuss and review the Borough of West Chester v. Pennsylvania State System of Higher Education case as well as review implementation process.
4. On Thursday, May 18, 2023, CATA staff convened a meeting with the member municipal members and contracted members for a continued discussion on alternative options for funding formula.
5. Met with the State College Borough Manager, Patton Township Manager, and College Township Manager to discuss and review timeline for a Single Use Plastic Ordinance. Tentatively, a prefinal draft will be presented for consideration to adopt in October of 2023.
6. Met with the Municipal Police Officers' Education and Training Commission representative on Friday, May 19, 2023 to review the agencies recertification requirements and process.
7. As a PennPrime Board of Trustee, I attended the PennPrime Finance and Budget Subcommittee on Thursday, May 18, 2023, and also attended the PennPrime Board Meeting on Friday, May 19, 2023.
8. Attended the Association of Pennsylvania Municipal Managers Conference from Monday, May 22 to Wednesday, May 24.



9. Attended Officer's Daubenspeck's Crisis Intervention Team Training graduation ceremony on Friday, May 26, 2023. Through a long-standing collaborative partnership, Ferguson Township and Centre County Criminal Justice Planning Office provide shared resources in support of significantly important services such as the CIT program facilitated by Ms. Tracy Small.
10. Attended and participated in a discussion facilitated by the Refuse and Recycling Program Administrator Shelly Mato and CRCOG Executive Director Eric Norenberg on May Friday, May 19, 2023, to discuss the Food Waste Drop-off Sites pilot program approved by the Climate Action Adaptation Committee. Ferguson Township will host one of the five food waste/scraps drop-off sites. Provided with this agenda packet is additional information about the pilot program titled 'Food Scraps Drop Off Sites.'
11. Staff met on Thursday, June 1, 2023, to review and discuss the township's first-ever Bicycle Friendly Business application submission to the League of American Bicyclist. The Township will be notified in November if designated as a bicycle friendly community.
12. On Friday, June 2, Assistant Township Manager and I met to review progress on the revisions to the Board of Supervisors Orientation Manual. A targeted deadline to conclude this effort will be September to allow time to prepare an updated PowerPoint presentation and onboard checklist for a smooth transition from Supervisor-Elects to sworn-in Supervisors.

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**Manager's Report****Food Scraps Drop-Off Pilot Proposal, 2023****Introduction**

In 2021, the PA Department of Environmental Protection (DEP) conducted a statewide waste characterization study that measured the composition of residential and commercial solid waste (MSW). Organics and paper comprise the largest fractions of the statewide waste stream, with organics accounting for 39.8 percent of the total waste by weight. Food waste remains the most prevalent fraction of total disposed waste at 16.9 percent. Residential food waste accounted for 8.1 percent of all MSW. Using the U.S. Environmental Protection Agency's (US EPA) Waste Reduction Model (WARM) model, the estimated emissions reduction from composting the state's disposed food waste would be 184,140 metric tons of carbon dioxide equivalent (MTO<sub>2</sub>E) per year.

The Centre Region COG's Climate Action and Adaptation Plan (CAAP) includes actions to reduce greenhouse gas emissions in the solid waste sector. Reducing organics is a priority action in the first stage of implementing that CAAP. Prior to the start of the current refuse collection contract, COG explored instituting residential curbside collection of organic material in the COG regional refuse contract area along the lines of the collection system in State College Borough. However, the COG determined that the additional cost for residents, the additional greenhouse gas emissions from doubling the number of collection vehicle route miles, and the anticipated diversion rate did not make curbside collection of organics a viable option at that time. Nonetheless, the COG and area residents continue to express a desire for alternatives to placing organic material, particularly food waste, in the refuse for disposal in a landfill. Additionally, the CCRRA, the COG, and the Commonwealth of Pennsylvania have waste reduction and/or zero-waste goals.

Across the state and the nation, cities and municipalities have established food waste drop-off options for residents that provide models for a program in the Centre Region. Drop-off stations for food waste provide several key factors for those communities:

- The ability for residents to reduce food waste being disposed of in landfills and waste-to-energy facilities
- Opt-in participation, a model that shows some evidence of reduced contamination
- Greater equity than a purely curbside residential collection program as residents in buildings other than single-family homes (e.g. apartment buildings) can participate
- A greater awareness of food waste across all sectors (residential, commercial, institutional)

**Pilot Details**

The Centre Region Cog, The Centre County Recycling and Refuse Authority (CCRRA) and State College Borough hope to partner to establish 5 temporary food scraps drop-off sites in 2023.

Specifics of the pilot include:

- Required registration for participants
- Controlled access to the disposal site or container
- Access codes to all 5 sites as well as educational materials supplied to all participants
- Data collection and site inspections

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**Manager's Report**

- Collection of the material weekly by State College Borough

The drop-off would allow only food scraps, limited food residuals, and very limited plant materials (indoor plants and garden waste). No yard waste will be allowed as municipalities provide yard-waste collection and those wastes would tend to overwhelm the containers.

**Site Selection**

Because State College Borough's compost facility is looking for additional amounts of grass clippings to add to the windrows, we will locate three of the sites next to existing grass drop-off facilities. This may increase the likelihood that residents drop off food scraps and grass at the same time and place. These three locations are:

- Spring Creek Park in College Township
- Ferguson Township building
- Hawbaker recycling facility in Patton Township

We also will locate two additional drop-off sites:

- Harris Township: to be determined
- Benner Township municipal building

In addition, the CCRRA will allow access to the food scraps containers at their facility during the hours they are open.

**Infrastructure and Equipment**

Each site will have one small dumpster for the collection of food scraps. The dumpsters and the corral gates will be locked with a keyless lock. Pilot participants will register for the pilot and receive an information packet with lists of acceptable and unacceptable items and a code to access the dumpsters. All sites will have the same code so that participants can use any site they choose. Signs will identify the dumpster and remind registrants of the acceptable items, as well as where to report problems.

**Pilot Timeline and Constraints**

The pilot will be limited to neither a minimum nor a maximum number of participants as we do not anticipate widespread participation over the course of the pilot.

A proposed timeline for the pilot :

- April 2023: Receive approval of the pilot from the CCRRA board and the CAS Committee of the COG.
- May – June 2023: Advertise pilot. Set up sites, locking systems.
- June 15: Begin sign-up period; dumpsters, locks, and signage in place
- June 19: First week of food scrap drop-off
- June 26: First week of food scrap collection by SCB
- October 29: Last day for food scrap drop-off
- October 30: Last collection by SCB

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Manager's Report

### **Estimated Costs**

#### **Contractor/partner**

State College Borough weekly collection of 5 sites for 20 weeks \$0 - \$2000

#### **Equipment**

Carts/ dumpsters provided by SCB \$ 0

Locks @ \$100 per site \$500

#### **Education/Outreach**

Advertising and educational materials \$3000

#### **Informational Signage**

Signs: 3 at each location @ \$20 ea. \$300

### **Analysis And Conclusion**

Data on the number of participants and tonnages collected/diverted will be collected throughout, as well as details from site inspections and inspection of materials/contamination. At the end of the pilot, we will survey all participants as well. All collected data will be used in a cost/benefits analysis in establishing permanent food waste drop-off options throughout the COG contract area. During the pilot, there will be no charge for registration or participation, but we will also evaluate the inclusion of a minimal fee for participants should we move forward with permanent sites.

Manager's Report

### **Food Scraps Drop Off Sites**

If the food we throw away in one year in Pennsylvania were loaded into garbage trucks, the chain of trucks end to end would stretch all the way from Schlow Library in State College to the southern end of the boardwalk in Ocean City, Maryland. Yet all that food waste could be composted instead to create nutrient-rich soil amendments while reducing greenhouse gas emissions.

The Centre Region COG and Centre County Recycling and Refuse Authority, in partnership with the Borough of State College Borough Compost Facility, are hosting a pilot program for more sustainable management of our kitchen waste by establishing five food scraps drop-off sites. Here's how to participate:

1. REGISTER: you must register (for free) to receive the lock combination to drop off your food scraps.
2. COLLECT your food scraps: we will send you a list detailing what to include and what to leave out, as well as tips on how to collect these materials while limiting smells and bugs.
3. DROP OFF at one of the designated locations: the sites are locked, but with your combination you will be able to use any site any day.

It's that simple. The pilot sites will remain open through October, and we'll collect data on the number of participants and tonnage of food scraps diverted from the landfill to gauge potential impacts of establishing permanent drop-off sites in the future.

**Sign up today at: [www.crcog.net/refuse](http://www.crcog.net/refuse) or call 814-234-7198**

Or scan this QR code:





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## TOWNSHIP OF FERGUSON

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### Public Works Director's Report to the Board of Supervisors (BOS) for the regular meeting on June 6, 2023

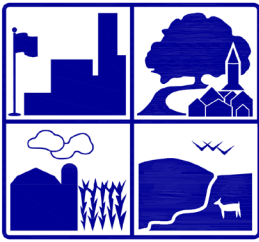
- 1. FTPW Capital Improvement Plan 2024 – 2028** – The Public Works Director, with staff support, prepared the public works portion of the CIP for review by the Manager and BOS.
- 2. Public Works Road Crew Activities:** Work planned for the road crew (maintenance section) for the 2-week period starting June 5<sup>th</sup> includes brush collection and leaf collection along with roadside mowing, street sweeping, and miscellaneous work orders.
- 3. Arborist and Ferguson Township Tree Commission (FTTC) Activities-** The Tree Commission meets again on June 20<sup>th</sup>. The arborist continues to lead seasonal workers tasked with roadside mowing and assistance with tree care. Work for the next 2-week period starting May 15<sup>th</sup> includes tree care including watering, continued review of land development and subdivision plans, and responding to resident inquiries regarding street trees.
- 4. Stormwater** – Activities of the Stormwater Engineer include reviewing stormwater site plans, assisting with capital improvement stormwater designs, preliminary design for MS4 PRP projects, investigating stormwater complaints. The Stormwater Engineer is reviewing best practices for disposal of street sweepings and disposal of water and sediment from storm pipe cleaning operations. The application period for stormwater fee credits and exemptions is now open.
- 5. Buildings, Work Orders, and Asset Management** –Working on developing the applications and permits for use in TRAIRS for driveway permits, pave cut and right of way occupancy permits, tree permits, and small wireless facilities in the right of way permits. Working on refining the depreciation schedule for the building repair sinking fund and capital improvement projections.
- 6. Pine Grove Mills Parking Plan** -Engineering staff completed a review of parking opportunities, restrictions, sight distance and has completed a set of plans showing potential revised parking restrictions and parking opportunities. Staff reviewed the plans with the BOS at a work session on March 8<sup>th</sup>. Staff revised the plans and will present the final plan to the BOS at the June 6<sup>th</sup> regular meeting.
- 7. Contract 2018-C20 Park Hills Drainageway** –Staff received the specifications and estimate and special provisions. Staff still needs the project construction schedule from the consultant. In addition FEMA provided a second set of comments on the project application, and the consultant now needs to respond to the FEMA review in anticipation of FEMA approval. This project's anticipated let date is now delayed until approximately July.
- 8. Contract 2018-C20U Park Hills Drainageway Utility relocations:** Prior to constructing channel improvements, certain utilities such as electric and communications must be relocated. This contract was awarded to RAVAN Inc., dba Tru-Tek Drilling. Work is ongoing.
- 9. Contract 2019-C21 Pine Grove Mills Street Light Conversion:** This contract was awarded to M&B Services. Work includes rewiring existing ornamental lights in Pine Grove Mills and installing new power supplies and new power cutoffs to allow them to be serviced by FTPW. This work removes the lights from the WPP tariff and installs meters. High pressure sodium lamps will be removed, and the light fixtures retrofitted with 2700K LED lamps. Work includes the installation of underground conduit by directional boring. Work has begun.

- 10. Contract 2020-C4 Suburban Park** This project includes features shown in the master plan including a perimeter walk path, restoration of a stream channel, installation of bridges. Bids were opened. This contract was awarded to LandServ, Inc. Work has not yet started in the field. [Work is expected to start at the end of July.](#)
- 11. Contract 2020-C18 Science Park and Sandy Drive Signal Design** – Design work was on hold during 2022 given other capital project priorities. This project was discussed during the CIP review by the BOS and final design and bidding is deferred to 2024. Preliminary design may progress in 2023.
- 12. Contract 2021-C16 Chesapeake Bay Pollutant Reduction Plan (CBPRP) Design and Permitting** – In compliance with our MS4 permit and CBPRP, certain projects need to be advanced through the design and permitting phase. The stormwater engineer reviewed the MS4 Pollutant Reduction Plan and conducted site visits to evaluate projects. The section of Slab Cabin Run between Chestnut Street and SR45 and the tributary to Beaver Branch in the Piney Ridge neighborhood continue to be viewed favorably as candidate projects by the Stormwater Engineer and PaDEP. There may be a possibility for a partnership with Pa Fish and Wildlife on the Beaver Branch tributary project. Surveying started. The Stormwater Engineer conducted a site visit on March 14<sup>th</sup> with representatives of PaDEP and Fish and Boat to review project design concepts. Staff prepared a Request for Proposal for Professional Design Services for solicitation to select firms. The proposal will include a preliminary design of the improvement projects. [Proposals for preliminary design of 2 MS4 PRP projects were received and evaluated. Refer to separate award recommendation memorandum.](#)
- 13. Contract 2022-C20 Admin Building HVAC** –This project includes replacing the existing energy recovery unit or direct outside air unit (DOAU) on the roof of the administration building. The notice of award was sent to Myco Mechanical. Bonds are received and a contract executed. A notice to proceed was issued. Myco Mechanical is submitting shop drawings to Barton Associates for review and approval. The unit was set with a crane on April 25<sup>th</sup>. The new air handling unit is in operation. Punchlist items remain.
- 14. Contract 2022-C21 Pine Grove Mills Bike and Pedestrian Improvements (TASA grant)** – The Township received notice of a \$700,000 grant award for construction and inspection of this project to improve bicycle and pedestrian mobility. At the regular BOS meeting on March 21, 2023 the BOS authorized the Manager to sign a professional services agreement with McCormick Taylor based on a revised scope of work to include a bikelane/widening on SR45 from approximately Deepwood Drive to Ross Street, a new section of sidewalk on the west side of SR26 near Chestnut Street, legends, signs, and pavement markings. [A final proposal was received by the Township and signed by the Township Manager. Design work will now proceed.](#)
- 15. Contract 2023-C1 Street Improvement Project (Blue Course Drive between Circleville Road and Martin Street)** – The scope of this project has been revised to remove a rectangular rapid flashing beacon and pedestrian refuge on Blue Course Drive (the improvements from the Northland Center Mobility Study). The bus stop will be relocated based on recent correspondence and conversations with CATA. Staff will continue with the design of pavement repairs, new wearing surface pavement, and drainage repairs for this section of roadway. An open house was held on April 4<sup>th</sup>. Bids were opened. [This work was awarded to HRI. Work has not yet begun.](#)
- 16. Contract 2023-C3 Pipe Lining** – Preliminary design work has started for this project which involves lining deteriorating storm pipe based on inspection results. Staff were requested by representatives of the Thoroughbred Crossing HOA to allow the HOA to piggyback on this contract. The concept of piggybacking allows the HOA to take advantage of the contract mechanism and terms and pricing. The advantage to the Township is assurance that HOAs are taking care of their privately owned storm pipe system. Public and private storm systems often commingle storm water as it flows downhill from development to stormwater facility and

interconnections before ultimate discharge. Staff met with the HOA representatives to discuss details. Staff also consulted with the Township solicitor. Staff will prepare the contract for 2023 to allow piggybacking.

- 17. Contract 2023-C4 Cherry Lane School Zone Flasher** – Preliminary design work has begun. An open house was held on April 4<sup>th</sup>.
- 18. Contract 2023-C5 CCTV Pipe Inspection** – Annually the Township prepares a contract and accepts bids to perform storm pipe inspections. Preliminary design work has started for this project. Staff were requested by representatives of the Thoroughbred Crossing HOA to allow the HOA to piggyback on this contract. The concept of piggybacking allows the HOA to take advantage of the contract mechanism and terms and pricing. The advantage to the Township is assurance that HOAs are taking care of their privately owned storm pipe system. Public and private storm systems often commingle storm water as it flows downhill from development to stormwater facility and interconnections before ultimate discharge. Staff met with the HOA representatives to discuss details. Staff also consulted with the Township solicitor. Staff will prepare the contract for 2023 to allow piggybacking. [The stormwater engineer is finalizing contract details related to the proper disposal of sediment and effluent from the pipe cleaning operation.](#)
- 19. 2023-C6 Curb and Ramp Upgrades** – To maintain compliance with ADA standards, annually the Township evaluates ramps abutting roads to be paved or microsurfaced and prepares a contract to repair ramps that do not meet current standards. This contract was awarded to Big Rock Paving. [Work started May 30<sup>th</sup>.](#)
- 20. Contract 2023-C7c Asphalt and Aggregate** – Annually the Township bids aggregate, and asphalt based on our estimated needs. Aggregate was awarded to Heidelberg Materials Northeast LLC and asphalt was awarded to Glenn O. Hawbaker.
- 21. Contract 2023-C8 Pavement Markings** – Each year the Township prepares a contract and accepts bid for pavement markings including long lines and legends. Nearly a dozen municipalities piggy back on this contract each year. This contract was awarded to Alpha Space Control. The contractor typically mobilizes twice and performs work in the spring and in the fall. [Work has started.](#)
- 22. Contract 2023-C9 Microsurfacing** – This work is bid each year and typically performed in late July when school is out of session and temperatures are favorable for this type of work. Work includes the placement of two layers of a slurry of fine aggregate, minerals, asphalt emulsion and water on the pavement surface as a preventative maintenance measure to cost effectively extend the life of the pavement. This contract was awarded to Asphalt Paving Systems. Work is expected to take place June through August. [Notices to residents were mailed May 31<sup>st</sup>.](#)
- 23. Contract 2023-C10 Sealcoating** – Each year bikepaths aka shared use paths are inspected and candidates are selected to receive a seal coat. Prior to sealcoating, defective pavement is repaired, and grass is trimmed from the edges. Preliminary design work has started for this project.
- 24. Contract 2023-C11 Sidewalk Repairs** – FTPW Engineering Section will inspect a portion of the public sidewalks each year. Property owners are sent notices to fix deficient sidewalk sections and given an opportunity to fix it themselves or have the Township perform the work by contract and bill the property owner. Inspections are in progress.





# TOWNSHIP OF FERGUSON

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## PLANNING & ZONING DIRECTOR'S REPORT

Tuesday, June 6, 2023

### LAND DEVELOPMENT PLANS AND OTHER PROJECTS

1. Active Plans are listed below for the Board of Supervisors (5/31/2023).
  - **The Peace Center/Cemetery—Islamic Society Preliminary Land Development Plan**  
(24-004-078C-0000)
  - **Imbt Preliminary Subdivision Plan**  
(24-004-017A-0000)
  - **1004 West College Avenue Vertical Mixed-Used Preliminary Land Development Plan**  
(24-002A-051-0000)
  - **Salvation Baptist Church Preliminary Land Development Plan**  
(24-004-078-0000)
  - **All Washed Up Auto Spa**  
(24-012-023-0000 & 24-012-022-0000)
  - **125 East Pine Grove Hall Land Development Plan**  
(24-009A-030-0000)
  - **LeCrone—West College Avenue Replot Minor Subdivision Plan**  
(24-004-079H-0000 and 24-004-079I-0000)
  - **1900 Circleville Road Preliminary Land Development Plan**  
(24-004-,010-,0000-)
  - **LeCrone—West College Properties Preliminary Land Development Plan**  
(24-004-079H-0000)
  - **180 Science Park Court Minor Subdivision Plan**  
(24-001A-054-0000)
2. PZ Director attended the ZHB Prep Meeting with the Solicitor and Zoning Officer, met with a representative from AOPC to finalize T2 integration with electronic citations, attended the LEED Gold Ceremony, Leadership Team Meeting, met with the Public Work Director to discuss surety for a subdivision plan, Land Use and Community Infrastructure Committee Meeting (LUCI), Scanning Public Works documents meeting, 2024-2028 CIP Review Meeting, and met with the manager about the draft Workforce Housing Ordinance amendment.
3. PZ Staff attended Bi-Weekly TSD Rewrite meeting with Mackin Engineering, PZ Weekly Meeting, Land Use Webinar Series hosted by Penn State, met with representatives from College Township and Centre County Housing and Land Trust (CCHLT) to review Workforce Housing Ordinance

amendments, held the LDP Plan Review meeting with Public Works, attended the Planning Commission meeting, Zoning Hearing Board meeting, the CRPA/Municipal Staff meeting, finalized CJS training, met with a representative from the State College Little League, met with representatives from Turnberry to discuss Stormwater concerns related to a minor alteration plan submission, and attended the bi-weekly T2 Systems Meeting.

### **PLANNING COMMISSION**

The Planning Commission met May 22, 2023, to review the 125 East Pine Grove Road Preliminary Land Development Plan.

### **ZONING HEARING BOARD**

The Zoning Hearing Board held a hearing on May 23, 2023, for an appeal, a validity challenge and variance for:

#### **1. 1004 West College Avenue (24-002A-057-0000)**

On March 24, 2023, Charles Suhr, Stevens & Lee, submitted an application for an appeal hearing at 24-002A-057-0000, on behalf of the property owner, 1004 West College LLC. The property is zoned Terraced Streetscape (TS).

The applicant is appealing the Director of Planning & Zoning's determination of §27-304.3.B.(3) which permits applicants to designate 15% of the residential units in a vertical mixed-use building as age-restricted units, then an additional 20 feet (75 feet) of height may be added to the permitted maximum height (55 feet) and §27-716, Workforce Housing, which requires that workforce units either be built on site, a fee-in-lieu, or built off-site.

The applicant is proposing to restrict the age-restricted units to at least one individual be 21 years and older and is appealing the amount of Fee-in-Lieu the applicant would need to pay for the Workforce Units that would be required with the proposed development. **The Zoning Hearing Board continued the hearing until June 13, 2023 to allow for additional testimony to be provided.**

#### **2. 2616 Tadpole Road (24-006-046B-0000)**

On April 24, 2023, Merle Eyer submitted an application for a variance hearing at 24-006-046B-0000. The property is zoned Rural Residential (RR). The applicant is requesting a variance from the RR setback requirements to add an addition to the 20' x 30' existing structure. The addition would extend into the setback by 10'. **The Zoning Hearing Board granted the variance request.**

The Zoning Hearing Board held a Zoning Officer Determination Appeal Hearing at the August 23, 2022, meeting:

#### **1. Nixon Road (24-003-007M-0000)**

On June 29, 2022, C. Anthony Fruchtl, Penn Terra Engineering, Inc. submitted an application for an appeal hearing at 24-003-007M-0000, on behalf of the property owner, Lindsey Kiefer. The property is zone Rural Agricultural (RA), and the applicant is appealing the Zoning Administrator's

application of the Riparian Buffer Overlay Zoning District regulations. The Zoning Administrator has determined that a storage of land clearing material is not a permitted use within the Riparian Buffer and as a result, denied the Zoning Permit Application. The applicant provided additional information that was requested by staff and the Board referred the review back to the Zoning Officer in light of the new information provided.

**The Zoning Hearing Board met November 16, 2022, to hear the appeal for the property located at 24-003-007M-0000. The applicant agreed to a six (6) month tolling agreement.**

#### **PINE GROVE MILLS SMALL AREA PLAN ADVISORY COMMITTEE**

The Pine Grove Mills Small Area Plan Advisory Committee met April 27, 2023, to review zoning ordinance amendments and sign ordinance amendments. The Committee made a motion to refer the zoning ordinance amendment and sign ordinance amendment to the Board of Supervisors to refer the amendments to Planning Commission.

The Committee also reviewed and approved the Pine Grove Mills Streetlight Banner designs and made a motion to purchase the signs.

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION AND AMENDMENTS, AND ADOPTING THE CENTRE REGION RENTAL HOUSING & BUILDING SAFETY CODE, 2023 EDITION, AS AMENDED, TO BE KNOWN AS CHAPTER 5 – PART 3 – BUILDING SAFETY AND PROPERTY MAINTENANCE CODE

**Section 101, Repeal of Ordinances.** The provisions of Ordinances 1032 as amended that provide for the adoption and modification of the Centre Region Building Safety and Property Maintenance Code / 2017 are hereby repealed.

**Section 102. Changes.** The following articles and sections of Ferguson Township Code Chapter 5 as adopted are amended, deleted, or altered as follows:

**Delete §5-302 Adoption of the Centre Region Building Safety and Property Maintenance Code, 2017 Edition. In its entirety and replace with the following:**

**§5-302 Adoption of the Centre Region Rental Housing & Building Safety Code, 2023 Edition.**

It is hereby adopted by the municipality for the purposes set forth in § 5-301 that certain code known as the *Centre Region Rental Housing & Building Safety Code, 2023 edition*, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the municipality or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of this chapter, regardless of the strictness of the provisions. The provisions of the *Centre Region Rental Housing & Building Safety Code, 2023 edition*, as amended, are set forth in the copy presently on file in the office of the Municipal Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the municipality, except as modified by this chapter and any subsequent amendments thereto.

**Delete §5-303 Amendments to Building Safety and Property Maintenance Code. In its entirety and replace with the following:**

**§5-303 Amendments to Rental Housing & Building Safety Code** The following articles and sections of the *Centre Region Rental Housing & Building Safety Code, 2023 edition*, as adopted, are amended, deleted, or altered as follows:

1. Alter: Section 302.11.2 Study ordered. To read: At any time when the *Code Official*, or other municipal official observes a tree that appears to be a structurally unsound tree, a diseased tree, a dead tree, a dying tree, has significant amount of decay present, or a dangerous tree, *code official*, has the authority to order a special inspection or study be completed by a third party professional certified arborist, contracted by the *owner*, at the *owner's* expense.
2. Alter: Section 302.11.4 Tree removal. To read: If a tree is determined to be a dangerous tree by a certified arborist, the *code official* has the authority to require the modification of the tree as to abate the hazard and maintain the tree in a non-dangerous condition. If the hazard cannot be abated the *code official* has the authority to require the removal of the tree The modification or removal shall be ordered in writing in accordance with the requirements of section 302.11.4.
3. Delete: Section 315 Vegetative Growth
4. Delete: Section 316 Unlicensed Vehicles
5. Section 805, Rental Housing Permit Suspension for Zoning Violations, is modified as follows: all notations to Borough or State College Borough shall be changed to Ferguson Township, Borough Manager to Ferguson Township Manager and Borough Council to Ferguson Township Council.
6. Alter: Section 805.8 Offenses. To read: For the purpose of this suspension provision, offenses are violations of the Ferguson Township Zoning Ordinance.
7. Section 806 Rental Housing Permit Suspension for Nuisance and Criminal Violations is modified as follows: All notations to Borough or State College Borough shall be changed to Ferguson Township, Borough Manager to Ferguson Township Manager, and Borough Council to Ferguson Township Council.
8. Alter: Section 806.11.1 Refuse. To read: Refers to garbage, refuse, and municipal solid waste regulations enforced by the Ferguson Township Ordinance Enforcement and Zoning Officers pursuant to Chapter 20, Solid Waste, of the Ferguson Township Code.
9. Alter: Section 806.11.2 Property maintenance (interior and exterior). To read: Refers to regulations for the maintenance of residential property as generally enforced by the Centre Region Code Administration, pursuant to this code with the exception of Chapter 9 (Fire Code).
10. Alter: Section 806.11.3 Sidewalk obstruction. To read: Refers to regulations for clearing snow, ice, and other obstructions from sidewalks pursuant to Chapter 21, Part 2, Sidewalks, of the Ferguson Township Code.
11. Alter: Section 806.11.4 Noise. To read: Refers to the enforcement of Chapter 10, Health and Safety, Part 3, Noise, of the Ferguson Township Code.
12. Alter: Section 806.11.5 Vegetation. To read: Refers to enforcement of grass and weeds pursuant to Chapter 10, Health and Safety, of the Ferguson Township Code.
13. Alter: Section 806.11.9 Dogs. To read: Refers to enforcement of dog offenses pursuant to Chapter 2, Animals, of the Ferguson Township Code.
14. Alter: Section 806.11.10 Fire Code. To read: Refers to regulations for the prevention of fires at rental properties as adopted in Chapter 9 (Fire Code) of this code.
15. Section 807 is deleted

**Add §5-304 Health officer. To read:** Any Health Officer of a participating municipality which has adopted The Centre Region Rental housing & Building Safety Code, 2023 edition, as amended, may enforce the provisions of this Code.

**Add §5-305 Effective date. To read:** The provisions of this ordinance shall be in full force and effect on August 1, 2023.

**ENACTED AND ORDAINED** as an ordinance by the Township of Ferguson this XX day of June 2023.

**FERGUSON TOWNSHIP COUNCIL**

**ATTEST:**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Manager/Secretary

# Centre Region **Rental Housing & Building Safety**

## **& ~~Property Maintenance~~ Code**

**2017 2023 Edition**

**May 26, 2023 Draft**



**~~September 26, 2017~~**

### **Centre Region Code Administration**

2643 Gateway Drive, Suite 21, State College, Pennsylvania 16801  
814-231-3056

[www.centregioncode.org](http://www.centregioncode.org)





# Centre Region **Rental Housing &** **Building Safety**

## ~~& Property Maintenance~~ **Code**

~~2017~~ **2023** Edition



~~September 26, 2017~~

### **Centre Region Code Administration**

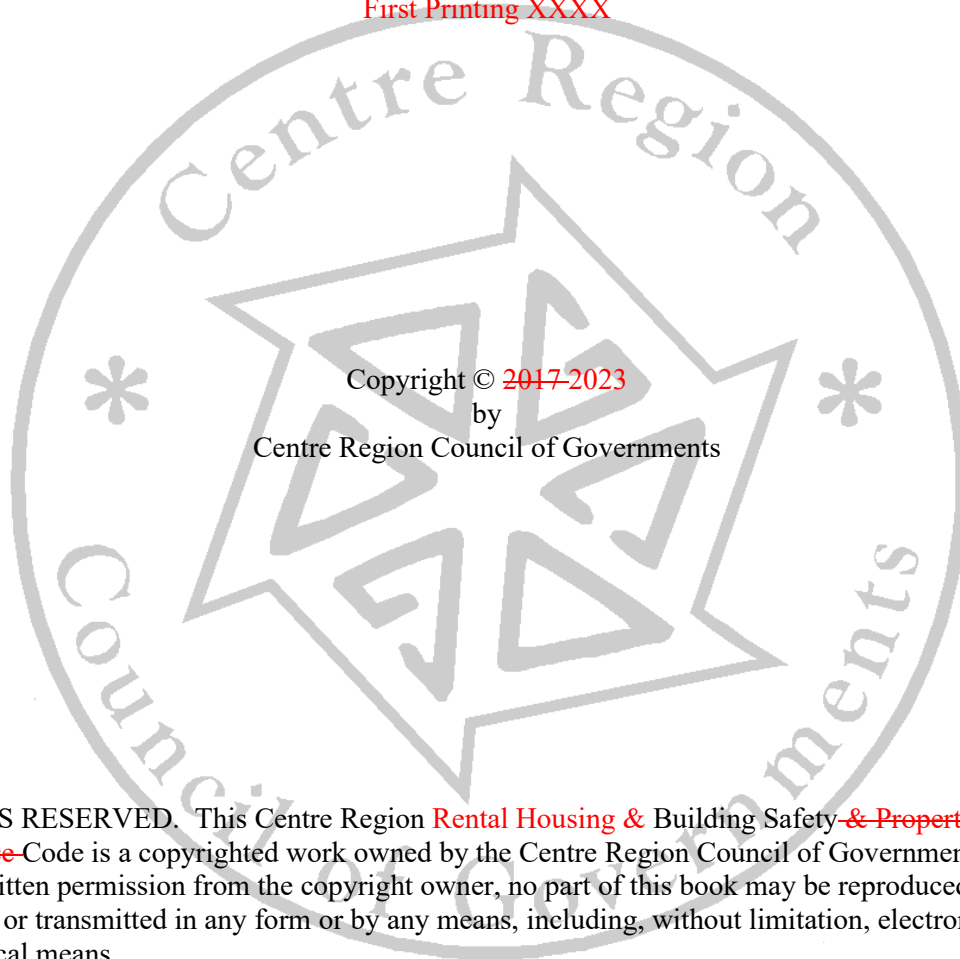
2643 Gateway Drive, Suite ~~2-1~~, State College, Pennsylvania 16801

814-231-3056

[www.centregioncode.org](http://www.centregioncode.org)

Centre Region ~~Rental Housing & Building Safety & Property Maintenance~~ Code, 2017-2023 edition

~~Second Printing: September 2017~~  
~~First Printing XXXX~~



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# PREFACE

## Letter Designations in Front of Section Numbers

The content of sections in this code that begin with a letter designation are maintained by another code development committee in accordance with the following:

[F] = International Fire Code Development Committee;

[P] = International Plumbing Code Development Committee;

[B] = International Building Code Development Committee.

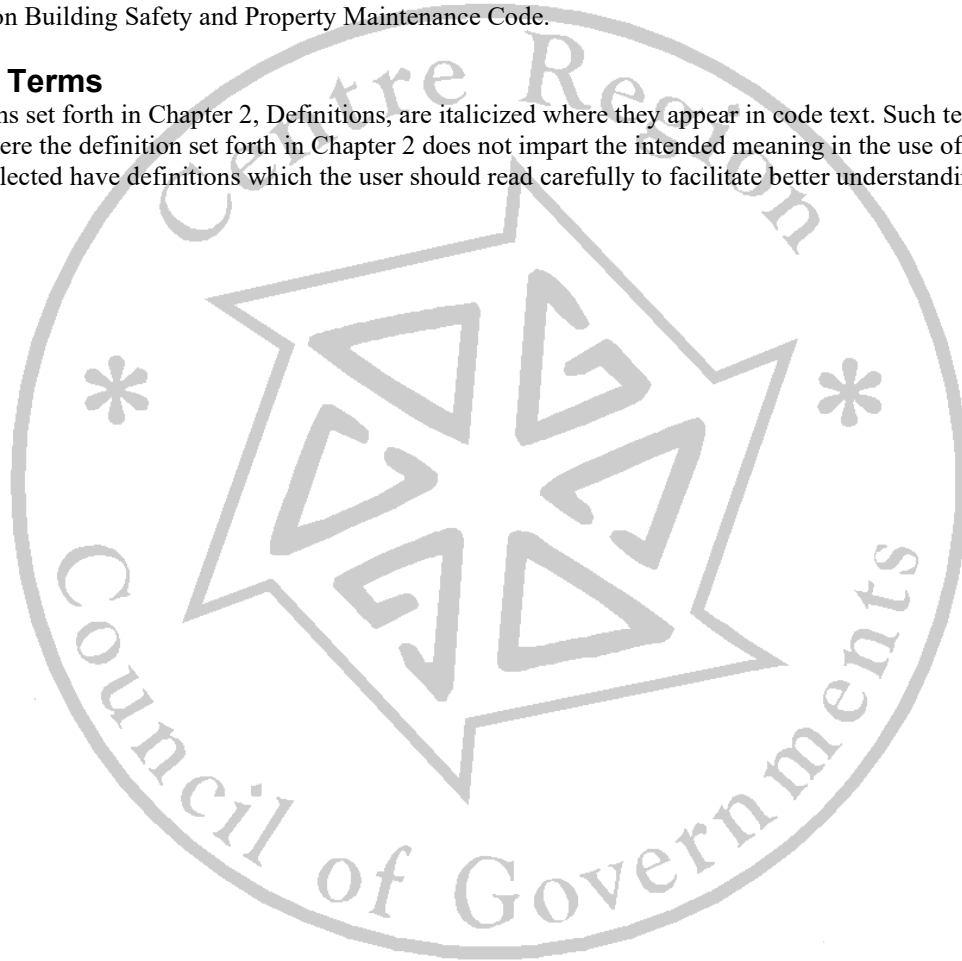
## Marginal Markings

Solid vertical lines in the margins of the code indicate a change from the requirements of the previous edition of the Centre Region Building Safety and Property Maintenance Code.

## Italicized Terms

Selected terms set forth in Chapter 2, Definitions, are italicized where they appear in code text. Such terms are not italicized where the definition set forth in Chapter 2 does not impart the intended meaning in the use of the term.

The terms selected have definitions which the user should read carefully to facilitate better understanding of the code.





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# CHAPTER 1

## SCOPE AND ADMINISTRATION

### PART 1—SCOPE AND APPLICATION

#### SECTION 101 GENERAL

**101.1 Title.** These regulations shall be known as the Centre Region ~~Building Safety and Property Maintenance-Rental Housing & Building Safety Code~~, hereinafter referred to as “this code.”

**101.2 Scope. [4A]** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, owner’s authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**Exception:** Owner-occupied single-family dwellings that do not require a rental housing permit are exempted from all sections of this code except Sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 302, 303, 304, 306, exterior provisions of 307.1, exterior provisions 308, 312, 318, 604, and Chapters 2, 9, 10, 11, and 12 of this code.

**101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**101.5 False statements.** No person shall knowingly make any false statement or provide any false

information on any form, document, or to any employee of the Centre Region Code Administration or any representative of a municipality or other authorized person.

**101.6 Tenant rights.** This section provides minimum requirements for owner-tenant residential agreements.

**Exemption:** Any bona fide transfer of title incident to a sale of the premises, but any subsequent owner, agent or other person operating or managing such premises shall be subject to the provisions of this section.

Any owner, agent or other person operating or managing any premises against which a notice of violation has been issued who desires to terminate an existing occupancy in order that the premises may be rehabilitated and the violation cured, and the Code Official or the Municipality issues a certification that such work requires that the premises be vacated.

**101.6.1 Violations.** Whenever any premises are found in violation of any provision of this Code and a notice of violation has been issued by the Code Official or the Municipality, it shall be unlawful for any owner, agent or other person operating or managing such premises to:

1. Terminate the lease with the existing tenant unless the tenant has failed to pay rent, or committed a nuisance in accordance with Section 806 of this code,
2. Offer, tender, give, exchange or transfer possession or the right to possession to any person not in possession of the premises upon any terms or conditions until the violation has been corrected; or
3. Make, alter, amend or modify any term or condition of any existing lease or arrangement of tenancy with any person in possession of the premises at the time notice of violation is issued until the violation has been corrected;

The following notation [ ] behind the section number denotes that the Municipality has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.

1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

4. Make, alter, amend or modify any term or condition of any existing lease or arrangement of tenancy with any *tenant* for the remaining lease period or a period of one year after correction of any violations where the action against the *tenant* is intended to collect the cost or value of making any or all of the corrections necessary to comply with this Code and where also any violation has remained uncorrected, whether or not recorded by the *Code Official* or the *Municipality*, for a period of one year or more prior to the date of correction. The burden shall be on the *owner* to show that the violation has not existed uncorrected for a period of one year or more prior to the date of correction in any legal proceeding in which the provisions of this Code shall be relevant.

**101.6.2 Retaliation.** It shall be a violation of this Code for any *owner*, agent or other person operating or managing premises to terminate a lease with a *tenant* or make, alter, amend or modify any term or condition of any existing lease or arrangement of tenancy with a *tenant* in retaliation for:

1. Any violation having been found against the premises;
2. Filing of a complaint alleging a violation of this code, *municipal*, state, or federal regulation;
3. The joining of any lawful organization, or any other exercise of a legal right. It shall be unlawful for any *owner*, *agent* or other person operating or managing premises to refuse to lease any premises to a prospective *tenant* because they believe the prospective tenant has exercised any such right;
4. An incident of domestic violence or sexual assault in which a *tenant* was the victim, or a tenant's status as a victim of domestic violence or sexual assault.

In any civil proceeding involving this provision in which the notice of termination or alteration of a term or condition of the lease was given within one year after a violation was found, a right of the *tenant* against the *owner*, agent or other person operating or managing premises was exercised, or

a correction made, whichever is the latest, it shall be the burden of the *owner*, agent or other person operating or managing such premises to prove that the notice was not given in retaliation for the exercise by the *tenant* of their legal rights.

**101.6.3 Security deposit.** No *owner*, agent or other person operating or managing any premises shall unlawfully retain any security deposit, however styled in a lease.

**101.6.4 Payments.** No *owner*, agent or other person operating or managing any premises shall accept any rental payment under any written lease on the premises until the *owner* has given a fully executed copy of the lease to all the parties to the lease.

**101.6.5 Victim protection.** The provisions of this section apply to victims of domestic violence or sexual assault.

Nothing in subsection 101.6.5.1 or 101.6.5.2 limits the authority of the *owner*, agent or other person operating or managing the premises to evict a *tenant*, who is the victim of domestic or sexual violence, for any violation of a lease other than one premised on the act or acts of violence in question against such *tenant*, provided that, in determining whether to evict, the *owner*, agent or other person operating or managing the premises does not apply a more demanding standard, than that applied to other *tenants* who are not victims of domestic or sexual violence.

Nothing in subsection 101.6.5.1 or 101.6.5.2 changes the authority of any court to evict an abuser under the Pennsylvania Protection from Abuse Act, Act of December 19, 1990, P.L. 1240, No. 206, § 2 (23 Pa. C.S. §§ 6101 et seq.).

**101.6.5.1 Early termination.** The *owner*, agent or other person operating or managing the premises shall, at the request of a tenant who is a victim of domestic violence or sexual assault, permit the victim *tenant* to terminate the lease regardless of the lease term and without penalty for early termination provided:

1. Request is made, in writing, at least thirty (30) calendar days before the requested termination date, and within ninety (90) calendar days of:
  - a. The reporting of an incident of domestic violence or sexual assault,

<sup>2</sup> The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
 1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

- b. The issuance of a protection from abuse order or,
  - c. The approval of a consent agreement
2. The victim tenant vacates the premises no later than the early termination date; and
  3. At the time the request is made for termination of the lease, the victim *tenant* provides one of the following:
    - a. Court order or approved consent agreement for protection from abuse pursuant to the Protection from Abuse Act, Act of December 19, 1990, P.L. 1240, No. 206, § 2 (23 Pa. C.S. §§ 6101 et seq.);
    - b. Incident report from the Police Department stating that a domestic abuse or sexual assault complaint was filed by the tenant; or
    - c. Written certification from a health care professional or professional guidance counselor, licensed under the laws of the Commonwealth of Pennsylvania, or a victim's services organization recognized by the Commonwealth of Pennsylvania, stating that the tenant sought assistance as a victim of domestic violence or sexual assault.

All terms and conditions of the lease remain in effect until the date of termination or bifurcation. If any *tenant* wishes to inhabit the leased premises after early termination or bifurcation, a new lease with the *owner* must be executed.

**101.6.5.2 Lease bifurcation.** If the abuser or perpetrator of the domestic violence or sexual assault is a cotenant, the *owner*, agent or other person operating or managing the premises may, upon the victim's request, bifurcate the lease in order to evict the abuser or perpetrator of the domestic violence or sexual assault, while allowing the victim to remain in the premises provided the victim's request complies with section 101.6.5.1 (1) and (3).

All terms and conditions of the lease remain in effect until the date of termination or bifurcation. If any *tenant* wishes to inhabit the leased

premises after early termination or bifurcation, a new lease with the *owner* must be executed.

**101.6.5.3 Lease requirements.** The provisions of section 101.6.5 shall be implied in all leases and made a written term in all leases reduced to writing for any lease executed or renewed after the effective date of this Code.

**101.6.6 Tenant lease rights.** The provisions set forth in this section apply agreements between *owners* and *tenants* of residential properties in addition to all other applicable federal, state, and local laws.

**101.6.6.1 Rent increase.** The following minimum notice requirements apply when a modification of rent is anticipated in a residential occupancy. The provisions of this subsection shall apply to any residential lease that is executed or renewed after the effective date of this Code.

**Exception:** any property under the jurisdiction of the Department of Housing and Urban Development

**101.6.6.1.1 Owner Notice to Tenant.** Unless the lease provides a longer period of time for the *owner* to notify the *tenant* in writing, by hand delivery or by first class United States mail with proof of mailing, that the *tenant's* rent will be increased at the end of a residential tenancy. The following notice requirements shall apply:

1. Where a residential tenancy is one year or more at least sixty (60) calendar days prior to the effective date of a rent increase
2. Where a residential tenancy is less than one year at least thirty (30) calendar days prior to the effective date of a rent increase,

The *Owner* shall notify the tenant of all of the following:

1. Amount of the rent increase
2. Effective date of the rent increase
3. New payment amount.

**101.6.6.1.2 Tenant Notice to Owner.** For any residential tenancy of one year or more, if the *tenant* has received timely notice of a rent increase under subsection 101.6.5.1.1, and if the *tenant* will not renew the lease at the end of the lease term, the *tenant* shall notify the *owner* of the non-renewal, within thirty (30) calendar days after receiving notice of a rent increase. The *tenant* shall provide such notice, in writing, by hand delivery or by first class United States mail with proof of mailing.

**101.6.6.2 Lease renewal.** No *owner*, agent or other person operating or managing any residential premises, upon expiration of a lease of less than one year, shall issue a notice to vacate, notice of non-renewal, or notice to terminate the lease, unless the *owner* has good cause as defined in subsection 101.6.6.2.1 not to renew the lease and the *owner* provides the *tenant* with notice pursuant to subsection 101.6.6.2.2.

**101.6.6.2.1 Good cause.** Good cause shall include, but is not limited to, any of the following:

1. Habitual non-payment or habitual late payment of rent by the *tenant*.
2. Breach of or non-compliance with a material term of the *tenant's* lease or rental agreement.
3. The *tenant* engages in nuisance activity that creates a substantial interference with the use, comfort or enjoyment of the property by the *owner* or other *tenants* in the building; that substantially affects the health or safety of the *owner* or other *tenants* in the building, or that causes the property to be a Nuisance Property as defined in section 806.
4. The *tenant* causes substantial deterioration of the property beyond normal wear and tear.
5. The *tenant*, after written notice to cease, refuses the *owner* access to the unit for lawful purposes, such as to make repairs or assess the need for repairs, to inspect the premises for damages, to show the premises to insurance or mortgage

companies, inspect the property for compliance with the requirements of this Code, or during an emergency.

6. The *tenant* refuses to execute an extension of a written lease, that is set to expire, for materially the same terms.
7. The *owner* of the premises or a member of the *owner's* immediate family is going to move into the unit.
8. The *tenant* refuses to agree to a proposed rent increase or other proposed changes to a lease (for example, a new no-pets policy, the elimination of parking, or charging more for utilities), but only if all of the following conditions have been met:
  - a. The *owner* has provided the *tenant* with the option to accept the proposed rent increase or proposed other change to the lease. The option shall be included in the notice required by subsection 101.6.5.1.1 or, if no notice is required by subsection 101.6.5.1.1, in a notice provided to the *tenant* that matches the time requirements of subsection 101.6.5.1 and includes the revised lease language.
  - b. The *tenant* must accept the option no later than fifteen (15) calendar days prior to the expiration of the current lease, or else the *tenant* will be deemed to have declined the option. The *tenant* must accept the option in writing, by hand delivery or by first class United States mail with proof of mailing; provided that the *tenant* may accept the option by other means acceptable to the *owner* so long as the *owner* provides a receipt confirming that the acceptance has been received.
  - c. The *owner* intends and reasonably expects to apply the proposed rent increase or proposed change to the next *tenant* if the current *tenant* rejects the proposed terms.
9. The *owner* of the premises will not be renting out the premises during

<sup>4</sup> The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

upcoming renovations, but only if the following conditions have been met:

- a. The *owner* provides notice of non-renewal of the lease at least sixty (60) calendar days prior to the date the premises must be vacated.
- b. The *owner* returns to the *tenant* any outstanding security deposit as promptly as possible prior to the date of move-out, but in no instance later than provided for by Section 512 of The Landlord and Tenant Act of 1951, 68 P.S. § 250.512.
- c. The *owner* provides to the *tenant* the option to renew the tenancy at the market rental rate when the premises become available again for rental, other than for rental to a close family member.

#### 101.6.6.2.1.1 Proof of allegation.

Allegations of an *owner*, agent or property manager in support of a claim of good cause shall be presumed true if supported by any of the following:

1. Time and date stamped video.
2. Time and date stamped photographs.
3. Police report with reliable information and corroborating police investigation.

**101.6.6.2.2 Notice.** An *owner* who has good cause to issue a notice to vacate or notice to terminate a lease under subsection 101.6.6.2, shall notify the tenant in writing of the basis for such good cause. Notice shall be by hand delivery or by first class United States mail with proof of mailing. The following notice requirements shall apply:

1. Where a residential tenancy is one year or more at least sixty (60) calendar days prior to the effective date of lease termination.
2. Where a residential tenancy is less than one year at least thirty (30) calendar days prior to the effective date of lease termination.

In the event the owner, agent or other person operating or managing the premises fails to issue the notice as required by this subsection (12), the lease shall renew on a month-to-month basis, unless the tenant elects otherwise.

**101.6.6.2.3 Appeal.** A *tenant* shall have the right to challenge the determination of good cause in a court of competent jurisdiction with notice to the *owner*, within fifteen (15) business days of the receipt of notice of good cause.

No notice to vacate, notice of non-renewal or notice to terminate a lease shall be effective while a challenge to a determination of good cause is pending before the Court, unless a court of competent jurisdiction finds that the challenge was filed in bad faith.

## SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the *structure* or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner*, *owner's authorized agent*, *operator* or *occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, *structures* and *premises*.

**102.3 Application of other codes.** Repairs, additions or alterations to a *structure*, or changes of *occupancy*,

shall be done in accordance with the procedures and provisions of the Uniform Construction Code of Pennsylvania, *International Building Code*, *International Residential Code*, *International Plumbing Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Fire Code*, *International Existing Building Code*, and *National Electrical Code NFPA 70*.

**102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any *structure* which is dangerous, unsafe and insanitary.

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's installation instructions.

**102.6 Structural analysis.** Where structural analysis is used to determine if an unsafe structural condition exists, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the structure was constructed or in accordance with any subsequent requirement.

~~102.6~~ **102.7 Historic buildings.** The provisions of this code shall not be mandatory may be waived for existing buildings or *structures* designated as *historic buildings* when such buildings or *structures* are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

~~102.7~~ **102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter ~~11~~ 12 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply or where the enforcement of a code provision would violate the Uniform Construction Code of Pennsylvania, the provisions of the Uniform Construction Code of Pennsylvania shall apply.

~~102.8~~ **102.9 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, *structure*, or equipment, or for the public safety, health, general welfare, not specifically covered by this code, shall be determined by the *code official*. In the case of a clear public safety hazard, the *code official* shall be authorized to enforce a provision of this code, or other recognized relative codes, retroactively.

~~102.9~~ **102.10 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

~~102.10~~ **102.11 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## PART 2—ADMINISTRATION AND ENFORCEMENT

### SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

**103.1 General.** The Centre Region Code Administration is hereby designated as the building code department.

**103.2 Appointment.** The Agency Director of the Centre Region Code Administration is hereby appointed as the *code official*.

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

**103.4 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to *persons* or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or

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employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

~~103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution of the Municipality.~~

~~103.5.1~~ **103.5 Housing permits.** Housing permits shall be renewed annually on or before the expiration date of each year. A housing permit shall become null and void upon permittee's failure to submit the required or proper annual rental housing fee. No reduction shall be made for fractional yearly permits and no refunds will be made for fees paid. A late charge of equal to 20% of the permit fee per unpaid unit shall be imposed after the date of permit payment due, and with each additional notice every 30-days thereafter until paid. Housing permits shall be transferable upon change of ownership, providing the permitted use has not changed. The new owner or designated *operator* is required to notify the Code Administration office in writing within 15 days after the change of ownership.

After 90 calendar days of lapsation or non-payment the permit is considered willfully abandoned.

~~103.5.1.1~~ **103.5.1 Rental permit abandonment.** Once a permit has been willfully abandoned a rental housing permit must be obtained prior to renting or offering the unit or *structure* for rent in accordance with this code. This unit or *structure* must comply with all provisions of this code in accordance with a first-time rental permit application.

**103.6 Restriction of employees.** An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the board of appeals established under the provisions of Section 111, shall not be engaged in, or be directly or indirectly connected with, the furnishing of labor, materials, or appliances for the construction, alteration, or maintenance of a building, or the preparation of construction documents thereof, unless that *person* is the *owner* of the building; nor shall such officer or employee engage in any work

that conflicts with official duties or with the interests of the department.

## **SECTION 104 FEES**

**104.1 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution of the *Municipality*.

**104.2 Refunds.** The *code official* is authorized to establish a refund policy.

## **SECTION 104 105 DUTIES AND POWERS OF THE CODE OFFICIAL**

~~104.1~~ **105.1 General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

~~104.1.1~~ **105.1.1 Municipal manager.** All provisions contained in Sections 805 and 806 shall be administered and enforced by the *Municipal Manager* or others as designated by the *Municipal Manager*.

~~104.2~~ **105.2 Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

~~104.2.1~~ **105.2.1 Rental Housing inspection frequency.**

1. All rental properties shall be inspected at least once every 36-months. The next regular inspection will be scheduled 36-months or sooner from the last regular inspection, not the last reinspection date.

~~Exception: Those properties in the Borough of Bellefonte shall be inspected once every 24 months. The next regular inspection will be scheduled 24 months or sooner from the last regular inspection, not the last reinspection date.~~

2. If a property fails to receive a *satisfactory rental housing inspection* during any regular inspection, that property shall be inspected annually thereafter until such time as the property has received a satisfactory inspection report during three consecutive annual inspections. The *Owner* shall be charged for each additional inspection required under this section.
3. Nothing in this ordinance shall prevent the *code official* from conducting more frequent inspections of a property. More frequent inspections may occur when one or more of the following occurs:
  - a. When a complaint is made and the *Code Official* has reasonable cause to believe that the complaint is valid.
  - b. The property becomes a nuisance property under the provisions of Section 805 or 806 of this code.
  - c. At the request of the *Owner* or *tenant*.

**105.2.2 Rental housing inspection notice.** The *Code Official* shall notify the *person-in-charge* a minimum of 14 calendar days prior to the scheduled inspection. Notification shall be by Unites States Mail, email, delivered in-person, or posted on a prominent place on the property.

**Exception:**

1. Written advanced notice shall not be required for inspections generated as a result of a complaint.
2. Written notice shall be provided a minimum of the one calendar day prior to re-inspections.

**~~104.2.2~~ 105.2.3 No-show fee.**

1. If the owner or *person-in charge* fails to be present or provide interior access for an inspection within ten minutes after the start time of the scheduled inspection, the owner shall be considered a No-Show and subject

to a *No-Show Fee* as defined herein, except for good cause shown.

2. Following the first No-Show, the inspection shall be rescheduled, and the *code official* shall give notice of the time and date for the rescheduled inspection. If the *OWNER* or *PERSON-IN-CHARGE* fails to be present or fails to provide interior access for the second inspection, the *OWNER* or *PERSON-IN-CHARGE* shall be considered a second No-Show and shall be subject to an additional No-Show fee and shall be in *violation* of this Chapter.
3. Each day that the *OWNER* or *PERSON-IN-CHARGE* fails to provide interior access or to be present for an inspection shall constitute a separate *violation*. If the inspection has not been completed within thirty days of the first scheduled inspection as a result of the *OWNER* or *PERSON-IN-CHARGE* not being present or failing to provide interior access for a scheduled or rescheduled inspection, the rental permit may be suspended for a period of 180 days, in addition to any other penalties as set forth Section ~~106.3~~ 107.3 of this Chapter.

**~~104.3~~ 105.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in *violation* of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, subject to applicable laws, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other *person* having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

**~~104.4~~ 105.4 Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

**~~104.5~~ 105.5 Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

8 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
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~~104.6~~ **105.6 Department records.** The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

## SECTION ~~405~~-106 APPROVAL

~~105.1~~ **106.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements complying with the provisions of the Uniform Construction Code of Pennsylvania. The details of action granting modifications shall be recorded and entered in the department files. The modification that is approved by the *Code Official* is the minimum modification that will be required to achieve the intent and purpose of the code.

~~105.2~~ **106.2 Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

~~105.3~~ **106.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction. Where the alternative material, design or method of construction is not *approved*, the *code official* shall

respond in writing, stating the reasons the alternative was not *approved*.

~~105.3.1~~ **106.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

~~105.3.2~~ **106.3.2 Test reports.** Reports of tests shall be retained by the *code official* for the period required for retention of public records.

~~105.4~~~~106.4~~ **Used material and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

~~105.5~~~~106.5~~ **Approved materials and equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

~~105.6~~~~106.6~~ **Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

## SECTION ~~406~~ 107 VIOLATIONS

~~106.1~~ **107.1 Unlawful acts.** It shall be unlawful for a *person*, firm or corporation to be in conflict with or in *violation* of any of the provisions of this code or fail to obey a lawful order of the *Code Official*.

~~106.2~~ **107.2 Notice of violation.** The *code official* shall serve a notice of *violation* or order in accordance with Section ~~107~~ 108.

~~106.3~~ **107.3 Penalty.** Any *person*, firm, or corporation who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$300.00 nor more than \$1,000.00 or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

~~106.3.1~~ **107.3.1 Unsafe condition violation.** In addition to the imposition of the penalties herein described, the *code official* is authorized to issue field fines or citations in accordance with Section 107.3 for unsafe condition violations. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or over occupancy, or tampering with life-safety equipment, shall be deemed an unsafe condition. The *code official* shall establish, by written regulation, all unsafe conditions and associated fines not less than \$150.00 nor more than \$300.00 per occurrence. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any person, firm, or corporation violating one or more of these sections is exempt from the notification requirements set forth in Section ~~107~~ 108. Failure to pay the fine, in full, to the Centre Region Council of Governments (COG) within 10 days of issuance will result in legal action in accordance with Section ~~106.3~~ 107.3. All Unsafe Condition Violations can be appealed to the Director of Code Administration within 7 calendar days of issuance.

~~106.3.1.1~~ **107.3.1.1 Identification of violation responsibility.** When an Unsafe Condition Violation is issued within a dwelling unit, every attempt will be made to identify the person(s) responsible for the violations. The OWNER or PERSON-IN-CHARGE shall provide the tenant information, including but not limited to name, and contact information to the code official within 24-hours when the tenants are not present. In the event that the responsible person is unable to be determined, any violations occurring within a bedroom within the dwelling unit, the tenant(s) within that bedroom as identified by the owner's agent shall be issued the violation and or penalty. When the violation occurs within a common area within the dwelling unit, the tenant(s) of the dwelling unit as identified by the owner's agent will be issued the violation and or penalty.

When the tenant information cannot be identified the OWNER will be issued the violation and or penalty.

~~106.3.2~~ **107.3.2 Re-inspection fee.** When a re-inspection is performed to abate a violation of this code and the inspection reveals that the abatement of the violation has not been completed or the owner or agent or person-in-charge is not present for a scheduled re-inspection, an additional inspection fee of \$100.00 ~~75.00~~ for every re-inspection shall be charged and is required to be paid and violations abated prior to the next scheduled re-inspection. Failure to make the required payment, appear for an inspection, or abate the violations after this point will then be subject to the penalty section described in Section ~~106.3~~ 107.3. This fee may be revised by resolution of the Municipality.

~~106.3.3~~ **107.3.3 No-show fee.** A \$100.00 ~~75.00~~ No-Show Fee will be assessed when an OWNER or PERSON-IN-CHARGE fails to provide interior access for a scheduled inspection. Inspections in which an OWNER or PERSON-IN-CHARGE fails to provide interior access must be rescheduled within 24-hours of the date and time of the initial inspection to avoid assessment of a No-Show Fee. When assessed, this fee must be paid within 7 days. Unpaid fees will be added to the next renewal fee for the rental housing permit and if still unpaid shall constitute a basis for denial of renewal. This fee may be revised by resolution of the Municipality.

~~106.3.4~~ **107.3.4 Annual Inspection Fee.** A \$100.00 ~~75~~ Annual Inspection Fee will be assessed when a property is required to undergo annual inspections as identified in Section ~~104.2.1~~ 105.2.1. This fee will be assessed annually when the housing permit is renewed. This fee may be revised by resolution of the Municipality.

~~106.3.5~~ **107.3.5 Outstanding Fees.** A rental housing permit will not be renewed until all outstanding "re-inspection", "no-show" and "annual inspection" fees have been paid.

~~106.3.6~~ **107.3.6 Unsanitary condition violation.** In addition to the imposition of the penalties herein described, the *code official* or *health officer* is authorized to issue field fines for unsanitary and unclean condition violations. Dwelling units or portions of dwelling units that are deemed unsanitary or unclean, or hereafter become unsanitary or unclean because of inadequate cleaning, or housekeeping, neglect, or otherwise unsanitary practices, shall be deemed an unsanitary or unclean condition. The *health officer* and *code*

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*official* shall establish, by written regulation, all unsanitary and unclean conditions and with a fine of \$75.00 per occurrence. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any *person*, firm, or corporation violating one or more of these sections is exempt from the notification requirements set forth in Section ~~107~~ 108. Failure to pay the fine, in full, to the Centre Region Council of Governments (COG) within 10 days of issuance will result in legal action in accordance with Section ~~106.3~~ 107.3. All Unsafe Condition *Violations* can be appealed to the Director of Code Administration within 7 calendar days of issuance.

**~~106.3.7~~ 107.3.7 Interior furniture violation.** In addition to the imposition of the penalties herein described, the *code official, municipal enforcement official, or police officer* is authorized to issue field fines for *violations* of sections 302.8 and [F] 315.3.1. A fine of \$150.00 per occurrence shall be issued for each occurrence observed. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any *person*, firm, or corporation violating one or more of these sections is exempt from the notification requirements set forth in Section ~~107~~ 108. Failure to pay the fine, in full, to the Centre Region Council of Governments (COG) or the issuing *Municipality* within 10 days of issuance will result in legal action in accordance with Section ~~106.3~~ 107.3. All *violations* of sections 302.8 and [F] 315.3.1 can be appealed either to the Director of Code Administration or *Municipal Manager*, if issued by the *Municipality*, within 7 calendar days of issuance.

**~~106.3.8~~ 107.3.8 Storage violation.** In addition to the imposition of the penalties herein described, the *Code Official, Municipal Enforcement Officer, or police officer* is authorized to issue field fines for violations of sections 318. A fine of \$150.00 per occurrence shall be issued for each occurrence observed. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any person, firm, or corporation violating one or more of these sections is exempt from the notification requirements set forth in Section ~~107~~ 108. Failure to pay the fine, in full, to the Centre Region Council of Governments (COG) or the issuing *Municipality* within 10 days of issuance will result in legal action in accordance

with Section ~~106.3~~ 107.3. All violations of Section 318 can be appealed either to the *Director of Code Administration* or *Municipal Manager*, if issued by the *Municipality*, within 7 calendar days of issuance.

**~~106.4~~ 107.4 Failure to comply.** Any *person* who shall continue any work on the system after having been served with a stop work order, except such work as that *person* is directed to perform to remove a *violation* or unsafe condition, shall be liable to a fine of not less than \$300.00 or more than \$1,000.00. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

**~~106.5~~ 107.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a *violation*, or to prevent illegal *occupancy* of a building, *structure* or *premises*, or to stop an illegal act, conduct, business or utilization of the building, *structure* or *premises*.

## SECTION ~~107~~ 108 NOTICES AND ORDERS

**~~107.1~~ 108.1 Notice to person responsible.** Whenever the *code official* determines that there has been a *violation* of this code or has grounds to believe that a *violation* has occurred, notice shall be given in the manner prescribed in Sections ~~107.2~~ 108.2 and ~~107.3~~ 108.3 to the *person* responsible for the *violation* as specified in this code. Notices for condemnation procedures shall also comply with Section ~~108.3~~ 109.3.

**~~107.2~~ 108.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the *violation* or *violations* and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or *structure* into compliance with the provisions of this code.

5. Inform the property *owner* of the right to appeal.

**107.3 108.3 Method of service.** Such notice shall be deemed to be properly served upon such owner if a copy thereof is delivered to the *owner* personally; or by delivery receipt from a parcel service; or by certified mail addressed to the *owner* or *PERSON-IN-CHARGE* at the last known address with return receipt requested; or if the certified letter is returned with receipt showing that it has not been delivered; or by posting a copy thereof in a conspicuous place in or about the *structure* or *premises* affected by such notice, or by email to an email address provided to the Centre Region Code Administration or Municipality by the *owner* or *person-in-charge*. Service of such notice in the foregoing manner upon the *owner's agent* or upon the *person-in-charge* for the *structure* or *premises* shall constitute service of notice upon the *owner*.

**107.4 108.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

**107.5 108.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

**107.6 108.6 Transfer of ownership.** It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of *violation* has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or *structure* to another until the provisions of the compliance order or notice of *violation* have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of *violation* issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of *violation* and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of *violation*.

## SECTION 408 109 UNSAFE STRUCTURES AND EQUIPMENT

**108.1 109.1 General.** When a *structure* or equipment is found by the *code official* to be unsafe, or when a *structure* is found unfit for human *occupancy*, or is found unlawful, such *structure* shall be *condemned* pursuant to the provisions of this code.

**108.1.1 109.1.1 Unsafe structures.** An unsafe *structure* is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**108.1.2 109.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving *stairway*, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the *structure* which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or *structure*.

**108.1.3 109.1.3 Structure unfit for human occupancy.** A *structure* is unfit for human *occupancy* whenever the *code official* finds that such *structure* is unsafe, unlawful or, because of the degree to which the *structure* is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the *structure* constitutes a hazard to the *occupants* of the *structure* or to the public.

**108.1.4 109.1.4 Unlawful structure.** An unlawful *structure* is one found in whole or in part to be *occupied* by more *persons* than permitted under this code, or was erected, altered or occupied contrary to law.

**108.1.5 109.1.5 Dangerous structure or premises.** For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

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1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

1. Any door, aisle, passageway, *stairway*, exit or other *means of egress* that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
  2. The *walking surface* of any aisle, passageway, *stairway*, exit or other *means of egress* is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate *means of egress*.
  3. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
  4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
  5. The building or *structure*, or part of the building or *structure*, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way.
  6. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
  7. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral *persons*, or enables *persons* to resort to the building or *structure* for committing a nuisance or an unlawful act.
  8. Any building or *structure* has been constructed, exists or is maintained in *violation* of any specific requirement or prohibition applicable to such building or *structure* provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
  9. A building or *structure*, used or intended to be used for *dwelling* purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
  10. Any building or *structure*, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
  11. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
- 108.2-109.2 Closing of vacant structures.** If the *structure* is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the *structure* closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private *persons* and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate and may be collected by any other legal resource.
- 108.2-109.2.1 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service to the building, *structure* or system regulated by this code and the referenced codes and standards set forth in Section ~~102.7~~ 102.8 where necessary to eliminate an immediate hazard to life or property or when

such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, *structure* or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building *structure* or service system shall be notified in writing as soon as practical thereafter.

**~~108.3~~ 109.3 Notice.** Whenever the *code official* has *condemned* a *structure* or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the *structure* affected by such notice and served on the *owner* or the *person* or *persons* responsible for the *structure* or equipment in accordance with Section ~~107.3~~ 108.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section ~~107.2~~ 108.2.

**~~108.4~~ 109.4 Placarding.** Upon failure of the *owner* or *person* responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word “*Condemned*” and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

**~~108.4.1~~ 109.4.1 Placard removal.** The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any *person* who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**~~108.5~~ 109.5 Prohibited occupancy.** Any occupied *structure* *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any *person* who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any *person* responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

**~~108.6~~-109.6 Abatement methods.** The *owner*, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**~~108.7~~-109.7 Record.** The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

## SECTION ~~409~~ 110 EMERGENCY MEASURES

**~~109.1~~ 110.1 Imminent danger.** When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or *structure* which endangers life, or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure*, or when there is actual or potential danger to the building *occupants* or those in the proximity of any *structure* because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such *structure* a notice reading as follows: “This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*.” It shall be unlawful for any *person* to enter such *structure* except for the purpose of securing the *structure*, making the required repairs, removing the hazardous condition or of demolishing the same.

**~~109.2~~ 110.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**~~109.3~~ 110.3 Closing streets.** When necessary for public safety, the *code official* shall temporarily close *structures* and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe *structures*, and prohibit the same from being utilized.

**~~109.4~~ 110.4 Emergency repairs.** For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

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7. Borough of Bellefonte

**109.5 110.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the *municipality*. The legal counsel of the *municipality* shall institute appropriate action against the *owner* of the *premises* where the unsafe *structure* is or was located for the recovery of such costs.

**109.6-110.6 Hearing.** Any *person* ordered to take emergency measures shall comply with such order forthwith. Any affected *person* shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## SECTION 440 111 DEMOLITION

**110.1 111.1 General.** The *code official* shall order the *owner* of any *premises* upon which is located any *structure*, which in the *code official* judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or *occupancy*, and such that it is unreasonable to repair the *structure*, to demolish and remove such *structure*; or if such *structure* is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any *structure* for a period of more than two years, the *code official* shall order the *owner* to demolish and remove such *structure*, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the *building code official*.

**110.2-111.2 Notices and orders.** All notices and orders shall comply with Section ~~107~~ 108.

**110.3 111.3 Failure to comply.** If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the *structure* to be demolished and removed, either through an available public agency or by contract or arrangement with private *persons*, and the *cost of such demolition* and removal shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

**110.4-111.4 Salvage materials.** When any *structure* has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such

sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the *person* who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## SECTION 444 112 MEANS OF APPEAL

**111.1 112.1 Request for appeal.** All appeals concerning this code shall be heard before the Centre Region Building and Housing Code Board of Appeals as established by the Joint Articles of Agreement.

**Exception:** Appeals stemming from actions taken in accordance with Sections 805 and 806 shall be heard in accordance with procedures detailed in those Sections.

~~**Exception:** For properties in the Borough of Bellefonte, appeals shall be heard before the Bellefonte Housing Board of Appeals in accordance with the procedures set forth in this code.~~

**111.2 112.2 Appeal application deadline.** The appellant wishing to appeal the decision of the *Code Official* shall do so within ~~30~~ 14 calendar days upon receipt of the written decision.

**111.3 112.3 Application for appeal.** The application for appeal shall be made available at the office of the Centre Region Code Administration. The appeal application shall be completed including all required information and any relevant materials for the appeal including the written decision of the *Code Official* and all applicable fees.

**111.4 112.4 Fees.** The fees for appeals under this code shall be established by resolution of the *Municipality*.

**111.5-112.5 Hearing date.** The secretary of the Centre Region Building and Housing Code Board of Appeals shall schedule a hearing of the board, to be held within 60 calendar days of the applicants request unless both parties agree in writing to an extension in time.

**111.6 112.6 Notice of hearing.** The secretary of the Centre Region Building and Housing Code Board of Appeals shall notify in writing ~~by first class mail~~ no

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later than 10 business days prior to the hearing date the; Notice of Hearing; the appeals form; and the written decision of the *Code Official* to all board members, Public Safety Committee members, *Municipal Managers*, and all Parties of Interest. **Written notice shall be by email to all parties. In addition, written service shall be made to all Parties of Interest by United States Mail.**

~~Exception: In the Borough of Bellefonte, the Bellefonte Housing Code Board of Appeals shall replace the Centre Region Building and Housing Appeals Board in this section.~~

**112.7 Request for continuance.** If the Party of Interest is unable to attend the scheduled meeting of the Centre Region Building and Housing Code Board of Appeals, a written request for continuance shall be submitted to the Agency Director of the Centre Region Code Administration, a minimum of ~~3~~ **5** business days prior to the scheduled hearing, detailing why the hearing should not be held as scheduled, and when the Party of Interest would be able to attend. Such a request shall be ruled on by the Board Chairman and if granted rescheduled in accordance with the board rules.

**112.8 Promulgation of decision.** Final Board approval of the decision shall be made within 15 business days after the close of evidence, and shall be forwarded by ~~United States Mail~~ **email** to all board members, Public Safety Committee members, *Municipal Managers*, and **by United States Mail** to all Parties of Interest by the Board Secretary.

**112.9 Appeals of Board rulings.** Appeals of rulings by the Centre Region Building and Housing Code Board of Appeals shall be made to the Pennsylvania Courts of Common Pleas. Application shall be made within 30 calendar days of the promulgation of the board ruling.

## **SECTION 442 113 STOP WORK ORDER**

~~113.1~~ **113.1 Authority.** Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

~~113.2~~ **113.2 Issuance.** A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* agent, or to the *person* doing the work, **or posted in a conspicuous place on the**

**property where the work is occurring.** Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

~~113.3~~ **113.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

~~113.4~~ **113.4 Failure to comply.** Any *person* who shall continue any work after having been served with a stop work order, except such work as that *person* is directed to perform to remove a *violation* or unsafe condition, shall be liable to a fine of not less than \$300.00 or more than \$1000.00 per day.

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## CHAPTER 2 DEFINITIONS

### SECTION 201 GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code only, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the ~~2018~~ ~~2009~~ editions of the *International Building Code*, *International Residential Code*, *International Fire Code*, *International Plumbing Code*, *International Mechanical Code*, *International Fuel Gas Code* or National Electrical Code, NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

**Exception:** When used within this code, the terms *unsafe* and *dangerous* shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the *International Existing Building Code*.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

### SECTION 202 GENERAL DEFINITIONS

**ACCESSIBLE ELEMENT.** An architectural or mechanical component of a building, facility, space, or site thereof that complies with the Accessibility Standard that was in place at the time of the construction of the building, facility, space, or site.

**ALARM.** A communication to a public safety agency indicating that a crime, fire or other emergency situation warranting immediate action by the public safety agency has occurred or is occurring.

**ALARM SUPPLIER.** The business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure, or facility.

**ALARM SYSTEM.** Any assembly of equipment, mechanical-, electrical- or battery operated, arranged to signal the occurrence of a police, fire, hazard or medical emergency requiring urgent attention and to which police, fire, or EMS units are expected to respond.

#### Exceptions:

1. Manual fire alarm pull stations
2. Residential smoke detectors that do not transmit an alarm signal off premises
3. Residential carbon monoxide detectors that do not transmit an alarm signal off premises
4. Residential alarm systems installed in owner occupied single family homes that do not notify police, fire, or EMS units without the alarm owner making direct communication to Centre County 911 Emergency Communications & Addressing

**ANCHORED.** Secured in a manner that provides positive connection.

**ANSWERING SERVICE.** A service whereby trained employees, in attendance at all times, receiving prerecorded voice messages from automatic dialing devices reporting an emergency at a stated location, where such employees have the duty to relay immediately, by live voice, any such emergency message over a trunk line to the communications center of the Police, Fire, or EMS Agency.

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**APPROVED.** *Approved by the code official.*

**AUDIBLE ALARM.** Any device, bell, horn or siren which is attached to the interior or exterior of a building, structure or facility and emits a warning signal audible outside the building, structure or facility and is designed to attract attention when activated by a criminal act or other emergency requiring Police Agency, Fire Agency, or EMS response.

**AUTOMATIC DIALING DEVICE.** A device which is interconnected to a telephone line and is programmed to transmit a signal by a voice or coded message that indicates that an emergency condition exists and the need for an emergency response is required.

**BASEMENT.** That portion of a building which is partly or completely below grade and does not qualify as a *story above grade*.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BED and BREAKFAST (B&B).** For the purposes of this code, the definition of Bed and Breakfast shall be identical to the definition of Bed and Breakfast in the municipal zoning ordinance of the *municipality* adopting this code.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

**CARTWAY.** A pathway, paved or not paved, intended for, but not limited to vehicular traffic, also known as a street, lane, alley, road, or drive.

**CENTRAL STATION.** A protective system or group of such systems operated privately for customers by a person, firm or corporation which accepts recorded messages from automatic dialing devices at a central station having operators and guards in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages to the communications center of the Police, Fire or EMS Agency.

**CHIEF OF POLICE.** The Chief Officer of the Police Department duly appointed by the *municipality*.

**CLEAN AND SANITARY.** A surface that is free of visible soil and free from elements such as filth or bacteria that endanger health. Also, the reduction of pathogenic organisms on a clean surface to a safe level.

**CODE OFFICIAL.** The Director of the Centre Region Code Administration or a duly authorized representative.

**CONDEMN.** To adjudge unfit for *occupancy*.

**CONGREGATE LIVING FACILITIES.** A building or part thereof that contains *sleeping units* where *residents* share *bathroom* or kitchen facilities, or both (this definition includes fraternities/sororities and *rooming houses*).

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS.** The costs shall include the actual costs of the demolition or repair of the *structure* less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the *municipality*, or board of appeals.

**COURT.** An open, uncovered space, unobstructed to the sky, bounded on three or more sides by exterior building walls or other enclosing devices.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more *persons*, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EASEMENT.** That portion of land or property reserved for present or future use by a *person* or

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agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above a said lot or lots.

**ELEVATED PARKING STRUCTURE.** Any *structure* or portion of *structure* designed for the purpose of parking or storage of motor vehicles that is not directly supported throughout by soil.

**EMERGENCY.** A police, fire, hazard or medical emergency.

**EMERGENCY ESCAPE AND RESCUE OPENING.** An operable exterior window, door or other similar device that provides for a means of escape and access for rescue in the event of an emergency.

**EMS.** The agency formally recognized by the *municipality* to respond to medical related emergency calls for service.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the *structure*.

**EXTERIOR PROPERTY.** The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

**FALSE ALARM.** An alarm activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or unintentional act, including the malfunction of the alarm system; the intentional activation of a holdup alarm for other than a holdup in progress; the intentional activation of a burglary alarm for other than a burglary; the intentional activation of a medical alarm for other than a medical emergency; or the intentional activation of a fire alarm for other than a fire or hazard to which the Police, Fire or EMS Agency responds.

Exceptions:

1. An alarm caused by the testing or repairing of telephone or electrical lines or equipment outside the premises;
2. Acts of God, such as earthquake, flood, windstorm, thunder or lightning;
3. An attempted illegal entry of which there is visible evidence;

4. A crime in progress;
5. Or, in the case of an emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel is excluded.

**FIRE AGENCY.** The agency formally recognized by the *municipality* to respond to fire related emergency calls for service.

**FIRE CODE OFFICIAL.** For the purpose of this code, the Director of the Centre Region Code Administration charged with the administration and enforcement of the code, or a duly authorized representative.

**FIRE CHIEF.** For the purpose of this code, the chief officer of the fire department serving the *Municipality* or duly authorized representative. In College Township, Ferguson Township, Patton Township, and State College Borough, all of Centre County, Pennsylvania, the Fire Director as appointed by the Centre Region Council of Governments shall be deemed equal to the *Fire Chief* in those *Municipalities*.

**FIRE EMERGENCY.** A fire, smoke or overheating.

**FIRE ESCAPE.** A *stairway* located on the exterior of the *structure* that is constructed for the sole purpose of providing a path of egress travel for building *occupants* in the event of emergency and does not meet the dimensional requirements of an *exterior stairway*.

**FRATERNITY/SORORITY HOUSE.** ~~For the purposes of this code, the definition of *fraternity/sorority house* shall be identical to the definition of *fraternity or sorority house* in the municipal zoning ordinance of the *municipality* adopting this code.~~

~~If the municipal zoning ordinance contains provisions for the temporary re-classification of the *occupancy* during the re-colonization of the *fraternity/sorority*, the *structure* shall remain a *fraternity/sorority* in this code until such time that the zoning use is willfully abandoned.~~

~~If the municipal zoning ordinance does not contain a definition for a *fraternity or sorority house* then the a *fraternity or sorority house* shall be defined for this code as, any building used as a dwelling and occupied by and maintained exclusively or primarily for college, university, or professional school~~

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~~students who are affiliated with a social, honorary, or professional organization recognized currently or in the past by a college, university, or professional school.~~

A mixed use building consisting of all of the following:

1. Mixed use of both A-3 Assembly use, and R-2 Residential use per the International Building Code
2. Used primarily as a dwelling, and occupied by and maintained exclusively or primarily for college, university, or professional school students
3. Affiliated with a nationally chartered social, honorary, or professional organization
4. The occupants live in a congregate living arrangement, signing a single lease with the building owner

**GRADE FLOOR OPENING.** A window or other opening located such that the sill height of the opening is not more than 44 inches (1118 mm) above or below the finished ground level adjacent to the opening.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated *walking surfaces* that minimizes the possibility of a fall from the *walking surface* to a lower level.

**HABITABLE SPACE.** Space in a *structure* for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas* are not considered *habitable spaces*.

**HANDRAIL.** A horizontal or sloping rail intended for grasping by the hand for guidance or support.

**HAZARD EMERGENCY.** An explosion, leak of toxic gas, liquid or solid, or a potential explosion or leak.

**HEALTH OFFICER.** The Officer duly appointed by the *municipality* to administer the health code or a duly authorized representative.

**HEATING SYSTEM.** A mechanical or electrical system that provides heat to a *structure* including mechanical equipment, appliances, ducts, filters, radiators, furnaces, pumps, piping, and fuel storage.

**HISTORIC BUILDING.** Any building or *structure* that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or locally designated historic district.

**HOOD SYSTEM:** An air intake system used to capture by entrapment, impingement, adhesion, or similar means, grease, moisture, heat, and similar contaminants to transfer them out of the space. The system includes cooking equipment, filters, hoods, ducts, fans, fire extinguishing systems, and special effluent or energy control systems.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a *structure* or *premises* of insects, rats, vermin or other *pests*.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**INTERMEDIARY.** A central station protective system or an answering service as herein defined.

**KEY.** To use a telephone line and equipment for transmitting a message either directly or indirectly by an automatic dialing device.

**LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above *labeled* items and whose labeling indicates either that the equipment, material or product meets identified

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standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY OR LET.** To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit*, *rooming unit*, building, premise or *structure* by a *person* who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**LIFE SAFETY VIOLATION.** A condition that could cause serious or life-threatening injury or death at any time due to *structures* or existing equipment that are or hereafter become unsafe or deficient because of inadequate *means of egress*, which cause a fire hazard, are otherwise dangerous to human life or the public welfare, or which involve illegal or over *occupancy* or failure to maintain fire protection systems. These *violations* are defined in written regulation by the *Code Official*.

**MEANS OF EGRESS.** A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or *structure* to a *public way*. A *means of egress* consists of three separate and distinct parts; the exit access, the exit and the exit discharge.

**MEDICAL EMERGENCY.** An emergency involving the health of a person.

**MUNICIPAL ENFORCEMENT OFFICER.** The Officer duly appointed by the *municipality* to administer the code or a duly authorized representative.

**MUNICIPAL MANAGER.** The employee or individual that by resolution or empowerment of the *municipality* adopting this code is duly authorized as manager.

**MUNICIPAL SOLID WASTE.** Any garbage, refuse, industrial lunchroom or office waste and any other material including solid waste, liquid, semisolid or contained gaseous materials resulting from the operation of residential, municipal, commercial, industrial or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial, industrial or institutional water supply

treatment plant, waste water treatment plant or air pollution control facility.

**MUNICIPALITY.** The township or borough having powers of self-government that has adopted this code by ordinance or resolution.

**NEGLECT.** The lack of proper maintenance for a building or *structure*.

**NON-COMPLIANT.** That which does not meet the requirements of this code, nor the intent of this code.

**NO-SHOW FEE.** A fee charged for the failure of the *OWNER* to be present for an inspection within ten minutes after the start time of the scheduled inspection.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**ONE OR TWO FAMILY DWELLING.** For the purposes of this code, a *detached* dwelling for one or two families and multiple single-family dwellings (*townhouses*) and not more than three stories in height with a separate *means of egress*.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

**OPEN BURNING.** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. *Open burning* does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames, *recreational fires* or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

**OPERATOR.** Any *person* who has charge, care or control of a *structure* or *premises* which is *let* or offered for *occupancy*.

**OWNER.** Any *person*, agent, *operator*, firm or corporation having a legal or equitable interest in the

property; or recorded in the official records of the state, county or *municipality* as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such *person*, and the executor or administrator of the estate of such *person* if ordered to take possession of real property by a *court*, or in the absence of such people, the person-in-charge, or the *owner's* employee or representative.

**PERMIT.** Written authorization granted to an applicant by the *Code Official* upon payment of the required fee.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PERSON-IN-CHARGE.** Any *person* who has charge, care, control or management of a *residential rental property* and lives within 25 air miles from the property. Except where the *person-in-charge* is also the property *owner*, the *person-in-charge* shall be a responsible adult 25 years of age or older. This *person* shall reside in the required radius for the majority of the year, not leaving the region for more than 45 continuous calendar days.

**PEST.** An insect, *rodent*, nematode, fungus, weed or any other form of terrestrial or aquatic plant or animal life or virus, bacteria or other microorganism (except viruses, bacteria, or other microorganisms on or in living *person* or other living animals) which the Administrator of the Environmental Protection Agency declares to be a *pest* under section 25(c)(1) of the Federal, Fungicide and Rodenticide Act of 1947 (7 U.S.C.A. § 136w(1)).

**PEST ELIMINATION.** The control and elimination of insects, *rodents* or other *pests* by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

**POLICE AGENCY.** The Bureau of Police Services of the *Municipality*.

**POLICE AND FIRE COMMUNICATIONS CENTER.** The police and fire communications rooms and other rooms which house communications equipment.

**POLICE EMERGENCY.** An incident requiring prompt response by the *Police Agency*.

**PREMISES.** A lot, plot or parcel of land, *easement* or *public way*, including any *structures* thereon.

**PROFESSIONAL ALARM LICENSE.** Legal document authorizing a person the right to sell, install and service an alarm system within the *municipality*.

**PROPERTY MAINTENANCE VIOLATION.** Any conflict or *violation* of this code, other than a *Life Safety Violation* as determined by the *Code Official*.

**PUBLIC SAFETY AGENCY.** The *Policy Agency*, *Fire Agency*, or *EMS* of the *municipality*.

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is *dede*d, dedicated or otherwise permanently appropriated to the public for public use.

Any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been *dede*d, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than 10 feet (3048 mm).

**RECREATIONAL FIRE.** An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

**RESIDENT.** Anyone who resides in a *dwelling unit* for any 6 days or more in any 10 day period.

**RESIDENTIAL RENTAL PROPERTY.** Any building, or portion thereof which is offered for rent or lease as a living facility for XX or more consecutive days with or without compensation. This definition shall not include mobile homes, hotels, motels, dormitories, *tourist homes*, and bed-and-breakfast establishments.

**Note:** for the definition of a *residential rental property*, XX is defined as the following in the respective *municipality*:

- 1 – Borough of Bellefonte
- 1 – College Township
- 1 – Ferguson Township
- X – Halfmoon Township
- 30 – Harris Township

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1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

**RODENT.** Belonging or pertaining to the gnawing or nibbling mammals of the order Rodentia, including the mice, squirrels, beavers, etc.

**ROOF.** A *roof* is defined as the exterior surface on the top of a building that is not means for walking or seating and does not have fall protection features such as *guardrails*.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**SATISFACTORY RENTAL HOUSING INSPECTION.** Defined as two or fewer (less than three) *life safety violations* or five or fewer (less than 6) *property maintenance violations* per permit.

**[B] SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**STAIR.** A change in elevation, consisting of one or more risers.

**STAIRWAY.** One or more *flights of stairs*, either exterior or interior, with the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one level to another.

**STAIRWAY, EXTERIOR.** A *stairway* that is open on at least one side, except for required structural columns, beams, *handrails* and *guards*. The adjoining open areas shall be either *yards*, *courts* or *public ways*. The other sides of the exterior *stairway* need not be open.

**STAIRWAY, INTERIOR.** A *stairway* not meeting the definition of an *exterior stairway*.

**STORY.** That portion of a building included between the upper surface of a floor and the upper surface of the floor or *roof* next above.

**STORY ABOVE GRADE.** Any *story* having its finished floor surface entirely above grade, except that a *basement* shall be considered a *story above grade* where the finished surface of the floor above the *basement* is:

1. More than 6 feet (1829 mm) above grade plane.
2. More than 6 feet (1829 mm) above the finished ground level for more than 50% of the total building perimeter.
3. More than 12 feet (3658 mm) above the finished ground at any point.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A *person*, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**TOURIST HOME.** For the purposes of this code, the definition of *tourist home* shall be identical to the definition of *tourist home* in the municipal zoning ordinance of the *municipality* adopting this code.

**TOWNHOUSE.** A single-family *dwelling unit* constructed in a group of three or more attached units in which each unit extends from the foundation to *roof* and with open space on at least two sides.

**TRANSIENT.** Occupancy of a *dwelling unit* or *sleeping unit* for not more than 30 days.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**USE GROUP R-1.** This use group shall include all hotels, motels, and boarding houses for more than 5 *occupants* who are primarily *transient* in nature and

occupying the facilities for a period of less than 30 days.

**USE GROUP R-2.** This use group shall include all multiple-family dwellings having more than 2 *dwelling units*, *rooming houses* having more than 5 *rooming units* and fraternities in which the *occupants* are primarily not *transient* in nature.

**USE GROUP R-3.** This group shall include all buildings arranged for *occupancy* as 1- or 2-family *dwelling units* including not more than 5 lodgers or boarders, or adult and child care facilities that provide accommodations for five or fewer *persons* of any age for less than 24 hours.

**USE GROUP R-4.** This use group shall include all residential buildings arranged for *occupancy* as Residential Care/Assisted Living Facilities including more than five but not more than 16 *occupants*, excluding staff.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**VIOLATION.** A failure to follow or abide by the requirements as set forth by this code.

**WALKING SURFACE.** A stable solid surface including but not limited to stone, concrete, brick, compacted stone, compacted earth, or in some cases grass or other non-solid surfaces, intended for the movement of foot traffic.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space on the same lot with a *structure*.



## CHAPTER 3 GENERAL REQUIREMENTS

### SECTION 301 GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of *persons* for maintenance of *structures*, equipment and *exterior property*.

**301.2 Responsibility.** The *owner* of the *premises* shall maintain the *structures* and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

**301.3 Vacant structures and land.** All vacant *structures* and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

**302.1 Sanitation.** All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a *clean and sanitary* condition.

**302.2 Grading and drainage.** All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any *structure* located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**302.3 Sidewalks and driveways.** All sidewalks, driveways, parking spaces and *stairways* for public use on private property shall be kept in a proper state

of repair and maintained free of all snow, ice, mud, and debris. If any sidewalks or driveway, or portion thereof, by virtue of its state of repair shall constitute a hazard to public health and safety, the sidewalk or driveway or portion thereof shall be replaced in accordance with Municipal regulations.

**302.4 Fire escapes and exterior stairways.** All *fire escapes*, *exterior stairways* and all *walking surfaces* leading from these *structures* to a *public way* shall be kept in a proper state of repair and maintained free of all snow, ice, mud and debris. Removal of snow and ice shall be completed within 24 hours after the snow has ceased to fall or the ice has developed.

**302.5 Rodent harborage.** All *structures* and *exterior property* shall be kept free from *rodent* harborage and *infestation*. Where *rodents* are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate *rodent* harborage and prevent *reinfestation*.

**302.5.1 Insect and rodent elimination.** When ordered by the *code official* or *health officer*, *insect* or *rodent* control measures shall be done by a *Pest Control Operator*, with a current certification issued by the Pennsylvania Department of Agriculture to perform this work.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

**302.7 Accessory structures.** All accessory *structures*, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

**302.8 Interior furniture.** Furniture that is manufactured and intended exclusively for interior use including but not limited to sofas, couches, recliners, chase lounges, upright padded chairs, mattresses, box springs, or any furniture containing sufficient padding, and material whether animal, natural, or manmade that it cannot resist the

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environmental elements such as weather, insects, *rodents*, or varments, or which may be in the opinion of the *code official* a fire hazard, shall not be stored, or left on the lawn, driveway, parking area, or walkway.

**Exception:** That furniture that is properly placed at the curbside for refuse collection.

**302.9 Defacement of property.** No *person* shall willfully or wantonly damage, mutilate or deface any exterior surface of any *structure* or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

**302.10 Elevated parking structures.** *Elevated parking structures* shall be inspected on a regular basis, not to exceed 7 years, by a registered design professional in the Commonwealth of Pennsylvania contracted by the *owner* and at the *owner's* expense, to verify the ability of the *structure* to adequately support the appropriate loads as defined by the building code. A letter stating the suitability of the *structure* to adequately resist the code-defined loads shall be kept on file at the code office.

**302.11 Trees. [4,5,6]** This section applies to potentially hazardous, diseased or infested trees that are dead, dying, structurally unsound, infected with contagious diseases or insects, have significant decay, and may potentially impact trees on public or private property, damage *structures*, or property, or cause personal injury.

**302.11.1 Definitions.** The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein

**DANGEROUS TREE.** A tree where the condition presents a foreseeable danger of inflicting damage that cannot be alleviated by treatment or pruning. A tree may be dangerous because it is likely to injure people or damage vehicles, *structures*, or development, such as sidewalks or utilities.

**DEAD TREE.** A tree that is dead or has been damaged beyond repair or where not enough live tissue, green leaves, limbs, roots, or branches exist to sustain life as determined by an arborist.

**DECAY.** Degradation of tissue caused by biological organisms; the orderly breakdown of tissue resulting in strength loss.

**DISEASED TREE.** Any tree infected with a disease causing organism or insect capable of infecting other trees if not removed or left untreated.

**DYING TREE.** A tree in an advanced state of decline because it is diseased, infested by insects or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent spread of the *infestation* or disease to other trees or is imminently likely to become a danger or die.

**STRUCTURALLY UNSOUND TREE.** Any tree with a significantly degraded root system, bole, or canopy that significantly increases the likelihood of failure of the entire tree or parts of the tree.

**302.11.2 Study ordered. [2A]** At any time when the *Code Official*, municipal arborist, municipal director of public works, or other municipal official observes a tree that appears to be a structurally unsound tree, a diseased tree, a dead tree, a dying tree, has significant amount of decay present, or a dangerous tree, *code official*, municipal arborist, or municipal director of public works, has the authority to order a special inspection or study be completed by a third party professional certified arborist, contracted by the *owner*, at the *owner's* expense.

**302.11.3 Report completion.** When ordered in accordance with this Section 302.11.2, a special inspection or engineering report shall be produced to the official who ordered the study within 45 calendar days.

**302.11.4 Tree removal. [2A]** If a tree is determined to be a dangerous tree by a certified arborist, the *code official*, municipal arborist, or municipal director of public works has the authority to require the modification of the tree as to abate the hazard and maintain the tree in a non-dangerous condition. If the hazard cannot be abated the *code official*, municipal arborist, or municipal director of public works have the authority to require the removal of the tree The modification or removal shall be ordered in writing in accordance with the requirements of section 302.11.4.

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**302.11.5 Correction order.** The correction order shall be in writing and include, details of the correction to be made, the deadline to complete the corrections, and penalties for non-compliance.

### SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

**303.1 Swimming pools.** Swimming pools shall be maintained in a *clean and sanitary* condition, and in good repair.

**303.2 Enclosures.** Private swimming pools, hot tubs and spas, ~~containing~~ **capable of holding** water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** For properties receiving a housing permit for the first time after January 1, 2008, the maintenance of swimming pools, spas and hot tubs and all barrier requirements will be in accordance with ~~Appendix G, of the International Residential Code.~~ *International Swimming Pool and Spa Code.*

### SECTION 304 EXTERIOR STRUCTURE

**304.1 General.** The *exterior* of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**304.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or *roof* to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. *Structures* or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. *Exterior* walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, *roof* surfaces with inadequate drainage, or any portion of the *roof* framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;

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10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, *fire escapes*, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior *stairs*, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and *handrails*, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**304.2 Protective treatment.** All *exterior* surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall

be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**304.3.1 Balcony numbers.** This section shall apply only to multiple-family *dwelling*s of 3 or more stories in height and that have balconies. When determining the number of stories of a multiple-family *dwelling*, the street level floor is considered the first *story*. Whenever the Police Department receives 3 or more founded complaints regarding an entire building within any 12-month period, the multiple-family *dwelling* in question shall be required to display the rental *dwelling unit* number on the corresponding balcony in a position easily readable from the ground level in the direction that the balcony is facing and be no less than 6 inches in height. Compliance with this requirement shall be within 60 calendar days after notification by the Police Department. Founded complaints are complaints regarding objects thrown, poured, or otherwise caused to come from 1 or more balconies that are reported to or initiated by a police officer and determined by a police officer to have occurred.

**304.3.2 Subordinate premises identification.** Individual *dwelling units* in multi-family *dwelling*s shall have *approved* address numbers placed in a position to be plainly legible and visible from the adjacent egress path. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. For units that the door can be seen from the *exterior* of the building, numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). For units that the door cannot be seen from the *exterior* of the building, numbers shall be a minimum of 1.5 inches (38 mm) high with a minimum stroke width of 0.25 inch (6.3 mm).

**304.4 Structural members.** All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of *rodents* and other *pests*.

**304.6 Exterior walls.** All *exterior* walls shall be free from holes, breaks, and loose or rotting materials; and *maintained* weatherproof and properly surface coated where required to prevent *deterioration*.

**304.7 Roofs and drainage.** The *roof* and flashing shall be sound, tight and not have defects that admit rain. *Roof* drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. *Roof* drains, gutters and downspouts shall be maintained in good repair and free from obstructions. *Roof* water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, *fire escapes*, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.** Every *exterior stairway*, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper *anchorage* and capable of supporting the imposed loads.

**304.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather

coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every *handrail* and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.** During the period from May 15 to October 1, every door, window and other outside opening required for *ventilation* purposes serving any *structure* having habitable or occupy able rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door shall have a self-closing device in good working condition. Screens shall not be torn or damaged in a way that may allow insect *infestation* into the *structure*.

**304.14.1 Insect screens in food preparation areas.** In multi-family dwellings and commercial *structures*, every door, operable window and other outside opening serving any congregate food preparation areas, congregate food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door shall have a self-closing device in good working condition. Screens shall not be torn or damaged in a way that may allow insect *infestation* into the *structure*.

**Exception:** Those *structures* where an *approved* air-curtain, manufactured and tested for the expressed purpose of *pest* control is properly installed, and maintained in proper working fashion.

by the *municipal* health department, and *municipal* police department.

**304.15 Doors.** All *exterior* doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. Locks on *means of egress* doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of *rodents*, rain and surface drainage water.

**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with *rodent* shields, storm windows or other *approved* protection against the entry of *rodents*.

**304.18 Building security.** Doors, windows or hatchways for *dwelling units*, *room units* or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.** Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.** Operable windows that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.** *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or *let* shall be equipped with devices that secure the units from unauthorized entry.

**304.19 Roof occupancy.** Any *person* that is on or occupying the *roof* of any building shall be in *violation* of this code.

In addition to the noted enforcement agencies authorized in this code, this section can be enforced

**Exception:** *Occupancy* of the *roof* is permitted for authorized *persons* for the purposes of inspection or repairs to the *roof* or equipment on the *roof*.

**304.20 Fire escape use.** The expressed and sole purpose of a *fire escape* is to provide a *means of egress* from a building during an emergency and the purpose of an exterior *stairway* is to provide ingress or egress from a building. It shall be a *violation* of this code to gather on or use the *fire escape* or *exterior stairway* for any purpose other than described.

**304.21 Ice buildup.** The property *owner* shall not allow ice or other material to build up on a *roof*, overhang, gutter, or other *structure* to the point where it is not fully supported throughout by the building *structure* or to a point where in the opinion of the *code official* it presents a risk of falling and causing injury. If such a condition does exist the *owner* shall remove such material immediately.

**304.22 Gates.** All *exterior* gates, gate assemblies, operator systems if provided and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

**304.23 Exterior stairway riser opening protectives.** For all buildings receiving the initial fire permit or initial rental housing permit on or after January 1, 2013 at no point shall the opening between the treads permit the passage of a sphere 4 inches (102 mm) in diameter.

**304.24 Fire escape inspection.** *Fire escapes* shall be inspected on a regular basis, not to exceed 6 years, by a registered design professional in the Commonwealth of Pennsylvania contracted by the *owner* and at the *owner's* expense, to verify the ability of the *structure* to adequately support the appropriate loads as defined by the building code. A letter stating the suitability of the *structure* to adequately resist the code-defined loads shall be kept on file at the code office.

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7. Borough of Bellefonte

## SECTION 305 INTERIOR STRUCTURE

**305.1 General.** The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the *structure* which they occupy or control in a *clean and sanitary* condition. Every *owner* of a *structure* containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units* or two or more nonresidential occupancies, shall maintain, in a *clean and sanitary* condition, the shared or public areas of the *structure* and *exterior property*.

### 305.1.1 Owner/Occupant Responsibility.

*Owners* or *occupants* who fail to keep that part of the *structure* which they occupy or control in a *clean and sanitary* condition are in violation of this code and subject to the provisions of Section ~~406.3~~ 107.3 and ~~406.3.1~~ 107.3.1, and are exempt from the notification requirements of Section ~~407~~ 108.

**305.1.2 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or *roof* to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. *Structures* or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. *Stairs, landings, balconies* and all similar *walking surfaces, including guards and handrails, are not structurally sound, not properly anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of

supporting all nominal loads and resisting all load effects.

### Exceptions:

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**305.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, *clean and sanitary* condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**305.4 Stairs and walking surfaces.** Every *stair, ramp, landing, balcony, porch, deck* or other *walking surface* shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.** Every *handrail and guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**305.7 Interior stairway riser opening protectives.** For all buildings receiving the initial fire permit or initial rental housing permit on or after January 1, 2013 at no point shall the opening between the treads permit the passage of a sphere 4 inches (102 mm) in diameter.

**305.8 Residential rental property vehicle storage.** In residential rental units that have attached areas for vehicle storage (garages), hazards such as inadequate fire separations, inadequate fire rating on *structure, furnaces* installed, or other deficiencies that in the opinion of the *code official* constitutes a life safety or fire hazard, the hazard shall be mitigated or the area

shall be transformed into a use that is compliant based on the conditions present. This would include but not limited to the disabling of or locking of doors to prevent the ability to use the space for vehicle storage.

### SECTION 306 COMPONENT SERVICEABILITY

**306.1 General.** The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;
  - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. *Deterioration*;
  - 2.2. *Ultimate deformation*;
  - 2.3. Fractures;
  - 2.4. Fissures;
  - 2.5. Spalling;
  - 2.6. Exposed reinforcement; or
  - 2.7. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. *Deterioration*;
  - 3.2. Corrosion;
  - 3.3. Elastic deformation;
  - 3.4. *Ultimate deformation*;
  - 3.5. Stress or strain cracks;
  - 3.6. Joint fatigue; or
  - 3.7. *Detached*, dislodged or failing connections.
4. Masonry that has been subjected to any of the following conditions:
  - 4.1. *Deterioration*;
  - 4.2. *Ultimate deformation*;
  - 4.3. Fractures in masonry or mortar joints;
  - 4.4. Fissures in masonry or mortar joints;
  - 4.5. Spalling;
  - 4.6. Exposed reinforcement; or
  - 4.7. *Detached*, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
  - 5.1. *Deterioration*;
  - 5.2. Elastic deformation;

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- 5.3. *Ultimate deformation*;
  - 5.4. Metal fatigue; or
  - 5.5. *Detached*, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
- 6.1. *Ultimate deformation*;
  - 6.2. *Deterioration*;
  - 6.3. Damage from insects, *rodents* and other vermin;
  - 6.4. Fire damage beyond charring;
  - 6.5. Significant splits and checks;
  - 6.6. Horizontal shear cracks;
  - 6.7. Vertical shear cracks;
  - 6.8. Inadequate support;
  - 6.9. *Detached*, dislodged or failing connections; or
  - 6.10. Excessive cutting and notching.

**Exceptions:**

- 1. When substantiated otherwise by an *approved* method.
- 2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**SECTION 307  
HANDRAILS AND GUARDRAILS**

**307.1 General.** Every *exterior* and interior flight of *stairs* having **more than** four **or more** risers shall have a *handrail* on one side of the *stair* and every open portion of a *stair*, landing, balcony, porch, deck, ramp or other *walking surface* which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*.

**Exception:** *Fire escapes* shall comply with the requirements of Section 307.2.

**307.1.1 Handrails.** *Handrails* shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or *walking surfaces*. The handgrip portion of *handrails* shall not be less than 1-1/4 inches (31 mm) nor more than 2 inches (50 mm) in cross-sectional dimension or the shape shall provide equivalent grasp ability. At least 1 *handrail* shall be provided for a *stairway*. The top of a *guardrail* may serve as a *handrail*, provided it meets the *handrail* requirements.

**Exception:** For properties receiving a housing permit for the first time after June 1, 2010 or properties replacing *handrails*, the *handrails* shall be installed as follows:

New *handrails* shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. *Handrail* ends shall be returned or shall terminate in newel posts or safety terminals. *Handrails* adjacent to a wall shall have a space of not less than 1 1/2 inch between the wall and the *handrails* and shall be installed in accordance with the applicable new construction code.

**307.1.2 Guards.** *Guards* shall not be less than 36 inches (914 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other *walking surface*. Horizontal spacing between the vertical members in required *guards* shall be a maximum of 6 inches (100 mm) at the nearest point between the members in accordance with the requirements of the *International Building Code*.

**Exception:** For properties receiving a permit for the first time after June 1, 2010 or properties that have *guards* with horizontal spacing in excess of 6 inches shall install *guards* as follows:

Required *guards* shall have intermediate rails or ornamental closures which do not allow passage of a sphere 4 inches or more in diameter.

*Guards* installed in *handrails* assemblies within common enclosed *stair* towers are permitted as previously *approved* until replaced.

**307.1.3 Guards required.** When a *walking surface* passes within 3 feet (914 mm) of a downward change in elevation of 30 inches (762 mm) or more, the change in elevation shall be protected by a *guard* in accordance with the *International Building Code*.

**307.2 Fire escape guards.** *Fire escape stairs* and landings shall be provided with a top and intermediate *guard* on each side.

## SECTION 308 MUNICIPAL SOLID WASTE

**308.1 Accumulation of municipal solid waste.** All *exterior property* and *premises*, and the interior of every *structure*, shall be free from any accumulation of *municipal solid waste*.

**308.2 Disposal of municipal solid waste.** Every *occupant* of a *structure* shall dispose of all *municipal solid waste* in accordance with the duly adopted ordinance of the *municipality* dealing with the control of *municipal solid waste*.

**308.2.1 Municipal solid waste storage facilities.** The *owner* of every occupied *premises* shall supply *approved* covered containers necessary for the proper control and disposal of *municipal solid waste*, in accordance with the duly adopted ordinance of the *municipality* and the *owner* of the *premises* shall be responsible for the removal of *municipal solid waste*.

**308.3 Municipal solid waste facilities.** The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the *structure* available to the *occupants* in each *dwelling unit*; or an *approved* leak proof, covered, outside *municipal solid waste* container.

## SECTION 309 PEST ELIMINATION

**309.1 Infestation.** All *structures* shall be kept free from insect and *rodent infestation*. All *structures* in which insects or *rodents* are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent *reinfestation*.

**309.1.1 Insect and rodent elimination.** When ordered by the *code official* or *health officer*, *insect*

or *rodent* control measures shall be done by a *Pest Control Operator*, with a current certification issued by the Pennsylvania Department of Agriculture to perform this work.

**309.2 Owner.** The *owner* of any *structure* shall be responsible for extermination within the *structure* prior to renting or leasing the *structure*.

**309.3 Single occupant.** The *occupant* of a one-family *dwelling* or of a single-*tenant* nonresidential *structure* shall be responsible for extermination on the *premises*.

**309.4 Multiple occupancy.** The *owner* of a *structure* containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential *structure* shall be responsible for extermination in the public or shared areas of the *structure* and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for extermination.

**309.5 Occupant.** The *occupant* of any *structure* shall be responsible for the continued *rodent* and *pest-free* condition of the *structure*.

**Exception:** Where the *infestations* are caused by defects in the *structure*, the *owner* shall be responsible for extermination.

## SECTION 310 CHEMICAL AND RADIATION HAZARDS

**310.1 Chemical and radiation hazards.** Documentation from an *approved* laboratory shall accompany any complaint of chemical or radiation hazard in a *structure*. Identification of hazards shall be conducted by a *person* certified by the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency for such testing and the results published by an *approved* laboratory. Every *owner* of a *structure* in which an identified chemical or radiation hazard exists shall be responsible to make the *structure* safe. Hazards and their standards shall include but not be limited to the following:

1. The presence of asbestos in a friable state - Clean Air Act-42 USC Section 401 et. seq. and Control of Toxic Substances Act-15 USC Subchapter II, Section 2641 et. seq.

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## SECTION 311 EMERGENCY MEDICAL FEATURES

**311.1 Required.** Buildings providing an automated external defibrillator (AED) on the premises shall meet the requirements of Sections 311.2 through 311.5.

**311.2 Location.** The AED shall be located in a public area where all building *occupants* shall have access without the need for a key.

**311.3 Mounting requirements.** All units shall be located in a conspicuous space and mounted in a cabinet that emits an auditory alarm when the cabinet has been opened or a location and mounting method approved by the *code official*. The auditory alarm is permitted to be overridden by a key for normal maintenance. In all cases the mounting of units shall be such that the top of the cabinet is not more than 5 feet (1524 mm) above the finished floor.

**311.4 Signage.** Each AED installation shall be provided with signage required to appear on the wall informing the public as to the availability of an AED at that location and on the face of the storage container in which the AED is contained. Wall signage shall be in the form of a clear and conspicuous wall sign placed at a height between five feet (1524 mm) and seven feet (2134 mm) above the floor and which is also in close proximity to the automated external defibrillator unit storage location. The sign shall contain the following information at a minimum:

1. “DEFIBRILLATOR” or “AED” (minimum height - two (2) inches (50.8 mm))
2. “Automated External Defibrillator” (minimum height – five eighths (5/8) inch (15.9 mm))
3. Heart and lightning bolt logo (minimum height - two (2) inches (50.8 mm))

A second wall sign either similarly placed as the one required of this section or located on the storage cabinet containing the automated external defibrillator must contain the following information in the size indicated:

“In event of emergency call 911” (minimum height –three eighths (3/8) inch (9.5 mm))

**311.5 Maintenance.** The building *owner* is required to maintain the AED in proper working order and ready for use at all times.

## SECTION 312 ENGINEERING STUDY AND SPECIAL INSPECTIONS

### 312.1 Engineering study and special inspection.

At any time when the *Code Official* observes a condition that is determined to require additional inspection or study by someone with advanced or specialized knowledge, the *code official* has the authority to order a special inspection or engineering study be completed by a third party professional, contracted by the *owner*, at the *owner's* expense.

**312.1.1 Qualifications.** The *code official* shall state in the request for study any minimum qualifications that in the professional opinion of the *code official* are required to adequately study or inspect the observed problem.

**312.1.2 Report completion.** When ordered in accordance with this Section, a special inspection or engineering report shall be produced to the Centre Region Code Administration within 45 calendar days.

**Exception:** The *Code Official* can extend this deadline when, in the professional opinion of the *code official* in conjunction with the engineer of record or special inspector, that the report cannot be properly produced within this timeframe due to weather, climate, or study scope and complexity.

**3.12.1.3 Report content.** At a minimum when ordered in accordance with this Section, the report shall include the a description of the problem, report of the findings, required actions to mitigate the problem, Pennsylvania seal (for registered design professionals), signature, date, deadline for completion of work, any intermediate inspections that are required prior to completion, and any requirements prior to completion regarding use and *occupancy* of the *structure*.

**3.12.1.4 Report completion letter.** When the work detailed in the report is completed, a letter from the special inspector or design professional shall be produced within 15 calendar days, indicating their acceptance of the work and any future need for involvement.

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**SECTION 313  
EMERGENCY ACCOMODATIONS**

**313.1 Scope.** The provisions of this section apply to rental housing units that have been declared unfit for human habitation, *condemned*, or un-safe by the *Code Official* or *Health Officer* in accordance with this code, and in the opinion of the *Code Official* or *Health Officer* the conditions requiring the declaration were not caused by the *tenant* or were not within the *tenants* control to advert.

**313.2 Accommodations.** If the dwelling will not be able to be used for a period of eight hours or more or that it will not be accessible for any time between the hours of 11 pm and 7 am local prevailing time the *Code Official* or *Health Officer* may order the *owner* or *person-in-charge* to make accommodations for the *tenants* to be housed at alternative location that is permitted properly under this code solely at the *owners* expense and at no expense to the *tenant*. In addition, if the accommodations provided do not provide for cooking and eating facilities in accordance with this code, the *owner* shall provide the *tenant* with a meal allowance in accordance with United States General Services Administration (GSA) stated rates for the duration of the period of displacement.

**SECTION 314  
ACCESSABILITY FEATURES**

**314.1 Scope.** The provisions of this section apply to all *structures* and *exterior* areas that have been constructed with accessibility features.

**314.2 Maintenance.** The accessibility features of all *structures*, and *exterior* areas shall be maintained in the same condition and configuration as they were permitted and constructed.

**SECTION 315  
VEGITATIVE GROWTH [1,2,4,5,6]**

**315.1 Vegetative growth:** No person, firm or corporation owning or occupying any property within the *Municipality* shall permit any grass or weeds or any other vegetation whatsoever to grow or remain upon such premises to exceed a height of six inches or so as to cause unpleasant or noxious odors, conceal filthy deposits or create or produce pollen.

**Exception:**

1. Vegetation which is edible and cultivated for that purpose shall be permitted to exceed a height of six inches.
2. Vegetative growth commonly recognized as having an ornamental purpose shall be permitted.
3. For the purposes of this section, trees, bushes and hedges shall not be considered vegetation subject to the height limitation.
4. Noxious weeds prohibited by the Noxious Weed Control Law, 3 P.S. § 255.8, as amended, or as it may be amended in the future, or by regulations of the Department of Agriculture, shall not be permitted to grow within the *Municipality* either generally or as exceptions to the height limitations set forth above.

**315.2 Vegetative growth and right-of-way encroachment:** No person, firm or corporation owning or occupying any property within the *Municipality* shall permit any weeds or brushes to grow and remain upon that portion of the street or alley immediately in front or adjoining said premises between the property line and the outer edge of any adjacent street or alley. It is the intent and meaning of the section that a portion of the streets or alleys between the property line and the outer edge of the roadway, commonly known as the right-of-way, which space should only be occupied by lawns, sidewalks and shade trees, shall be maintained not to exceed a height of six inches by the owner, tenant, occupant or agent of the property immediately abutting such space.

**315.3 Vegetative violations:** Grass, weeds, or other vegetation so growing on any property in the *Municipality* or on any public right-of-way or public utility easement adjoining or adjacent to such property is hereby declared to be a nuisance and abatable as such at law or in equity.

**SECTION 316  
UNLICENSED VEHICLES [1,2,4,5,6]**

**316.1 Unlicensed vehicles:** Except as provided for in other regulations, no inoperative, unlicensed or uninspected motor vehicle or trailer designed to be towed by a motor vehicle shall be parked, kept or stored on any premises. No vehicle or trailer shall at

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any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles or trailers is prohibited unless conducted inside an approved spray booth.

**Exception:** A vehicle of any type or trailer is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

**SECTION 317  
VISITABILITY [1,4,5]**

**317.1 Scope.** The requirements of this Section apply to *one-and-two family dwellings* that receive a building permit under the Uniform Construction Code of Pennsylvania for initial construction after 30<sup>th</sup> day of September 2017, and are intended for a rental housing permit under this code.

**317.2 Minimum requirements.** At a minimum, each rental unit shall have one floor that meets the requirements of a Type C Unit as defined by Section 1005, Type C (Visitable) Units of ICC A117.1 Accessible and Usable Buildings and Facilities.

**SECTION 318  
STORAGE [5]**

**Section 318.1, Storage violations.** It is a violation of this code to allow the accumulation of material, debris, or rubbish, regardless of combustibility, on or around the exterior of any building, dwelling, or structure that is not specifically constructed for exterior use and which in the opinion of the code official creates an attractive nuisance.

**Section 318.2 Abatement.** After 30 calendar days past the initial notice of violation, the *Municipality* may choose to abate the attractive nuisance and charge the responsible party the actual cost of abatement plus an additional ten (10) percent administrative fee.

# CHAPTER 4

## LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 401 GENERAL

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a *structure*.

**401.2 Responsibility.** The *owner* of the *structure* shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A *person* shall not occupy as *owner-occupant*, or permit another *person* to occupy, any *premises* that do not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

### SECTION 402 LIGHT

**402.1 Habitable spaces.** Every *habitable space* shall have at least one window of *approved* size facing directly to the outdoors or to a court. The minimum total square feet, measured between stops, for every *habitable space* shall be 5 percent of the floor area of such room, except in kitchens where artificial light is provided in accordance with the provisions of the *International Building Code*. Wherever walls or other portions of a *structure* face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**402.2 Common halls and stairways.** Every common hall and *stairway* in residential occupancies, other than in one- and two family dwellings, shall be lighted at all times with at least a 60- watt standard incandescent for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential

occupancies, *means of egress*, including exterior *means of egress*, *stairways* shall be illuminated at all times the building space served by the *means of egress* is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

**402.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

**402.4 Closet and storage lighting requirements.** For the purposes of this section, storage space shall be defined as a volume bounded by the sides and back closet walls and planes extending from the closet floor vertically to a height of 6 feet (1829 mm) or the highest clothes-hanging rod and parallel to the walls at a horizontal distance of 24 inches (610 mm) from the sides and back of the closet walls respectively, and continuing vertically to the closet ceiling parallel to the walls at a horizontal distance of 12 inches (305 mm) or the width of the shelf, whichever is greater. For a closet that permits access to both sides of a hanging rod, the storage space shall include the volume below the highest rod extending 12 inches (305 mm) on either side of the rod on a plane horizontal to the floor extending the entire length of the rod.

If lighting is installed, the types of luminaires installed in clothes closets shall be limited to surface-mounted or recessed incandescent luminaires with completely enclosed lamps, surface-mounted or recessed fluorescent luminaires, and surface-mounted fluorescent or LED luminaires identified as suitable for installation within the storage area. Incandescent luminaires with open or partially enclosed lamps and pendant luminaires or lamp-holders shall be prohibited. The minimum clearance between luminaires installed in clothes closets and the nearest point of a storage area shall be as follows:

1. Surface-mounted incandescent or LED luminaires with a completely enclosed light source shall be installed on the wall above the door or on the ceiling, provided that there is a minimum clearance of 12 inches

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- (305 mm) between the fixture and the nearest point of a storage space.
2. Surface-mounted fluorescent luminaires shall be installed on the wall above the door or on the ceiling, provided that there is a minimum clearance of 6 inches (152 mm).
  3. Recessed incandescent luminaires or LED luminaires with a completely enclosed light source shall be installed in the wall or the ceiling provided that there is a minimum clearance of 6 inches (152 mm).
  4. Recessed fluorescent luminaires shall be installed in the wall or on the ceiling provided that there is a minimum clearance of 6 inches (152 mm) between the fixture and the nearest point of a storage space.
  5. Surface-mounted fluorescent or LED luminaires shall be permitted to be installed within the storage space where identified for this use.

## SECTION 403 VENTILATION

**403.1 Habitable spaces.** Every *habitable space* shall have at least one openable window. The total *openable area* of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

**Exception:** Rooms where mechanical *ventilation* are provided in accordance with the International Mechanical Code shall be provided with a level of *ventilation* that meets or exceeds this section.

**403.2 Bathrooms and toilet rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

**403.3 Cooking facilities.** Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

### Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**403.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the *structure* in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

**403.5.1 Duct construction.** Exhaust ducts shall be constructed of minimum 0.016 inch-thick rigid metal ducts, having smooth interior surfaces with joints running in the direction of air flow. Exhaust ducts shall not be connected with sheet-metal screws or fastening means which extend into the duct.

**403.5.2 Transition ducts.** Transition ducts shall not be concealed within construction. Flexible transition ducts used to connect the dryer to the exhaust duct system shall be limited to single lengths, not to exceed 8 feet (2438 mm).

**403.5.3 Length identification.** For buildings constructed after January 1, 2010 and those installing dryer venting systems after the effective date of this code, where the exhaust duct is concealed within the building construction, the equivalent length of the exhaust duct shall be identified on a permanent label or tag. The label or tag shall be located within 6 feet (1829 mm) of the exhaust duct to appliance connection.

**403.5.4 Auxiliary equipment identification.** For buildings constructed after January 1, 2010 and those installing dryer venting systems after the effective date of this code, where the exhaust duct length exceeded the maximum length requirements and an auxiliary blower or fan has been installed to allow additional duct length, the presence of this equipment must be identified including the equipment location, the equipment manufacturer name and model number, service requirements, and frequency of service. The label or tag shall be located within 6 feet (1829 mm) of the exhaust duct to appliance connection.

## SECTION 404 OCCUPANCY LIMITATIONS

**404.1 Privacy.** *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

**404.2 Minimum room widths.** A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension.

**404.3 Minimum ceiling heights.** [4A] *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and *habitable basement* areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

### Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms,

only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

**404.3.1 Stair headroom.** The minimum headroom in all parts of the *stairway* shall not be less than 6 feet 8 inches (2032 mm) measured vertically from the sloped line adjoining the tread nosing or from the floor surface of the landing or platform on that portion of the *stairway*.

**Exception:** Where the nosings of treads at the side of a flight extend under the edge of a floor opening through which the *stair* passes, the floor opening shall be allowed to project horizontally into the required headroom a maximum of 4<sup>3</sup>/<sub>4</sub> inches (121 mm).

**404.4 Bedroom and living room requirements.** Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every *bedroom* shall contain at least 70 square feet (6.5 m<sup>2</sup>).

**404.4.2 Access from bedrooms.** *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only *means of egress* from other *habitable spaces*.

**Exception:** Units that contain fewer than two *bedrooms*.

**404.4.3 Water closet accessibility.** Every *bedroom* shall have access to at least one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to at least one water closet and lavatory located in the same *story* as the *bedroom* or an adjacent *story*.

**404.4.4 Prohibited occupancy.** Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

**404.4.5 Other requirements.** *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical

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receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**404.5 Overcrowding.** The number of *persons* occupying a *dwelling unit* or any space shall not create conditions that, in the opinion of the *code official*, endanger the life, health, safety or welfare of the *occupants*.

**404.5.1 Definitions.** The following words and terms shall, for the purposes of this sub-section and as used elsewhere in this code, have the meanings shown herein.

**Occupancy limit.** The maximum number of *persons* who can legally occupy the space at any given time.

**Occupant load.** *Occupant* load is the number of *persons* actually occupying the *dwelling unit*.

**Residency limit.** The maximum number of *persons* who can legally reside in a space.

**Resident load.** *Resident* load is the number of *persons* who actually reside in the *dwelling unit*.

**404.5.2 Occupancy limit.** The *code official* shall establish in accordance with the building code that was legally adopted at the time of construction the *occupancy limit* for each *dwelling unit*, *tenant space*, and building.

**404.5.2.1 Egress limitations.** Any room, space or *dwelling unit* containing more than 49 *persons* gathering for purposes such as civic, social or religious functions, recreation, food or drink consumption is required to have at least two *approved* exits. When more than one exit is required, all exit doors must swing in the direction of egress. Any *dwelling unit* requiring two or more exits is required to comply with Section 702.1.1 regarding exit signs and emergency lighting.

**404.5.2.2 Uniform construction code.**

*Occupancy* of properties constructed after July 1, 2004 will be in accordance with the (Uniform Construction Code of Pennsylvania.)

Section 1004 of the International Building Code for residential *occupancy*, the minimum gross floor area per *occupant* shall be 200 square feet.

**404.5.2.3 Over occupancy.** It shall be a violation of this code for any person to permit the number of persons in a *dwelling unit*, *tenant space*, or building to exceed the *occupancy limit* established by this code at any time.

**404.5.3 Residency limit.** The *code official* shall establish in accordance with the building code, applicable zoning ordinance requirements, and the requirements of this code the residency limit for each *dwelling unit*.

**404.5.3.1 Rental unit general occupancy residency.** The residency of a room or a *dwelling unit* by *tenants*, *residents* or others residing within this property is regulated by this section. It is a violation of this code for more *persons* than what is permitted by the minimum area requirements of Table 404.5, or 404.5.1, ~~or 404.5.2~~ to reside in the dwelling.

**404.5.3.2 Zoning restrictions.** For existing buildings being converted to a rental property without the need for a change of use permit, the *occupancy* will be in accordance with Table 404.5.1 ~~2~~ or determined by the zoning regulation of the *Municipality*, whichever is most restrictive.

**404.5.3.3 Over residency.** It shall be a violation of this code for any person to permit the number of persons residing in a *dwelling unit*, *tenant space*, or building to exceed the *residency limit* established by this code.

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two *occupants* shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three *occupants* shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.

3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

**404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

**404.8 Congregate cooking facility inspection. [6]**

All food preparation areas in *congregate living facilities* that serve or prepare food for 25 or more *persons* or *residents* shall be inspected by the State College Borough Division of Health and Neighborhood Services. The frequency of inspection shall not exceed 12 months, and may be reduced if in the opinion of the inspector that conditions warrant. The State College Borough Division of Health and Neighborhood Services may charge a fee for this service if adopted by municipal resolution.

**404.9 Maximum occupancy of fenced in exterior areas.** When a fence is installed on a property with a *structure* inside the fence perimeter, or directly adjacent to the fenced perimeter, that limits the egress from the property or limits ingress to the property, the maximum *occupancy* inside the fenced in area is the same as the maximum *occupancy* of the aforementioned *structure*. No additional *occupancy* above or beyond the *occupancy* limit of the *structure* is allowed. The fence shall include gates or exits that will allow for safe and proper egress of all *occupants* in the opinion of the *code official*, using the requirements of the International Building Code as a basis of decision. When the *occupancy* limit of these areas exceeds 49, all gates or *means of egress* shall open outward and shall be manipulated easily without special knowledge.

When a fence is installed on a property without a *structure* inside the fence perimeter, or directly adjacent to the fenced perimeter, that limits the egress from the property or limits ingress to the property, the maximum *occupancy* inside the fenced in area shall be established using the International Building Code as a basis of calculation. The fence shall include gates or exits that will allow for safe and proper egress of all *occupants* in the opinion of the *code official*, using the requirements of the

International Building Code as a basis of decision. When the *occupancy* limit of these areas exceeds 49, all gates or *means of egress* shall open outward and shall be manipulated easily without special knowledge.

If the fence obstructs the visibility of the street address for the property, the street address shall be placed on the exterior of the fence in a conspicuous location that is visible from the street and meets the requirements of this code.

If the fence obstructs the visibility or access to any fire department connection, access needs to be provided in close proximity to the fire department connection. The access point shall be signed on the exterior of the fence in a conspicuous location that is visible from the street and meets the requirements of this code.

If the property *owner* wishes to increase the *occupancy* limit for these areas, a detailed proposed configuration and proposed *occupancy* limit shall be submitted in writing to the *code official* for consideration, a minimum of 15 working days prior to the event.

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Table 404.5 [4A,7A]

Minimum *Habitable Space* (square feet [square meters]) applies to all properties receiving a rental housing permit on or before December 31, 1997

Number of Residents	1	2	3	4	5	6	Or more
Living Room, Dining Room, and Kitchen Combined	50 [4.645]	100 [9.29]	190 [17.652]	220 [20.439]	250 [23.226]	310 [28.8]	310 [28.8]
Bedroom	70 [6.503]	100 [9.29]	150 [13.935]	200 [18.581]	250 [23.226]	300 [27.871]	(a)
Total	120 [11.148]	200 [18.581]	340 [31.587]	420 [39.019]	500 [46.452]	610 [56.671]	310 + (a) [28.8 + (a)]

(a) = plus 50 additional square feet (4.645 square meters) per resident

Table 404.5.1 [4,5A,7]

Minimum *Habitable Space* (square feet [square meters]) applies to all properties receiving a rental housing permit for the first time ~~between on or after January 1, 1998 and December 31, 2002~~

Number of Residents	1	2	3	4	5	6	Or more
Living Room, Dining Room, and Kitchen Combined	50 [4.645]	100 [9.29]	250 [23.226]	250 [23.226]	250 [23.226]	310 [28.8]	310 [28.8]
Bedroom	70 [6.503]	120 [11.148]	150 [13.935]	200 [18.581]	250 [23.226]	300 [27.871]	(a)
Total	120 [11.148]	220 [20.439]	400 [37.161]	450 [41.806]	500 [46.452]	610 [56.671]	310 + (a) [28.8 + (a)]

(a) = plus 50 additional square feet (4.645 square meters) per resident

Table 404.5.2 [1,2,4,5,7]

Minimum *Habitable Space* (square feet [square meters]) applies to all properties receiving a rental housing permit for the first time after January 1, 2003

Number of Residents	1	2	3	4	5	6	Or more
Living Room, Dining Room, and Kitchen Combined	100 [9.29]	150 [13.935]	250 [23.226]	250 [23.226]	300 [27.871]	300 [27.871]	300 [27.871]
Bedroom	100 [9.29]	150 [13.935]	200 [18.581]	250 [23.226]	300 [27.871]	350 [32.516]	350 + (a) [32.516 + (a)]
Total (except those constructed on or after July 1, 2004, see Section 404.5.4)	200 [18.581]	300 [27.871]	450 [41.806]	500 [46.452]	600 [55.742]	650 [60.387]	650 + (a) [60.387 + (a)]

(a) = plus 50 additional square feet (4.645 square meters) per resident

# CHAPTER 5

## PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### SECTION 501 GENERAL

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The *owner* of the *structure* shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *structure* or *premises* which does not comply with the requirements of this chapter.

### [P] SECTION 502 REQUIRED FACILITIES

**502.1 Dwelling units.** Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**502.2 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

**502.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten *occupants*.

**502.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

**502.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

**502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.

### [P] SECTION 503 TOILET ROOMS

**503.1 Privacy.** *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

**503.2 Location.** *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of *stairs* and shall have access from a common hall or passageway.

**503.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one *story* above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage *structures* or kiosks, which are located in adjacent *structures* under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

**503.4 Floor surface.** In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a *clean and sanitary* condition.

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**[P] SECTION 504  
PLUMBING SYSTEMS AND FIXTURES**

**504.1 General.** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**SECTION 505  
WATER SYSTEM**

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

**[P] 505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an *approved* atmospheric-type vacuum breaker or an *approved* permanently attached hose connection vacuum breaker.

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to

be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

**505.5 Nonpotable water reuse systems.** Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

**505.5.1 Abandonment of systems.** Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the International Plumbing Code.

**[P] SECTION 506  
SANITARY DRAINAGE SYSTEM**

**506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

**506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**506.3 Grease interceptors.** Grease interceptors and automatic grease removal devices in commercial structures shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. The cleaning process shall be completed by an *approved* third-party cleaning company on an annual basis. If the *code official* or *health officer* determines based on observations that the grease interceptor is not performing adequately, the *code*

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*official or health officer* may order that the grease interceptor be cleaned at any time or that the cleaning frequency be increased going forward.

When the grease interceptor is cleaned, no grease shall be flushed or pass into the building drainage system, the public sewer, or the private sewage disposal system or municipal storm sewer.

A material data sheet (SDS) shall be submitted to the municipal engineer for any product used in cleaning the grease interceptor.

At the time of cleaning, the grease interceptor shall be marked with an inspection tag supplied by the third-party cleaning company. This tag shall remain on the grease interceptor until the next cleaning. The tag shall at a minimum contain the following information:

1. Name of the third-party cleaning company
2. The business address of the third-party cleaning company
3. A valid telephone number for the third-party cleaning company
4. The name of the facility being cleaned
5. The address of the facility being cleaned
6. The date of the cleaning
7. The name of the technician doing the cleaning
8. The signature of the cleaning technician
9. Notation if there were any problems with the equipment observed at the time of cleaning

All records of maintenance, cleaning and repairs shall be available for inspection by the *code official* or *health officer* and shall be maintained for a minimum of 5 years.

**[P] SECTION 507  
STORM DRAINAGE**

**507.1 General.** Drainage of *roofs* and paved areas, *yards* and *courts*, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance or negatively impacts neighboring properties.

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# CHAPTER 6

## MECHANICAL AND ELECTRICAL REQUIREMENTS

### SECTION 601 GENERAL

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The *owner* of the *structure* shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *premises* which does not comply with the requirements of this chapter.

### SECTION 602 HEATING FACILITIES

**602.1 Facilities required.** Heating facilities shall be provided in *structures* as required by this section.

**602.2 Residential occupancies.** Every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) measured at 3 feet (914 mm) above the floor and a distance 2 feet (914 mm) from the exterior wall in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable space heaters be used, as a means to provide required heating.

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling unit*, *rooming unit*, dormitory, or guest room on terms, either express or implied, to furnish heat to the *occupants* thereof, shall supply sufficient heat during the period from October 1 to May 15 to maintain a room temperature of not less than 68° F (20° C) in all habitable rooms, *bathrooms* and *toilet rooms* during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 65° F (18° C) during other hours.

**602.4 Occupiable work spaces.** Every enclosed occupied workspace shall be supplied with sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 68° F (20° C) during all working hours.

#### Exception:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which *persons* are primarily engaged in vigorous physical activities.

**602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

### SECTION 603 MECHANICAL EQUIPMENT

**603.1 Mechanical appliances.** All mechanical **equipment**, appliances, fireplaces, solid fuel-burning appliances, fossil-fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

Installation, maintenance and inspection of these appliances shall be in accordance with the manufacturer's recommendations. If manufacturer's recommendations are not available, the installation and/or maintenance will be in accordance with the International Residential Code, International Mechanical Code, International Fuel Gas Code, and/or the appropriate NFPA standard for the specific use and appliance as *approved* by the *Code Official*. At no time will this inspection cycle exceed 1 year.

An inspection of a fuel burning appliance that is vented to the exterior shall include an inspection of the entire system, from air-intake to exhaust.

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**603.1.1 Compliance tag.** A compliance tag or proof of inspection will be displayed on each *heating system* inspected, indicating the name of the company (if applicable), technician performing the service and the date of the service. Any deficiencies noted during the inspection must be corrected before a compliance tag is displayed on the appliance.

**603.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are *labeled* for unvented operation.

**603.3 Clearances.** All required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for *ventilation* of the space shall be provided for fuel-burning equipment in accordance with the manufacturer's listing or the International Mechanical Code listed in Chapter 11.

**603.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

## SECTION 604 ELECTRICAL FACILITIES

**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National electrical Code, NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes, or the minimum allowable service permitted by the local electrical utility company.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**604.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**604.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;

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10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

**604.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**604.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## SECTION 605 ELECTRICAL EQUIPMENT

**605.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

**605.1.1 Three to two prong adapters.** Electrical 3 to 2 prong adapter plugs shall not be used in conjunction with appliances that require a ground-type receptacle.

**605.2 Receptacles.** Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle. Every *bathroom* shall contain at least one receptacle and all *bathroom* receptacle outlets shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

**605.3 Luminaires.** Every public hall, interior *stairway*, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

**605.4 Lighting equipment.** In closets, storage areas, *bathrooms*, under kitchen *hood systems*, and in any other high humidity area or area where combustible material is likely to come in contact with the lamp or luminaire, all lighting equipment shall be maintained in the same condition as installed and *approved* by the *code official*. This includes but is not limited to globes.

**605.5 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**605.6 Routine maintenance.** All electrical equipment shall be kept in working order according to their listing.

## SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

**606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1 and the requirements of the Pennsylvania Department of Labor and Industry. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed

in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**606.2 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## SECTION 607 DUCT SYSTEMS

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

**607.2 Hood systems.** *Hood systems* in commercial structures shall be maintained in accordance with this code, the manufacturer's installation instructions, and NFPA 96. *Hood systems* shall be regularly serviced and cleaned to prevent the accumulation of oil, grease, and other harmful, combustible or flammable substances. The cleaning process shall be completed by an *approved* third-party cleaning company on a basis not to exceed that stated in NFPA 96. If the *code official* or *health officer* determine based on observations that the *hood system* is not performing adequately or that material buildup is observed, the *code official* or *health officer* may order that the *hood system* be cleaned at any time or that the cleaning frequency be reduced going forward.

At the time of cleaning, the *hood system* shall be marked with an inspection tag supplied by the third-party cleaning company. This tag shall remain on the *hood system* until the next cleaning. The tag shall at a minimum contain the following information:

1. Name of the third-party cleaning company
2. The business address of the third-party cleaning company
3. A valid telephone number for the third-party cleaning company
4. The name of the facility being cleaned
5. The address of the facility being cleaned
6. The date of the cleaning
7. The name of the technician doing the cleaning
8. The signature of the cleaning technician
9. Notation if there were any problems with the equipment observed at the time of cleaning

All records of maintenance, cleaning and repairs shall be available for inspection by the *code official* or *health officer* and shall be maintained for a minimum of 5 years.

## SECTION 608 CARBON MONOXIDE DETECTION

**608.1 Where required.** An *approved* carbon monoxide (CO) detector shall be installed in all *dwelling units*, *rooming units*, guest rooms, and lodging rooms when a fossil fuel or solid fuel appliance is utilized as the primary or supplemental heat source, fixed cooking appliance, or auxiliary power source. The options for the installation of these devices are:

1. If the *dwelling unit* or guestroom contains a fuel-burning appliance or has an attached garage, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
2. If ductwork or *ventilation* shafts to a room containing a fuel-burning appliance or to an attached garage connect the *dwelling unit* or guestroom, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
3. If the installation of CO alarms is not triggered by 1 or 2 above, but the building contains a fuel-burning appliance or has an attached garage, common area CO alarms are required to be installed in the immediate vicinity of the room containing the fuel-burning appliance and in the immediate vicinity of any *ventilation* shaft on the floor containing the fuel-burning appliance and within 2 stories above and below. Common-area CO alarms must be interconnected or monitored. As an alternative, CO alarms can be installed in each unit on the floor, 2 floors above and below.

**608.2 Approved detectors.** *Approved* detectors will be listed in accordance with ANSI/UL 2034.

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**608.3 Alarm system.** In buildings where the CO detector is connected to a fire alarm system, activation of a CO detector shall not transmit a signal to the central station unless it is a distinct “carbon monoxide alarm” signal. Activation of a CO detector shall not cause notification to the entire building, only at the affected detector and the fire alarm control panel.

**608.4 Responsibility.** It shall be the responsibility of the property *owner* or *person-in-charge* to provide a functioning carbon monoxide alarm at the beginning of each lease period. *Tenants* are responsible to maintain the detector in a functional condition at all times after starting *occupancy*.

**608.5 Tampering.** Removal of the battery or power source from a carbon monoxide alarm, making the detector inoperable or tampering with the detector in any way is a *violation* of this code and subjects that *person* to the *violation* penalties.

**608.6 Carbon monoxide alarms and detectors.** Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

**608.7 End of life.** Carbon monoxide alarms shall be tested and maintained in accordance with the manufacturer’s instructions. Alarms that do not function shall be replaced. Alarms shall be replaced not more than 7 years from the date of manufacture marked on the unit, or per written manufacturer’s specification, if different, or shall be replaced if the date of manufacture cannot be determined.

**SECTION 609  
MOISTURE CONTROL**

**609.1 Dehumidifiers.** In rental housing units that are located below grade or partially below grade as part of an overall moisture control system the *code official* may require the *owner* to provide dehumidification equipment for use in the effected rental housing unit if in the opinion of the *code official* that the ambient moisture is contributing to mold or mildew growth. The *owner* shall supply the equipment for use to the *tenant* at no cost to the *tenant*.

# CHAPTER 7 FIRE SAFETY REQUIREMENTS

## SECTION 701 GENERAL

**701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to *structures* and exterior *premises*, including fire safety facilities and equipment to be provided.

**701.2 Responsibility.** The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *premises* that do not comply with the requirements of this chapter.

## [F] SECTION 702 MEANS OF EGRESS

**702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or *structure* to the *public way*. *Means of egress* shall comply with the *International Fire Code*.

**702.1.1 Means of egress lighting.** All *means of egress* in *Use Groups R-1, R-2, and R-4* shall be equipped with artificial and emergency lighting and exit signs in accordance with the requirements for new buildings in the *International Building Code* listed in Chapter 11.

**702.2 Aisles.** The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

**702.3 Locked doors.** All *means of egress* doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

**702.3.1 Doors and gates.** Doors, gates, and their hardware shall be installed and maintained in accordance with the *International Building Code* Section 1008.

**702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

**702.4.1 Emergency escape requirements.** Every sleeping room located in a *basement* in an *occupancy* Use Group I-1 or R shall have at least one operable window or exterior door *approved* for emergency egress or rescue, or shall have access to not less than 2 *approved* independent exits. An outside window or exterior door for emergency escape is not required in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or Section 903.3.1.2 of the *International Fire Code*. Each emergency escape and rescue window shall have a minimum net clear opening of 5.7 square feet (0.53 m<sup>2</sup>). The net clear opening shall be at least 24 inches (610 mm) in height and at least 20 inches (508 mm) in width. The net clear opening dimensions shall be obtained by the normal operation of the window from the inside. The bottom of the net clear opening shall not be more than 44 inches (1118 mm) above the floor. The minimum net clear opening for grade floor windows shall be 5 square feet (0.47 m<sup>2</sup>).

This section shall apply retroactively to all existing rental properties.

**Exception:** Grade floor openings or below-grade openings shall have a net clear opening area of not less than 5 square feet (0.465 m<sup>2</sup>).

**702.4.1.1 Emergency escape window wells.** The area of the window well shall allow the

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emergency escape and rescue opening to be fully opened. Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders shall project at least 3 inches from the wall and rungs or steps shall be spaced not more than 18 inches on center vertically for the full height of the window well and *guard* if installed.

#### **702.4.1.2 Bars, grilles, covers and screens.**

Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings. Such devices shall be releasable from the inside without the use of a key, tool, special knowledge or force greater than that which is required for normal operation of the escape and rescue opening.

**702.4.1.3 Emergency escape windows under decks and porches.** Emergency escape windows are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a clear path of not less than 36 inches in height to a *yard* or *court*.

**702.5 Corridor enclosure.** Multi-family buildings with one exit as permitted in the building code, and all corridors serving an *occupant* load greater than 30 and the openings therein shall provide an effective barrier to resist the movement of smoke. All transoms, louvers, doors, and other openings shall be closed or shall be self-closing.

**Exception:** Corridors that are in compliance with the *International Building Code*.

**702.6 Number of exits.** In residential buildings (not including *One or Two Family Dwellings*), every *story* exceeding 2 stories above grade shall be provided with not less than 2 independent exits. In stories where more than 1 exit is required, all *occupants* shall have access to at least 2 exits. Every occupied *story* which is both totally below grade and greater than 2,000 square feet shall be provided with not less than 2 independent exits.

**Exception:** A single exit is acceptable under any one of the following conditions:

1. Where the building is equipped throughout with an automatic sprinkler system and an

automatic fire detection system with smoke detectors located in all corridors, lobbies and common areas.

2. Where the building is equipped throughout with an automatic fire detection system and the exit is an *approved* smoke-proof enclosure or pressurized *stairway*.
3. Where an existing *fire escape* conforming to the *International Building Code*, ~~2009 edition~~ is provided in addition to the single exit.
4. Where permitted by the *International Building Code*, ~~2009 edition~~.

#### **702.6.1 Three story one or two family dwelling.**

[1,4,5] Any existing *one or two family dwellings* having *habitable space*, not including kitchens, on the third floor must provide two *approved means of egress* from this space. Newly constructed *stairways* will be in accordance with the *International Residential Code*, as amended or as *approved* by the *code official*. Existing windows can be used for access to the *stairway* providing that the window meets the requirements of an egress window in accordance with 702.4.1 of this code. If an opening does not exist the new opening must be a doorway of an *approved* dimension in accordance with the *International Residential Code*.

**Exception:** A *one or two family dwelling* protected throughout with an *approved* automatic sprinkler system.

**702.7 Egress through intervening spaces.** In Properties receiving a rental housing permit for the first time on or after November 22, 2004, egress shall not pass through kitchens, storage rooms closets or spaces used for similar purposes. An exit access shall not pass through a room that can be locked to prevent egress. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, *toilet rooms* or *bathrooms*.

**Exception:** *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit*.

Egress from a *rooming unit* within a *rooming house* is not exempt from this Section in accordance with the *International Building Code*, Section 1013.2.

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**[F] SECTION 703  
FIRE-RESISTANCE RATINGS**

**703.1 Maintenance.** The required *fire-resistance rating* of fire-resistance-rated construction (including walls, firestops, shaft enclosures, partitions, *smoke barriers*, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems) shall be maintained. Such elements shall be visually inspected by the *owner* annually and properly repaired, restored or replaced when damaged, altered, breached or penetrated. Where concealed, such elements shall not be required to be visually inspected by the *owner* unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of *approved* construction meeting the fire-protection requirements for the assembly.

**703.1.1 Fireblocking and draftstopping.**

Required *fireblocking* and draftstopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

**703.1.2 Smoke barriers and smoke partitions.**

Required *smoke barriers* and smoke partitions shall be maintained to prevent the passage of smoke. All openings protected with *approved* smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

**703.1.3 Fire walls, fire barriers and fire partitions.**

Required *fire walls*, *fire barriers* and *fire partitions* shall be maintained to prevent the passage of fire. All openings protected with *approved* doors or fire dampers shall be maintained in accordance with NFPA 80.

**703.2 Opening protectives.** Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. Fire doors and *smoke barrier* doors shall not be blocked or obstructed or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

**703.2.1 Fire-resistive glazing.** Exterior wall openings within 10 feet (3048 mm) of an existing *fire-escape* or exterior *stairway* shall be protected with fire-rated glazing or other *approved* means in accordance with the *International Building Code*.

**Exception:** Opening protection is not required when the building is equipped throughout with an *approved* automatic sprinkler system.

**703.1 Fire-resistance-rated assemblies.** The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

**703.2 Unsafe conditions.** Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the International Fire Code. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the International Fire Code.

**703.3 Maintenance.** The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-

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closing doors of approved construction meeting the fire protection requirements for the assembly.

**703.3.1 Fire blocking and draft stopping.**

Required fire blocking and draft stopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

**703.3.2 Smoke barriers and smoke partitions.**

Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

**703.3.3 Fire walls, fire barriers, and fire partitions.**

Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

**703.4 Opening protectives.** Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

**703.4.1 Signs.** Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed:
3. FIRE DOOR – KEEP CLOSED.

**703.4.2 Hold-open devices and closers.** Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

**703.4.3 Door operation.** Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

**703.5 Ceilings.** The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

**703.6 Testing.** Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

**703.7 Vertical shafts.** Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the International Fire Code. New floor openings in existing buildings shall comply with the International Building Code.

**703.8 Opening protective closers.** Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C).

**703.2.2 703.8.1 Operable windows.** For buildings with an initial certificate of *occupancy* dated prior to January 1, 2013 when *non-compliant* windows are being replaced that are within 10 feet (3048 mm) of a *fire escape or exterior stair* those windows that are not needed to meet the requirements of Section 403 of this code or a required means of emergency egress shall be made permanently inoperable, equipped with an *approved* fire shutter, or replaced with a fixed pane window assembly. All operable replacement windows in this area shall still meet the fire rating requirements of the *International Building Code*.

**Exception:** Opening protection is not required when the building is equipped throughout with an *approved* automatic sprinkler system.

**703.3 703.9 Dwelling/garage opening/penetration protection.** Openings and penetrations through the walls or ceilings separating the *dwelling* from the

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garage shall be in accordance with Sections ~~703.3.1~~ 703.9.1 through ~~703.3.3~~ 703.9.3.

~~703.3.1~~ **703.9.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1-3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1-3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

~~703.3.2~~ **703.9.2 Duct penetration.** Ducts in the garage and ducts penetrating the walls or ceilings separating the *dwelling* from the garage shall be constructed of a minimum No. 26 gage (0.48 mm) sheet steel or other *approved* material and shall have no openings into the garage.

~~703.3.3~~ **703.9.3 Other penetrations.** Penetrations through the separation required in due to a carport shall be protected as required by Section ~~703.3.3.1~~ 703.9.3.1.

~~703.3.3.1~~ **703.9.3.1 Fireblocking.** At openings around vents, pipes, ducts, cables and wires at ceiling and floor level, with an *approved* material to resist the free passage of flame and

products of combustion. The material filling this annular space shall not be required to meet the ASTM E 136 requirements.

~~703.4~~ **703.10 Clearance to combustibles above ranges.** A minimum of 30 inches (762 mm) clear space shall be maintained vertically between the cooking surface and any combustible materials; this can be reduced to a minimum clear space of 24 inches (610 mm) if a metal barrier is installed between the cooking surface and the combustible material. The metal barrier shall be a steel sheet with minimum thickness of 24 AWG and be installed extending to the perpendicular projection of the edge of the cooking appliance at a minimum. The barrier shall be mounted in such a way that there is a minimum of 1 inch (25.4 mm) clear space between the combustible surface and the barrier.

~~703.5~~ **703.11 Dwelling/garage fire separation.** The garage shall be separated as required by Table ~~703.5~~ 703.11 including structural elements supporting the required separation elements. Openings in garage walls shall comply with Section ~~703.3~~ 703.9. This provision does not apply to garage walls that are perpendicular to the adjacent *dwelling unit* wall.

Table ~~703.5~~ 703.11  
Dwelling/Garage Separation

SEPARATION	MATERIAL
From the residence and attics	Not less than 1/2-inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 1/2-inch gypsum board or equivalent
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 1/2-inch gypsum board or equivalent applied to the interior side of exterior walls that are within this area

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

## [F] SECTION 704 FIRE PROTECTION SYSTEMS

**704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

**704.1.1 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and

heat vents shall be maintained in accordance with the *International Fire Code* in an operative condition at all times, and shall be replaced or repaired where defective.

**704.1.2 Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

56 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.

1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte



**704.1.3 Required fire protection systems.** Fire protection systems required by this code, the *International Fire Code* or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the *International Fire Code* or the *International Building Code* has been granted shall be considered to be a required system.

**704.1.4 Fire protection systems.** Fire protection systems shall be inspected, maintained and tested in accordance with the following *International Fire Code* requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.
10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.

13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

**704.2 Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

**TABLE 704.2  
FIRE PROTECTION SYSTEM  
MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

**704.2.1 Records.** Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

**704.2.2 Records information.** Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

**704.3 Systems out of service.** Where a required fire protection system is out of service, the fire department and the *fire code official* shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of

the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the International Fire Code to bring the systems back in service.

**704.3.1 Emergency impairments.** Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the International Fire Code.

**704.4 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

**704.4.1 Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

**704.4.2 Removal of existing occupant-use hose lines.** The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

**704.4.3 Termination of monitoring service.** For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

**704.5 Fire department connection.** Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be

indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the *Fire Code Official*.

**704.5.1 Fire department connection access.** Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the *Fire Code Official*.

**Exception:** Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the *Fire Code Official* and maintained operational at all times.

**704.5.2 Clear space around connections.** A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

~~**704.1.1 Automatic sprinkler systems.** Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.~~

~~**704.2**~~ **704.6 Smoke alarms.** A minimum of one *approved* single-station or multiple-station smoke alarm, supplied from an *approved* power source is required as follows:

**One or two family dwellings:** A smoke alarm shall be installed in each sleeping room, outside each sleeping area in the immediate vicinity of the *bedrooms* and on each additional *story* of the dwelling, including *basements* but not including crawl spaces and uninhabitable attics.

**Dwellings or dwelling units with split levels and without an intervening door between the adjacent levels:** A smoke alarm installed on the upper level shall suffice for the adjacent lower

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level provided that the lower level is less than one full *story* below the upper level.

**Use Group R-1:** A smoke alarm shall be installed in each sleeping room and the immediate vicinity of the sleeping rooms and in every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.

**Use Groups R-2, R-3, R-4 and I-1.** Single or multiple-station smoke alarms shall be installed and maintained in *Use Groups R-2, R-3, R-4* and *I-1* regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.
2. In each room used for sleeping purposes.
3. In each *story* within a *dwelling unit*, including *basements* but not including crawl spaces and uninhabitable attics. In *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full *story* below the upper level.

Smoke alarms shall be required on every *story* and *basement* in all residential *dwelling units*.

Smoke alarms shall be required in the common areas of the building serving more than one *dwelling unit*.

All smoke alarms must be placed so that a minimum decibel level of 70 dB can be heard in all occupied spaces of the unit when the smoke alarm is sounded.

**704.2.1 704.6.1 Smoke detector maintenance.** It shall be the responsibility of the property *owner* or *person-in-charge* to provide a functioning smoke detector at the beginning of each lease period. *Tenants* are responsible to maintain the smoke detector in a functional condition at all times after starting *occupancy*. Removal of the battery or power source from a smoke detector, making the detector inoperable, or tampering with the detector in any way, is a *violation* of this code and subjects that *person* to the *violation* penalties.

**704.2.2 704.6.2 Installation near cooking appliances.** Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by other sections of this code.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

**704.2.3 704.6.3 Installation near bathrooms.** Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a *bathroom* that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by other sections of this code.

**704.2.4 704.6.4 Power source.** Required smoke alarms shall receive their primary power from the building electrical system and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exception:** Existing properties with a current rental housing permit prior to the effective date of the municipal adoption of the 2006 International Property Maintenance Code, upon approval, may install tamper resistant battery operated smoke detectors provided that the detector is capable of interconnection as described in Section **704.4 704.6.5**.

**704.2.4.1 704.6.4.1 Smoke alarm circuits.** Smoke alarms required by this code and installed within *dwelling units* shall not be connected as the only load on a branch circuit. Such detectors shall be supplied by branch circuits having lighting loads consisting of lighting outlets in *habitable spaces* in accordance with the *National Electrical Code, NFPA 70*. All smoke alarms shall be listed and installed in accordance with the provisions of this code and the National Fire Alarm Code NFPA-72.

~~704.2.5~~ **704.6.5 Interconnection.** When more than one smoke alarm is required to be installed within an individual *dwelling unit* the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Common area smoke alarms (not located within a dwelling or *rooming unit*) shall be interconnected such that the actuation of one common area alarm will cause all of the common area alarms or notification appliances to sound. Interconnection may be accomplished by wireless transmission or other means provided that the method of interconnection is *approved* by the *code official*.

**Exception:** Interconnection is not required within the *dwelling unit* where existing buildings have *dwelling unit* separations and a sprinkler system installed in accordance with the *International Building Code* or *International Residential Code*.

~~704.2.6~~ **704.6.6 Compliance time.** For properties receiving a rental housing permit for the first time after the effective date of the municipal adoption of the 2006 International Property Maintenance Code, compliance with all smoke alarm requirements is required prior to *occupancy*.

~~704.2.7~~ **704.6.7 Smoke detection system.** Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *International Fire Code*.
2. Activation of a smoke detector in a dwelling or *sleeping unit* shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with Section 907.5.2 of the *International Fire Code*.
3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the *International Fire Code*.

**704.7 Single- and multiple-station smoke alarms.** Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms shall be replaced not more than 10 years from the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

~~704.6~~ **704.8 Fire extinguishers.** Rental housing buildings or units of *Use Group R-2, R-3, R-4* and One and Two Family Dwellings shall have one 2.5-pound type ABC (1-A:10-B:C) portable fire extinguisher placed in the kitchen area of each *dwelling unit*. In *Use Group R-1* and *R-2 Rooming Houses* and *Fraternities*, a 5-pound type ABC fire extinguisher with a minimum 2A rating shall be provided in corridors, those provided in other areas shall be in accordance with the International Fire Code.

**Exception.** Disposable fire extinguishers that are UL listed and meet the requirements of NFPA 10 shall be *approved* for use as listed, but in no way more than 6 years from the date of manufacture. These disposable extinguishers are exempted from the requirements to be inspected annually by a 3<sup>rd</sup> party trained individual. It is the responsibility of the property *owner* to inspect the extinguisher annually, certifying that the extinguisher is in good working condition and that the extinguisher is charged and ready for use. The individual inspecting the extinguisher shall permanently affix the date that the inspection occurred and the initials of the inspector to the extinguisher.

**Exception.** In B, M, S, and U occupancies with a gross *tenant* area less than 500 sf are not required to provide a fire extinguisher in the *tenant* space provided the travel distance to the closest fire extinguisher is within 75 feet and that access is provided to the *tenant* without the use of keys or special locking mechanisms any time that the building is occupied.

~~704.6.1~~ **704.8.1 Fire extinguisher maintenance.** All fire extinguishers shall be inspected and maintained annually in accordance with NFPA 10, the Standard for Portable Extinguishers. Inspections of fire extinguishers must be conducted by a certified extinguisher technician as defined by the Pennsylvania Fire Equipment Distributors (PAFED) or the National Fire Equipment Distributors (NAFED) specifications, or equivalent as *approved* by the *code official*.

**704.7 704.9 Maintenance of fire protection systems.** All fire protection systems (automatic fire alarms, manual fire alarms, sprinkler systems, fire extinguishers and automatic fire extinguishing systems) shall be tested and maintained in accordance with the NFPA standards specific to the type of system. The *Owner* is responsible for inspecting and maintaining these systems.

Failure to maintain a fire protection system in an operable condition at all times and complete the required inspections is a *violation* of this code and subject to the provisions of Sections ~~106.3~~ 107.3 and ~~106.3.1~~ 107.3.1 and the *owner* is exempt from the notification requirements of Section ~~107~~ 108.

**704.8 704.10 Tampering.** Any *person* tampering or interfering with the effectiveness of a smoke detector, emergency lighting, exit signs, fire extinguisher, sprinkler system, suppression system, alarm system, or anyone obstructing a fire exit or propping open a fire door or compromising any other life safety aspects of the *structure*, shall be in *violation* of this code and subject to the provisions of Sections ~~106.3~~ 107.3 and ~~106.3.1~~ 107.3.1 and the *person(s)* are exempt from the notification requirements of Section ~~107~~ 108.

**704.9 704.11 Fire safety certification.**

1. At the beginning of each lease period and at least annually thereafter, the *Owner* shall provide all *tenants* on the lease with a signed certification that all fire extinguishers, smoke alarms, and carbon monoxide detectors where required are in working condition. It shall be the responsibility of the *tenant(s)* to verify that the life safety equipment, smoke alarms, and carbon monoxide detectors where provided are in working condition and the fire extinguisher is inspected and charged, sign the certification and return it to the landlord. All *tenants* on a lease shall sign the Certification. The *Owner* shall maintain the original Certification Document and make it available to the *Code Official* upon request.
2. Any *tenant* or *Owner* failing to execute the Certification shall be in *violation* of this section and subject to the penalties set forth in Section 106.3. Neither the *Owner* nor the *tenant(s)* shall be responsible for the failure of any other party to execute the Certification.

3. In addition to the *Tenant* Notification requirements contained in Section 803.3, the *Owner* shall provide the *tenant* with instruction on how to report deficiencies with these fire safety systems.

At any time during the lease period when the *Code Official* finds that tampering has occurred as set forth in Section ~~704.8~~ 704.10 of this Chapter, it shall be a *violation*.

**Exception:** The *tenant* has to report a deficiency to the *owner's* agent or maintenance number immediately after the deficiency is detected or if the system is malfunctioning.

**~~704.9.1~~ 704.11.1 Certification verification.** Any time the *Code Official* discovers a deficiency with a smoke detector or fire extinguisher the *owner*, upon 24-hours notification of such deficiency, shall provide a copy of the Fire Safety Certification to the *Code Official*. If the Certification is provided and the *tenants* have previously signed the form or have been provided with a copy, the *tenants* are considered in *violation* and will be issued a penalty in accordance with Section ~~106.3~~ 107.3 or ~~106.3.1~~ 107.3.1.

If the *Owner* cannot provide the affidavit within 24 hours the *Owner* is then considered in *violation* and will be issued a penalty in accordance with the afore referenced sections.

**~~704.10~~ 704.12 Fire alarm monitoring.** Existing fire alarm systems that were installed prior to the enactment of the *Uniform Construction Code of Pennsylvania*, that are not supervised to notify the fire department without delay must be indicated as a Local Alarm, and have a sign that instructs *occupants* to call 9-1-1 to report the fire alarm. Systems installed after the enactment of the Uniform Construction Code of Pennsylvania must remain supervised and may not delay the notification to the fire department unless *approved* in writing by the *Code Official*.

Modifications and repairs of fire alarm monitoring systems that involve the replacement of the FACP/FACU (fire alarm control panel/fire alarm control unit) are required to monitor/electronically supervise in accordance with requirements of the *Uniform Construction Code of Pennsylvania*.

## SECTION 705 DECORATIVE MATERIALS

**705.1 Decorative material.** Overhead decorative material such as, but not limited to, burlap, fish netting, plastic, or other similar combustible or flammable material shall not be suspended from the ceiling of any building unless it is certified to be flame resistant. Where documented certification of flame resistance is not provided, the *code official* shall require the *owner*, to remove the decorations, or to subject decorative materials, to a field test in accordance with Chapter 10 of NFPA 701 at the cost of the *owner*.

**705.2 Encroachment.** In no way shall any decorative material cover or be installed in a way that may hamper or adversely affect an automatic sprinkler system, alarm system, or any other fire safety feature.

## SECTION 706 SPRINKLERS IN FRATERNITY AND SORORITY HOUSES

**706.1 Sprinklers required.** An automatic sprinkler system, meeting the requirements of NFPA 13 (Standard for the installation of sprinkler systems) or 13R (Standard for the installation of sprinkler systems in residential occupancies up to and including 4 stories in height) is required to be installed in each *fraternity/sorority house*.

**706.2 Compliance period.** Existing *fraternity/sorority houses* shall come into compliance with Section 706.1 on or before September 1, 2008. If an existing building is converted to a *fraternity/sorority house*, compliance with Section 706.1 shall be required prior to *occupancy*. If prior to the compliance deadline an existing *fraternity/sorority house* undergoes renovations at a cost exceeding 50 percent of the building's taxable value, the building shall be required to comply with Section 706.1 prior to final inspection of renovations.

New *fraternity/sorority houses* shall be required to comply with Section 706.1 before a certificate of *occupancy* is issued for the building.

## SECTION 707 LABELING

**707.1 Labeling required.** Doors into all locked rooms that contain building utilities shall be identified with a plainly visible and legible sign.

These letters and numbers shall contrast with their background. Printing shall be Arabic numerals or alphabet letters. Letters and numbers shall be a minimum of 2 inches (51 mm) high with a minimum stroke width of 0.25 inch (6.3 mm). This includes, but not limited to electrical, utility, sprinkler, fire alarm and mechanical rooms.

## SECTION 708 FIRE SAFETY PERMITS

**708.1 Fire safety program license.** The fire safety program license is the same as a fire safety permit, fire permit, operational permit, fire certificate, and fire certificate of *occupancy* for the purposes of this document.

**708.2 Permit Fees.** The fire safety program license fee shall be established by resolution of the *Municipality*. Fire safety program license fees are determined using a formula which is based on size and risk of the establishment. The program license fee schedule and operational permit fees may be amended, as needed, by resolution of the *Municipality*.

**708.3 Required.** No *person*, firm, business, association, or corporation shall operate a place of assembly, business, educational facility, factory, high-hazard facility, institution, mercantile establishment, hotel, motel, residential care or assisted living facility, or storage facility; or rent such space to another until such a *person*, firm, business, association, or corporation has been issued a fire safety program license by the *code official*. The fire safety program license shall be posted in a conspicuous place on the *premises* and a photo static copy maintained by the property *owner*.

The *owner* of the property is required to obtain and maintain the fire safety program license prior to *occupancy* of the space.

If the use of the space changes the *code official* is to be notified in writing within 5 calendar days so an inspection can be conducted and determine code compliance prior to *occupancy*.

In addition, an operational permit is required for all operations set forth in the following uses:

**708.3.1 Carnivals and fairs.** A permit is required to conduct a carnival or fair.

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7. Borough of Bellefonte

**708.3.2 Explosives.** An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of *explosives, explosive materials*, fireworks or pyrotechnic special effects that are not otherwise regulated by State or Federal permit.

**708.3.3 Open burning.** [4] An *open burning* permit is required for the kindling or maintaining an open fire.

Exception: *Recreational fires* conducted more than 25 feet (7620 mm) away from a *structure* or combustible material or conditions which could cause a fire to spread within 25 feet (7620 mm) of a *structure* and portable outdoor fireplaces used in accordance with the manufacturer's instructions and operated more than 15 feet (3048 mm) of a *structure* or combustible material. Unless excluded or permits required under other municipal regulation.

**708.3.4 Fire alarm system.** A permit is required for systems, which transmit alarm signals off site.

**708.3.5 Tents and other temporary structures.** A permit is required to erect and operate from any tent or temporary *structure* in excess of 200 square feet, and for canopies in excess of 400 square feet.

**708.3.6 Common area license.** Any multi-family residential *structure* where the units are solely *owner* occupied and are owned by two or more unrelated individuals, shall be required to have a valid fire safety program license for the common areas not contained within a given *dwelling unit*.

**708.4 Transfer.** The fire safety program license is not transferable and is only valid for a specific *tenant, occupant*, franchisee, business, or legal entity, and if the occupying entity changes, a new fire safety program license shall be applied for within 5 calendar days of the change occurring.

**708.5 Permit application.** Applications for permits shall be made to the Centre Region Code Administration Office on forms furnished by said office.

**708.6 Issuance or refusal.** The *code official* shall issue a fire safety license to the applicant upon proof that all of the following requirements have been satisfied:

1. The *structure* complies with the provisions of this code and all other applicable codes and/or ordinances;
2. A proper fire safety program license fee has been submitted.

**708.7 Renewal.** Fire Safety Program Licenses shall be renewed annually, on or before the permit expiration date of each year. A Fire Safety Program License shall become null and void upon permittee's failure to submit the required or proper annual Fire Safety Program License fee. No reduction shall be made for fractional yearly permits.

After 90 calendar days of lapsation or non-payment the fire safety program license is considered willfully abandoned.

**708.7.1 Fire safety program license abandonment.** Once a fire safety program license has been willfully abandoned a fire safety program license must be obtained prior to renting or offering the unit or *structure* for rent in accordance with this code. This unit or *structure* must comply with all provisions of this code in accordance with a first-time fire safety program license application.

**708.8 Late fee.** A late fee charge equal to \$10 per unpaid permit/license shall be imposed after the date of permit payment due, and every 30 days thereafter.

**708.9 Applications.** Applications for Fire Safety Program Licenses and applications for the renewal of Fire Safety Program License shall be filled out completely and accurately including addresses, **email address**, and telephone numbers for both the *owner(s)*, and *tenant*. The Fire Safety Program License shall not be issued or renewed if an application does not contain all required information.

**708.9.1 Contact address.** The contact addresses provided to the Centre Region Code Administration in accordance with Section 802.8 must be a valid address for the receipt of United States mail and shall be checked by the *owner* on a regular basis not to exceed 1 week.

**708.9.2 Telephone number.** The telephone numbers provided to the Centre Region Code Administration in accordance with Section 708.9 must be a valid telephone number capable of receiving and recording voice mail at all times. This number is considered the emergency contact number for this individual. A response to a voice

mail left on this number by a representative of the *Municipality* or the Centre Region Code Administration shall be returned or responded to within 3 hours.

**708.9.3 E-Mail address.** A valid e-mail address for the owner shall be provided to the Centre Region Code Administration. The e-mail address shall not be considered an emergency contact and response to an e-mail left at this address by a staff member of the Centre Region Code Administration and shall be responded to within 48 hours.

**708.10 Display and ownership.** The Fire Safety Program License shall be made available by the *owner/operator* within 24 hours upon a request by any party or may be displayed. The issuance of a Fire Safety Program License to an *owner/operator* shall constitute consent for an inspection. The Fire Safety Program License is and shall remain the property of Centre Region Code Administration.

## SECTION 709 INSPECTIONS

**709.1 Regular inspection frequency.** The *code official* shall establish, by written regulation, frequency or re-inspection for all properties with a fire safety program license. The re-inspection shall be based upon a classification of hazards associated with the use or *occupancy* of all establishments. Such periods shall be not less than every 5 years and shall cause re-inspection of all establishments to be made in accordance with the established classification.

## SECTION 710 KEY BOX CONTENTS AND MAINTENANCE

**710.1 Key box placement.** A regionally selected (Knox brand) key box will be required for all new and existing buildings that have a monitored fire alarm system and/or sprinkler system and will be mounted using the following criteria as guidance. The *code official* will have the determination where the key box is mounted:

1. The key box will be installed within six feet of the entry door located at the main entrance, or a door located on the address side of the building if the main entrance is not located on the address side.
2. A Knox brand sticker will be placed on all grade level keyed doors for which keys are

provided on all elevations of the building. This is to indicate the presence of the Box.

3. For buildings that have a utility room that is only accessible from the exterior, but serves more than one *tenant* – the key box will be located at the main entrance. The door will be identified and Knox brand stickers will be placed on all keyed *tenant* doors for which keys are provided.
4. For buildings that have an interior utility room that is accessible by a *tenant* space, but serves other *tenant* areas, the key box will be located at the address side of the *tenant* space.
5. The keys required in the key box are those necessary to reach the sprinkler valve, alarm panel, electrical room, elevator penthouse, access to the *roof*, alarm panel control access, and fire department elevator control. Other keys are encouraged, including master keys or swipe cards.

**Exception:** A key box may not be required for a constantly attended building where staff has access to items 2 through 8 in Section 710.2.

**710.2 Key box contents.** The Knox Box will contain a Centre Region Code Administration generated card that contains the following minimum building data, where applicable:

1. Inventory of all keys stored in the box
2. Sprinkler valve location
3. FDC location
4. FACP location
5. Electrical room location
6. Elevator control room location
7. Door code
8. Critical *tenant*/building data
9. Date last updated

## SECTION 711 PORTABLE FIRE EXTINGUISHERS

**711.1 Where required.** Portable fire extinguishers shall be installed in the following locations.

1. In new and existing Group A, B, E, F, H, I, M, *R-1, R-2, R-4* and S occupancies.

**Exception:** In new and existing Group A, B and E occupancies equipped throughout with quick response sprinklers, portable fire

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extinguishers shall be required only in locations specified in Items 2 through 6.

2. Within 30 feet (9144 mm) of commercial cooking equipment.
3. In areas where flammable or *combustible liquids* are stored, used or dispensed.
4. On each floor of *structures* under construction, except Group *R-3* occupancies, in accordance with Section 1415.1 of the International Fire Code.
5. Where required by the sections indicated in Table 906.1 of the International Fire Code.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.
7. Rental housing buildings or units of Use Group *R-2* and *R-3*, as defined by the *International Building Code*, shall have a 2.5-pound ABC (1-A, 10-BC)-type portable fire extinguisher placed in the kitchen area of each *dwelling unit*. In non-sprinklered use group *R-2 fraternity and sorority houses*, a 5-pound ABC type with 2A rating portable fire extinguisher shall also be provided in corridors located in accordance with NFPA 10.
8. In temporary *structures* where cooking operations are being conducted involving combustible cooking media, the minimum of one 6 liter Class K portable fire extinguisher shall be provided and ready for use in the vicinity of the cooking equipment. The maximum distance that can be protected by a single extinguisher is 25 feet (7620 mm), unobstructed.

## SECTION 712 FIRE DEPARTMENT CONNECTION CAPS AND THREADS

**712.1 Threads.** All threads provided for fire department connections to sprinkler systems, standpipe systems, yard hydrants, or any other fire hose connection shall be National Standard Hose thread with a maximum size of 2.5 inches (63.5 mm) per inlet. For residential suppression systems, based on flow requirements 1.5 inch (38.1 mm) hose

connections with National Standard Hose thread may be used.

**Exception:** For all non-residential suppression systems in the Borough of Bellefonte, 5 inch Storz Connections shall be provided.

**712.2 Knox brand locking caps.** A locking Knox brand locking cap will be required for the new installation of fire sprinkler or stand-pipe systems. Existing installations will be required to install a Knox brand locking cap when another type of cap or cover is broken or missing. If the *owner* maintains the existing systems the Knox brand caps will not be required.

**712.3 Non visible fire department connections.** Fire Department Connections that are not readably visible from the street address side of the building shall be made visible or provide *approved* sign(s) to direct the fire department to this location. A metal sign with raised letters at least 2 inch (51 mm) in size with minimum stroke width 0.25 inch (6.3 mm). Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable with proper directional indication.

## SECTION 713 ASSEMBLY OCCUPANCY

**713.1 General.** All spaces that are permitted by the Centre Region Code Administration as Assembly A-2 *Occupancy Group*, as defined by the *International Building Code*, and have a permitted maximum *occupancy* level equal to or exceeding 100 *persons*, shall comply with the requirements of Sections 713.2 and 713.3.

**713.2 Maximum occupancy level.** The *owner*, manager, *person* of authority, staff member, or duly authorized individual working the door and controlling the inflow of patrons shall know and be able to verbally provide to the *Code Official* the maximum *occupancy* level of the assembly area when requested.

**713.3 Actual occupancy level.** The *owner*, *person* of authority, staff member, or duly authorized individual working the door and controlling the inflow of patrons shall know and verbally provide to the *Code Official* the actual *occupancy* level of the assembly area including staff with an accuracy of plus or minus 5 percent of the maximum *occupancy* of the assembly area when requested.

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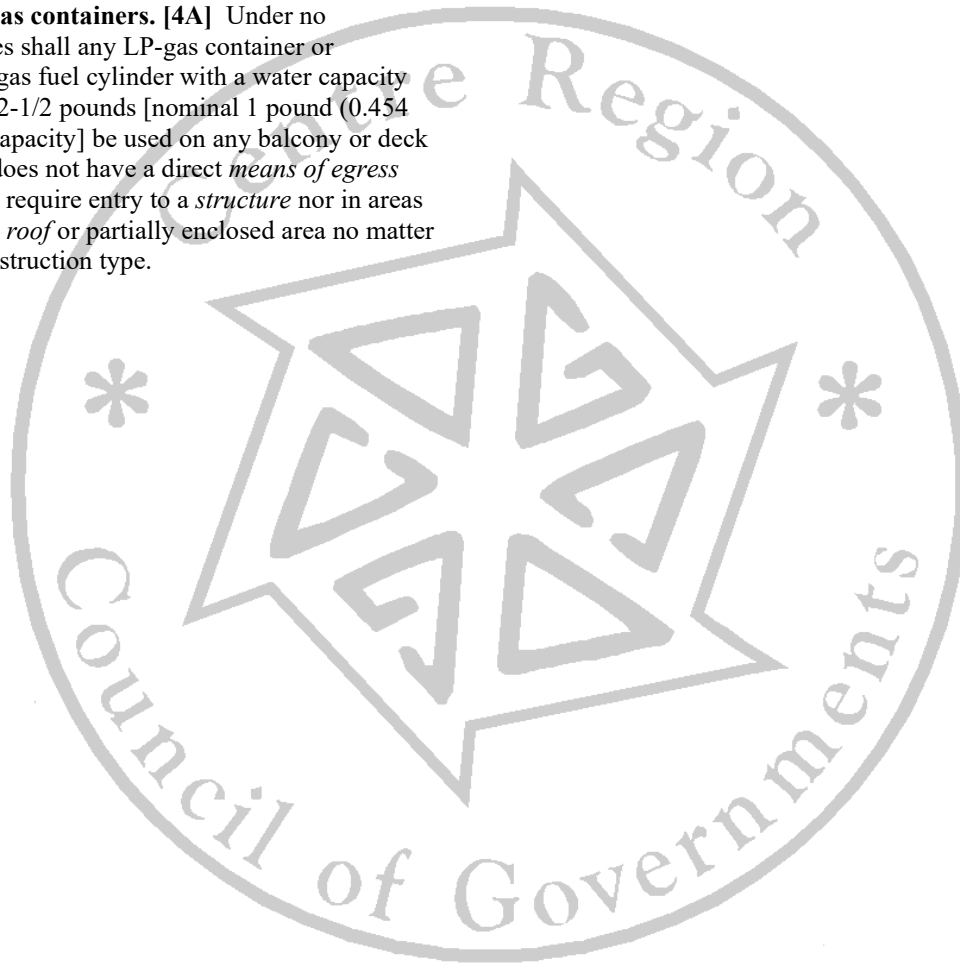
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

**SECTION 714  
OPEN FLAME COOKING DEVICES**

**714.1 Open-flame cooking devices.** Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

**Exceptions:** Where buildings, balconies and decks are protected by an *automatic sprinkler system*.

**714.2 L-P Gas containers. [4A]** Under no circumstances shall any LP-gas container or compressed gas fuel cylinder with a water capacity greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] be used on any balcony or deck or area that does not have a direct *means of egress* that does not require entry to a *structure* nor in areas covered by a *roof* or partially enclosed area no matter what the construction type.



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## CHAPTER 8 RENTAL HOUSING PERMITS

### SECTION 801 GENERAL

**801.1 Scope.** The provisions of this chapter shall govern the issuance, refusal, and maintenance of rental housing permits for the *municipality*.

### SECTION 802 HOUSING PERMIT

**802.1 Permit required.** No *person*, firm, or corporation shall operate or rent to another, or provide for residential *occupancy* for XX or more consecutive days with or without compensation, any *dwelling unit* or *rooming unit* until a housing permit has been issued by the *code official*.

*Tourist Homes* and *Bed and Breakfasts* are required to obtain a rental housing permit in accordance with this section prior to *occupancy* regardless of duration of stay unless originally permitted as a *Use Group R1* under the *Uniform Construction Code of Pennsylvania* or its predecessor codes at the time of construction or change of *occupancy*. These *structures* shall obtain a fire safety program license in accordance with Chapter 7 of this code.

**Note:** for Section 802, XX is defined as the following in the respective *municipality*:

- 1 – Borough of Bellefonte
- 1 – College Township
- 1 – Ferguson Township
- X – Halfmoon Township
- ~~7~~ 30 – Harris Township
- 7 – Patton Township
- 7 – Borough of State College

**Exceptions:** When as part of a property sales agreement, the owner of an owner-occupied single-family residential property negotiates a post-settlement agreement to stay in the property after the transfer of ownership to the purchaser, for a maximum of 180 days, the property is not required to have a rental housing permit.

**802.1.1 Occupancy prior to permit issuance.** *Occupancy* of any rental property prior to permit issuance is a *violation* of this code. In addition

to the imposition of the penalties herein described, the *code official* is authorized to issue field fines of \$300 per day. Each day that a *violation* continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. Any *person*, firm, or corporation violating this section is exempt from the notification requirements set forth in Section ~~107~~ 108. Failure to pay the fine, in full, to the Centre Region Council of Governments (COG) within 10 days of issuance will result in legal action in accordance with Section ~~106.3~~ 107.3. *Violations* of this section can be appealed to the Director of Code Administration within 7 calendar days of issuance.

**802.2 Permit application.** Applications for permits shall be made to the Centre Region Code Administration Office on forms furnished by said office.

**802.2.1 Floor plan.** All permit application shall be accompanied by a floor plan of the proposed rental space including plan dimensions.

**802.3 Issuance or refusal.** The *code official* shall issue a housing permit to the applicant upon proof that all of the following requirements have been satisfied:

1. Zoning use permit has been issued for the purpose for which it will be used;
2. The *structure* complies with the provisions of this code and all other applicable codes and/or ordinances;
3. A proper housing permit fee has been submitted.

**802.4 Renewal.** Housing permits shall be renewed annually, on or before the permit expiration date of each year. A housing permit shall become null and void upon permittee's failure to submit the required or proper annual rental housing fee. No reduction shall be made for fractional yearly permits.

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At the time of permit renewal the *Person-in-Charge* information shall be updated by the property *owner* or *person-in-charge*.

**802.5 Late fee.** A late fee charge equal to 20% of the permit fee per unpaid unit shall be imposed after the date of permit payment due, and every 30 days thereafter.

**802.6 Transferability.** Housing permits shall be transferable upon change of ownership, providing the permitted use has not changed. The new *owner* or designated *operator* is required to promptly notify the Code Administration Office upon change of ownership within 15 calendar days of said transfer.

**802.7 Reserved.**

**802.8 Applications.** Applications for rental housing permits and applications for the renewal of rental housing permits shall be filled out completely and accurately including addresses, **email addresses**, and telephone numbers for both the *owner(s)*, and *person-in-charge*. The rental housing permit shall not be issued or renewed if an application does not contain all required information.

**802.8.1 Contact address.** The contact addresses provided to the Centre Region Code Administration in accordance with Section 802.8 must be a valid address for the receipt of United States mail and shall be checked by the *owner* or *person-in-charge* on a regular basis not to exceed 1 week.

**802.8.2 Telephone number.** The telephone numbers provided to the Centre Region Code Administration in accordance with Section 802.8 must be a valid telephone number capable of receiving and recording voice mail at all times. This number is considered the emergency contact number for this individual. A response to a voice mail left on this number by a representative of the *Municipality* or the Centre Region Code Administration shall be returned or responded to within 3 hours. A response to a voice mail left on this number by a *tenant* shall be returned or responded to within 3 hours.

**802.8.3 E-Mail address.** A valid e-mail address for the owner and person-in-charge shall be provided to the Centre Region Code Administration. The e-mail address shall not be considered an emergency contact and response to an e-mail for the *owner* or *person-in-charge* by a

staff member of the Centre Region Code Administration *municipality* or *tenant* and shall be responded to within 48 hours.

**802.9 Rental housing permit fee.** The rental housing permit fee shall be established by resolution of the *Municipality*. The rental housing permit fee may be amended, as needed, by resolution of the *Municipality*.

**802.10 Display and use.** The housing permit shall be made available by the *owner/operator* within 24 hours upon a request by any party or may be displayed. The issuance of a housing permit to an *owner/operator* shall constitute consent for an inspection. The housing permit is and shall remain the property of Centre Region Code Administration.

## SECTION 803 PERSON-IN-CHARGE

**803.1 Person-In-Charge.** All *owners* of *residential rental property* shall designate a *person-in-charge* for each of their residential properties. The *code official* shall be notified in writing as to who the *person-in-charge* is and of any changes to information required by this code within 3 calendar days.

**803.2 Maintenance.** The *person-in-charge* shall maintain all rental property under their control in compliance with the *occupancy* limits, as specified in the Zoning Ordinance of the *Municipality*. Further, the *person-in-charge* shall notify the *owner* of rental property of any and all *violations* issued against said property by the *code official*.

**803.3 Tenant notification.** The *person-in-charge* shall be required to distribute to each *tenant*, information regarding the following requirements, including reference to any ordinances. A signed copy of this form or proof of form delivery shall be maintained by the *person-in-charge* and shall be made available to the *tenant, code official, or municipality* upon request:

1. Maximum *occupancy* for the *residential rental property*;
2. Maximum number of *persons* who can reside in the rental property;
3. If the property is a student home;
4. Regulations regarding dogs (if present);

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5. Regulations regarding property maintenance;
6. Regulations regarding refuse, parking, weeds and removal of snow and ice from sidewalks;
7. Information on the handling of recyclable materials;
8. Specific information regarding the State College Division of Health and Neighborhood Services and the Centre Region Code Administration including:
  - a. Basic property maintenance code requirements.
  - b. Appropriate department to contact if a problem continues after notifying the landlord.
  - c. Contact information for both the Centre Region Code Administration and the State College Division of Health and Neighborhood Services, to include telephone numbers, hours of operation, e-mail addresses, and website address.
  - d. Copies of all ordinances and regulations associated with the State College Borough Nuisance Property Ordinance or successor ordinance and copies of Section 805, and 806 of this code.
11. Notification in writing of all scheduled inspections a minimum 7 calendar days prior to the scheduled inspection date **and one calendar day prior to re-inspections;**
12. Notice of regulations regarding *roof occupancy* and possible penalties;
13. **Notice of regulations regarding *interior furniture* and possible penalties;**
14. Notice of regulations regarding unsanitary conditions in rental properties and regulations regarding and possible penalties.
15. **Notice of information regarding tenants rights as published by the *Municipality*.**
16. **Notice of information regarding fire-safety as published by the *Municipality*.**
17. **For units where the *tenant* is responsible for payment of utilities (electricity, natural gas, propane, fuel oil, water, etc.), the *owner* shall make available to the *tenant* the prior 24 months of utility costs prior to signing the lease agreement. The *tenant* is responsible for providing utility cost information to the *owner* within 60 days of the receipt of the bill from the utility.**

Contents of the *tenant* information material shall be developed by the *Municipality* and made available in electronic format to property *owners* and managers to distribute. *Tenant* information shall be in writing and shall be separate from any written lease. *Tenant* information shall be distributed annually.

Exception: For municipalities other than the Borough of State College, the contact information shall be for the applicable municipal office, the applicable health officer, and the Centre Region Code Administration. Ordinance and code information shall be the locally adopted ordinances that pertain to rental housing and the maintenance of the property including but not limited to litter and refuse.

9. **Signed copy of the** fire safety certification in accordance with Section 704.9;
10. Regulations regarding tampering with fire protection equipment.

**803.4 Annual inspections.** Once a property has failed to obtain a *satisfactory rental housing inspection* and is required to be inspected annually per Section ~~104.2.1~~ 105.2.1, the *person-in-charge* for the property shall personally accompany the inspector on all inspections of that property until the property is no longer subject to the annual inspection requirements. If the *person-in-charge* fails to show for the inspection, the inspector shall reschedule the inspection and a *no-show fee* shall be assessed.

**803.5 Owner notification.** The *person-in-charge* shall be required to notify the *property owner* with the same requirements as those for *tenants* of the property. Notification shall be in writing and may be by United States Mail, email, or personal delivery.

## SECTION 804 RENTAL HOUSING PERMIT SUSPENSION FOR OUTSTANDING VIOLATIONS AND IMMINENT HAZARD

**804.1 Imminent hazard.** Whenever an imminent hazard to community health, safety, or welfare exists

at a property, the *Code Official* is authorized and empowered to order and require any *structure* on the property vacated within 10 days from the date of the order. At the end of the 10 days, a notice shall be posted at each entrance to the *structure(s)* stating that *occupancy* of the *structure* is unlawful and any *person* occupying the *structure* will be prosecuted. The Centre Region Building and Housing Code of Appeals shall schedule a hearing with the property *owner* and *tenant* within 10 calendar days from the date of the order. The purpose of the hearing will be to review the vacation order with the property *owner* or an authorized representative and *tenant*, and to establish an abatement plan.

**804.2 Outstanding violations.** The *Code Official* may revoke the rental housing permit when a *violation* of this code has not been corrected after a period of 90 calendar days.

#### **804.3 Suspension Procedures.**

**804.3.1 Notification.** The Centre Region Code Administration shall notify the property *owner* and *PERSON-IN-CHARGE* of a suspension by written notice sent by a method that provides proof of delivery or delivered and posted on the *structure* in *person*. The notice shall advise the property *owner* of the property address, the effective dates of the suspension, the reason for the suspension, the effect of the suspension on the property, penalties that can be imposed for *violation* of the suspension, and appeal rights and procedures.

**804.3.2 Term of suspension and effective date.** The effective date of a suspension shall commence on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a 1-year period. When there is no lease in force or when the lease or leases are for periods greater than one year, suspension shall commence upon the first day following the annual permit renewal date. The initial length of a suspension shall be for 6 months. The term of any subsequent suspension occurring within 5 years following the effective date of the first suspension shall be 12 months.

**804.4 Appeal procedure for suspension initiated by the code official.** Appeals of suspension initiated by the *Code Official* shall be heard by the Centre Region Building and Housing Code Board of Appeals in accordance with the procedures established for appeals to that Board, as referenced in Section ~~111~~ 112. The Board of Appeals is

empowered to sustain, withdraw, or modify the suspension.

~~**Exception:** Appeals of suspension by the *Code Official* in the Borough of Bellefonte shall be heard by the Bellefonte Housing Code Board of Appeals in accordance with the procedures established for appeals to that Board, as referenced in Section 111. The Board of Appeals is empowered to sustain, withdraw, or modify the suspension.~~

#### **804.5 Appeals to the Court of Common Pleas.**

Appeals by the property *owner* or Centre Region Code Administration of the Centre Region Building and Housing Code Board of Appeals decision shall be made to the Court of Common Pleas.

**804.6 Effect of suspension.** While under suspension, the residential unit subject to suspension shall be secured and vacated.

### **SECTION 805 RENTAL HOUSING PERMIT SUSPENSION FOR ZONING VIOLATIONS [1A,2A,4A]**

**805.1. General.** The rental housing permit of any 1-family dwelling, 1-family dwelling with an apartment unit or 2-family dwelling within the Borough shall be suspended whenever two or more zoning offenses, as described in Section 805.2, occur within any 4-year period. The 4-year period shall commence upon the date of the first enforcement notice or, in the event such notice is appealed, upon the date that a final determination in favor of the *Municipality* is made by either the Zoning Hearing Board or court of competent jurisdiction.

**805.2 Definitions.** For the purposes of Section 805, 1-family dwelling, 1-family dwelling with a single apartment unit, and 2-family dwelling refer to housing classifications described and used in the State College Zoning Ordinance, Chapter XIX, Borough's Codification of Ordinances, Ordinance 559, as amended.

**Exception:** Those properties that are not located in the Borough of State College for Section 805 shall use the definitions contained in the municipal zoning regulations that are in place in that *municipality*.

**805.3 Applicable offense.** An offense shall count towards suspension whenever a *violation* has been determined to have occurred at the property by a

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zoning officer and the landowner was sent a *violation* notice pursuant to Section 616.1, *Enforcement Notice*, as provided for in the Pennsylvania Municipalities Planning Code. In the event such notice is appealed, the *violation* shall count towards suspension whenever the Zoning Hearing Board or court of competent jurisdiction rules in favor of the *Municipality*.

**805.4 Additional notification requirements.** In addition to the requirements contained in the Pennsylvania Municipalities Planning Code, the enforcement notice shall inform the landowner that any subsequent *violation* of the zoning regulations for *occupancy* or student home use that occurs within 4 years of the date of the current notice will result in suspension of the rental housing permit for the subject property with the consequence that the rental unit cannot be occupied during the term of the suspension.

**805.5 Self-reported complaints.** Self-reported complaints filed by the property owner, property manager, or *person-in-charge* that result in an enforcement notice being sent by the *municipality* shall not count towards the suspension of the rental housing permit provided the *municipality* has not already discovered the *violation* or a 3<sup>rd</sup> party has not already made a complaint about the property prior to the self-reported complaint. The property owner, property manager, or *person-in-charge* shall provide proof that they attempted to correct the *violation* but has found the *violation* still exists. Self-reported complaints shall not be used as an expectation or opportunity to avoid enforcement action by the *municipality*.

**805.6 Reserved.**

**805.7 Effect of concurrent violations.** When an over *occupancy violation* and student home *violation* occur concurrently, the two *violations* shall count as only one offense towards suspension. Another *violation* of either or both that occurs within any 4-year period following the first preceding *violation* shall constitute a basis for suspension.

**805.8 Offenses.** For the purpose of this suspension provision, offenses are *violations* of the following two sections of the Borough's Zoning Ordinance, Chapter XIX, Borough's Codification of Ordinances, Ordinance 559, as amended:

**Exception:** Those properties that are not located in the Borough of State College shall use the

municipal zoning regulations that are in place in that *municipality*.

**805.8.1 Occupancy.** Refers to regulations for use of 1- and 2-family homes under Section 501.1(3).

**805.8.2 Student home.** Refers to regulations for use of 1- and 2-family homes under Section 501.1(6).

**Exception:** Those properties that are not located in the Borough of State College for this Section *Occupancy* and Student Home shall be defined as contained in the municipal zoning regulations that are in place in that *municipality*.

**805.9 Suspension Procedures.**

**805.9.1 Notification.** The *municipality* shall notify the property owner and *PERSON-IN-CHARGE* of a suspension by written notice sent certified mail or delivered in *person*. The notice shall advise the property owner and *PERSON-IN-CHARGE* of the property address, the effective dates of the suspension, the reason for the suspension, the effect of the suspension on the property, penalties that can be imposed for *violation* of the suspension, and appeal rights and procedures.

**805.9.2 Term of suspension and effective date.** The effective date of a suspension shall commence on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a 1-year period. When there is no lease in force or when the lease or leases are for periods greater than one year, suspension shall commence upon the first day following the annual permit renewal date. The initial length of a suspension shall be for 6 months or date when the property is no longer considered a Nuisance Property with respect to this code, whichever is longer. The term of any subsequent suspension occurring within 5 years following the effective date of the first suspension shall be 12 months or date when the property is no longer considered a Nuisance Property with respect to this code, whichever is longer.

**805.9.3 Effect of additional points.** Should additional points accumulate against the property, during the time a rental housing permit is suspended or under consent agreement, the *violation(s)* shall be considered to be a detriment to the health, safety, and welfare of the Community. The property shall be deemed a nuisance property

in violation of the Centre Region Building Safety and Property Maintenance Code. The *owner*, *person-in-charge* or the *tenant(s)* or either of them as the case may be shall be held responsible as determined by culpability. In the event that responsibility for the *violation(s)* cannot be determined, the property *owner* shall be held responsible and subject to the penalties provided for in this Section. In addition, the permit suspension shall be extended by 6 months.

1. A fine up to \$500.00 for each point shall be assessed for *violations* which are one (1) point *violations*.
2. For police incidents resulting in criminal prosecution, and/or for *violation* of the fire code which are two (2) point *violations*, a fine of \$500.00 to \$1000.00 shall be assessed.
3. A fine of \$1,000.00 shall be assessed for police incidents resulting in criminal prosecution which are three (3) point *violations*.

This section may be modified by the consent agreement if *approved* by the *Municipal Manager*.

**805.10 Effect of suspension.** While under suspension, the residential unit subject to suspension shall be secured and vacated.

**805.11 Defense.** When *tenants* are culpable for *violations* resulting in a suspension notice, the property *owner* may request a stay of suspension proceedings by providing written evidence of the initiation of eviction proceedings against culpable *tenants*. If *tenants* are evicted, the property *owner* may request termination of the suspension proceedings. If suspension has been stayed, but the *tenants* are not evicted, suspension proceedings can be reinstated by the *municipality*.

**805.12 Consent agreement and stay of suspension.** The *Municipal Manager* is empowered during the course of an administrative inquiry on suspension of a rental housing permit to enter into a consent agreement with the landowner. The consent agreement may set forth steps and conditions designed to bring the property into compliance with Municipal Ordinances and to maintain the property in a proper manner so that it ceases to be a Nuisance Property. In conjunction with the consent agreement, the *Municipal Manager* may stay the effective date of

the suspension to afford the landowner an opportunity to complete the steps as set forth in the agreement and to comply with any further conditions outlined in the agreement. If during the stay, a *violation* of the consent agreement occurs or additional points accrue, the stay shall be immediately lifted and the suspension reinstated.

As part of the consent agreement, the *Municipal Manager* is authorized to require that additional penalties, financial or point based be included in the agreement for failure to comply with the terms of the agreement.

**805.13 Appeal procedure for suspension.** Any affected landowner may appeal a suspension notice by first filing an appeal to the *Municipal Manager*. All appeals must be filed in writing within 15 calendar days of receipt of the suspension notice. The *Municipal Manager* shall hold an administrative inquiry within 30 calendar days of receiving the landowner's appeal, and shall notify the landowner of the date, time, and location of the administrative inquiry. Following the conclusion of the inquiry, the *Municipal Manager* is empowered to take any of the following actions:

1. Sustain the suspension.
2. Overturn the suspension upon a finding that proper procedure was not followed or that the available evidence does not support suspension.
3. Stay or terminate the suspension pursuant to Section 805.11, Defense for Eviction Proceedings.
4. Enter into a consent agreement with the landowner and stay the effective dates of the suspension pursuant to Section 805.12 Consent Agreement.

The *municipality* may charge an administrative fee to recover the costs of conducting the administrative inquiry. These fees shall be set by municipal resolution.

**805.14 Appeals to the Rental Housing Revocation Appeals Board (RHRAB).** An affected property *owner* may appeal any adverse decisions or determinations made by the *Municipal Manager* to the RHRAB. The appeal shall be filed, in writing, within 15 calendar days of receipt of the *Municipal Manager's* decision. The RHRAB shall notify the

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appellant of the date, time, and location of the hearing, which shall be held within 30 calendar days of receipt of the request for hearing. The RHRAB is empowered to void, suspend or sustain the *Municipal Manager's* decision. A fee for an appeal will be set by resolution of Municipal Council from time to time.

The *municipality* may charge an administrative fee to recover the costs of conducting the appeal. These fees shall be set by municipal resolution.

**Exception:** For those properties that are not located in the Borough of State College for this Section appeals shall be made to the Centre Region Building and Housing Code Board of Appeals following the same procedure.

~~Exception: For those properties in the Borough of Bellefonte shall be heard before the Bellefonte Housing Board of Appeals in accordance with the procedures set forth in this code.~~

#### **805.15 Appeals to the Court of Common Pleas.**

Appeals by the property *owner* or Borough of the RHRAB's decision shall be made to the Court of Common Pleas.

**Exception:** For those properties that are not located in the Borough of State College for this Section appeals of the *Municipal Manager* or Centre Region Building and Housing Code Board of Appeals shall be made to the Court of Common Pleas.

**Exception:** For those properties that are not located in the Borough of State College for this Section appeals of the *Municipal Manager* or Bellefonte Housing Board of Appeals shall be made to the Court of Common Pleas.

### **SECTION 806 RENTAL HOUSING PERMIT SUSPENSION FOR NUISANCE AND CRIMINAL VIOLATIONS [1A,4]**

**806.1 Conditions for suspension and assignment of points for nuisance and criminal violations.** The rental housing permit for any property within the *Municipality* shall be suspended whenever 10 or more points for offenses have accumulated individually or collectively at the property within a 1-year period and the property *owner* has received required notice. The 1-year (12-month) period is a rolling year, and shall be counted as the 12-month

period that immediately precedes the date of the most recent offense.

**806.2 Assignment of points.** Points for offenses shall be assigned as follows:

1. One (1) point shall be assigned for each offense of the following ordinances as set forth in Section 806.11: property maintenance; refuse; sidewalk obstruction; grass and weeds; dogs; *violations* of Section 302.8, Indoor furniture; unclean and unsanitary condition *violations*; *roof occupancy violations*; and failure to submit a corrective action plan by the deadline when required. These points shall be assigned to a property at the time of issuance of a *violation* notice or citation.
2. Two (2) points shall be assigned for each offense of the following ordinances or statutes as set forth in Section 806.11: noise control ordinance; disorderly conduct; alcohol possession or consumption by a minor; drugs possession; simple assault; harassment; open lewdness; indecent exposure; false alarms; and fire code offenses. Points for fire code offenses listed in Chapter 7 or 9 shall accumulate against a property at the time of issuance of a *violation* notice or citation. Points for the other offenses shall be assigned to a property at the time of adjudication, unless the defendant is acquitted, found not guilty, or the case is withdrawn. Points shall also be assigned to a property if, after being charged, a defendant ignores a citation or criminal complaint and a warrant is issued for the defendant's arrest.
3. Three (3) points shall be assigned for each offense of the following statutes as set forth in Section 806.11: furnishing alcohol to a minor, 6310.1, crimes code; furnishing to a minor, 493, liquor laws; aggravated assault; rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; aggravated indecent assault; and possession with intent to deliver controlled substances or look-alike substances. Points for these offenses shall be assigned to a property at the time of adjudication unless the defendant is acquitted, found not guilty or the case is withdrawn. The points shall also be assigned to a property if after being charged, the defendant ignores the citation or criminal complaint and a warrant is issued for the defendant's arrest.

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4. Five (5) points shall be assigned for operating a rental property without a valid rental housing permit as required in Section 802.

In all cases, if the defendant enters into an alternative adjudication resolution program *approved* by the court, the points associated with that *violation* shall be assigned to the property as of the date of the offence and not the entry into an alternative adjudication program.

When the points are related to an offense is adjudicated in Court, the effective date of the point assignment shall be the date of the offense.

**806.2.1 Multiple violations.** Upon discovery of multiple *violations* at a property, the maximum number of points that can be assigned in a 24-hour period are 3, unless one of the *violations* is operating a rental property without a valid rental housing permit, in which case the maximum number of points can accumulate in a 24-hour period is 8.

**806.2.2 Self-reported complaints.** With the exception of *violations* of the following ordinances: Municipal Waste, Chapter VIII, Part A; Grass and Weeds, Chapter IX, Part C; and Obstructions on Sidewalks, Chapter XVI, Part G of the State College Borough Codification of Ordinances, **and fire and life-safety violations of this code**, self-reported complaints filed by the property *owner*, property manager, *person-in-charge*, a *tenant*, or visitor or guest of a *tenant* of the *premises* that result in prosecution that would otherwise cause points to be assigned to the property shall not count towards suspension provided the State College Borough or *Code Official* or a 3<sup>rd</sup> party has not already discovered the *violation*. Self-reported complaints as described in this section shall not be used as an expectation or opportunity to avoid nuisance property points from being assigned to the property.

**Exception:** For those properties that are not located in the Borough of State College for this Section references to the Borough of State College shall be substituted by the *municipality* where the property is located and ordinances for grass weeds and obstruction of sidewalks substituted.

**806.2.3 Protection for Victims of Abuse or Crime Act:** No points will be assessed in incidents that are covered by the Pennsylvania Protection for Victims of Abuse or Crime Act (53 Pa.C.S. Section 304).

**806.3 Notices required.** Within any 1-year (12-month) period, written notices shall be issued as required below.

1. Prior to suspension of a rental housing permit, the *Municipality* shall provide the *owner* of the subject rental property with a written notice entitled “Problem Property Notice” whenever offenses totaling 5 or more points accumulate at the rental property within any 1-year period. The Problem Property Notice shall list the offenses and state that should 10 or more points accumulate at the rental property, the property shall be deemed a “Nuisance Property” and the rental housing permit shall be suspended. The offenses subject to points are listed in Section 806.11 and the corresponding points are listed in Section 806.2.

Within 15 calendar days of the issuance of the notice, the property *owner* shall schedule a meeting with the *municipality* to discuss the property and initiate the development of a corrective action plan for the property to address the issues at the property and prevent the property from becoming a Nuisance Property. Within 30 calendar days of the issuance of the notice, the property *owner* shall submit a draft corrective action plan to the *municipality* for review.

The *municipality* shall review the corrective action plan within 15 calendar days and provide the property *owner* in writing an approval of the corrective action plan or a written list of deficiencies that need to be addressed in the next submission. The property *owner* shall revise the corrective action plan and resubmit the plan to the *municipality* within 15 working days. All subsequent reviews will follow this same schedule of activities and shall continue until a corrective action plan that is acceptable to the *municipality* is developed, and *approved* by the *municipality*. Once the plan is *approved* by the *municipality*, the plan is binding.

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Failure to submit the corrective action plan by the required deadline will result in additional points being assigned to the property in accordance with Section 806.2 and a \$500.00 fine shall be assigned to the property *owner*.

2. The Problem Property Notice shall inform landowners that a written correction plan is required to be submitted to the *Municipality* within 30 calendar days after receipt of the Problem Property Notice. The written correction plan shall indicate the ways the landowner intends to take control of the property so that it does not become a Nuisance Property.

Failure to submit the corrective action plan by the required deadline will result in additional points being assigned to the property in accordance with Section 806.2 and a \$500.00 fine shall be assigned to the property *owner*.

3. The Problem Property Notice shall inform landowners that they may request an informal meeting with the appropriate Municipal Official, as designated in the notice, to discuss the *violations* and corrective actions intended to prevent the problem property from becoming a Nuisance Property. *Owners* requesting a meeting may appoint someone to represent them so long as their representative is authorized to act on their behalf, including but not limited to entering into agreements.
4. Whenever 10 or more points accrue at a rental property, a permit suspension notice shall be sent to the property *owner* advising that the rental property is now designated a Nuisance Property and the rental permit is suspended.

#### **806.4 Suspension procedures.**

**806.4.1 Notification.** The *Municipality* shall notify the property *owner* of a suspension by written notice sent certified mail or delivered in *person*. The notice shall advise the property *owner* of the property address, the effective dates of the suspension, the reason for the suspension, the effect of the suspension on the property, penalties that can be imposed for *violation* of the suspension, and appeal rights and procedures.

#### **806.4.2 Term of suspension and effective date.**

The effective date of a suspension shall commence on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a 1-year period. When there is no lease in force or when the lease or leases are for periods greater than one year, suspension shall commence upon the first day following the annual permit renewal date. The initial length of a suspension shall be for 6 months or date when the property is no longer considered a Nuisance Property with respect to this code, whichever is longer. The term of any subsequent suspension occurring within 5 years following the effective date of the first suspension shall be 12 months or date when the property is no longer considered a Nuisance Property with respect to this code, whichever is longer.

**806.4.3 Effect of additional points.** During the time a rental housing permit is suspended, should any additional points accumulate against the property, the permit suspension shall be extended by 6 months.

**806.5 Effect of suspension.** While under suspension, the residential unit subject to suspension shall be secured and vacated.

**806.6 Defense.** When *tenants* are culpable for *violations* resulting in a suspension notice, the property *owner* may request a stay of suspension proceedings by providing written evidence of the initiation of eviction proceedings against culpable *tenants*. If *tenants* are evicted, the property *owner* may request termination of the suspension proceedings. If suspension has been stayed, but the *tenants* are not evicted, suspension proceedings can be reinstated by the *Municipality*.

**806.7 Appeal procedure for suspension.** Any affected landowner may appeal a suspension notice by first filing an appeal to the *Municipal Manager*. All appeals must be filed in writing within 15 calendar days of receipt of the suspension notice. The *Municipal Manager* shall hold an administrative inquiry within 30 calendar days of receiving the landowner's appeal, and shall notify the landowner of the date, time, and location of the administrative inquiry. Following the conclusion of the inquiry, the *Municipal Manager* is empowered to take any of the following actions:

1. Sustain the suspension.

2. Overturn the suspension upon a finding that proper procedure was not followed or that the available evidence does not support suspension.
3. Stay or terminate the suspension pursuant to Section 806.6, Defense for Eviction Proceedings.
4. Enter into a consent agreement with the landowner and stay the effective dates of the suspension pursuant to Section 806.8. Consent Agreement.

The *municipality* may charge an administrative fee to recover the costs of conducting the administrative inquiry. These fees shall be set by municipal resolution.

**806.8 Consent agreement and stay of suspension.**

The *Municipal Manager* is empowered during the course of an administrative inquiry on suspension of a rental housing permit to enter into a consent agreement with the landowner. The consent agreement may set forth steps and conditions designed to bring the property into compliance with Municipal Ordinances and to maintain the property in a proper manner so that it ceases to be a Nuisance Property. In conjunction with the consent agreement, the *Municipal Manager* may stay the effective date of the suspension to afford the landowner an opportunity to complete the steps as set forth in the agreement and to comply with any further conditions outlined in the agreement. If during the stay, a *violation* of the consent agreement occurs or additional points accrue, the stay shall be immediately lifted and the suspension reinstated.

As part of the consent agreement, the *Municipal Manager* is authorized to require that additional penalties, financial or point based be included in the agreement for failure to comply with the terms of the agreement.

**806.9 Appeal to the Rental Housing Revocation Appeals Board (RHRAB).**

An affected property *owner* may appeal any adverse decisions or determinations made by the *Municipal Manager* to the RHRAB. The appeal shall be filed, in writing, within 15 calendar days of receipt of the *Municipal Manager's* decision. The RHRAB shall notify the appellant of the date, time, and location of the hearing, which shall be held within 30 calendar days of receipt of the request for hearing. The RHRAB is empowered to void, suspend or sustain the *Municipal*

*Manager's* decision. A fee for an appeal will be set by resolution of Municipal Council from time to time.

The *municipality* may charge an administrative fee to recover the costs of conducting the appeal. These fees shall be set by municipal resolution.

**Exception:** For those properties that are not located in the Borough of State College for this Section appeals shall be made to the Centre Region Building and Housing Code Board of Appeals following the same procedure.

**Exception:** For those properties in the Borough of Bellefonte shall be heard before the Bellefonte Housing Board of Appeals in accordance with the procedures set forth in this code.

**806.10 Appeal to the court of common pleas.**

Appeals by the property *owner* or Borough of the RHRAB's decision shall be made to the Court of Common Pleas.

**Exception:** Those properties that are not located in the Borough of State College for this Section appeals of the *Municipal Manager* or Centre Region Building and Housing Code Board of Appeals shall be made to the Court of Common Pleas.

**Exception:** For those properties that are not located in the Borough of State College for this Section appeals of the *Municipal Manager* or Bellefonte Housing Board of Appeals shall be made to the Court of Common Pleas.

**806.11 Offenses.** For purposes of this ordinance, offenses are those as set forth in the following ordinances or statutes:

**806.11.1 Refuse. [2A]** Refers to Garbage, Refuse, and *municipal solid waste* regulations enforced by the Health Department pursuant to Chapter VIII, State College Borough's Codification of Ordinances, Part A, Section 101, et seq. as amended.

**806.11.2 Property maintenance (interior and exterior). [2A]** Refers to regulations for the maintenance of residential property as generally enforced by the Centre Region Code Administration, pursuant to this code with the exception of Chapter 9 (Fire Code) as adopted by

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Chapter IV, State College Borough's Codification of Ordinances.

**806.11.3 Sidewalk obstruction. [2A]** Refers to regulations for clearing snow, ice, and other obstructions from sidewalks pursuant to Chapter XVI, State College Borough's Codification of Ordinances, Part G, Section 701, et seq, as amended.

**806.11.4 Noise. [2A]** Refers to the enforcement of the Noise Control Ordinance, Chapter V, State College Borough's Codification of Ordinances, Part A, Section 101, et seq, as amended *by Ordinance 1987*.

**806.11.5 Vegetation. [2A]** Refers to enforcement of grass and weeds pursuant to Chapter IX, State College Borough's Codification of Ordinances, Part C, Section 301, et seq, as amended.

**806.11.6 Disorderly conduct.** Refers to enforcement by Law Enforcement of Section 5503, Crimes Code, Act of Dec. 6, 1972, P.L. 1482, No. 334.

**806.11.7 Drugs and possession with intent to deliver.** Refers to enforcement by Law Enforcement of The Controlled Substance, Drug, Device and Cosmetic Act, of April 14, 1972, P.L. 233, No. 64, as amended.

**806.11.8 Alcohol.** Refers to possession or consumption by a minor pursuant to Section 6308, Crimes Code, Act of Dec. 6, 1972, P.L. 1482, No. 334, or Furnishing Liquor or Malt or Brewed Beverages to Minors, pursuant to Section 6310.1, Crimes Code, Act of March 25, 1988, P.L. 262, No.31, or Furnishing to a Minor, Section 493, Liquor Laws, Act of April 12, 1951, P.L. No. 90, as amended.

**806.11.9 Dogs. [2A]** Refers to enforcement of dog offenses pursuant to Chapter II, State College Borough's Codification of Ordinances, Part A, Dogs, ~~Section 101~~ Sections, 101, 103 & 106. Including PA Dog Laws, Title III, 459-305 & 459 - 502, et seq, as amended.

**806.11.10 Fire Code. [2A]** Refers to regulations for the prevention of fires at rental properties as adopted in Chapter 9 (Fire Code) of this code as adopted by Chapter IV, State College's Borough's Codification of Ordinances.

**806.11.11 Simple Assault.** Refers to enforcement by the Law Enforcement of Section 2701, Crimes Code, Act 172(1).

**806.11.12 Aggravated Assault.** Refers to enforcement by Law Enforcement of Section 2702, Crimes Code, Act 132 (3).

**806.11.13 Harassment.** Refers to enforcement by Law Enforcement of Section 2709, Crimes Code, Act 218(1).

**806.11.14 Open Lewdness.** Refers to enforcement by Law Enforcement of Section 5901, Crimes Code.

**806.11.15 Sexual Assault.** As enumerated in the Crimes Code referring to enforcement by Law Enforcement of Sections: 3121, Rape, Act 226 (1.1); 3122.1, Statutory Sexual Assault; 3123, Involuntary Deviate Sexual Intercourse, Act 226 (1.1); 3124.1, Sexual Assault; 3125, Aggravated Indecent Assault, Act 226 (1.1); 3126, Indecent Assault; 3127, Indecent Exposure.

**806.11.16 False Alarms.** The fourth false alarm or greater as detailed in **Chapter 11 of this code Part D, Section 403 of the State College Borough Codification of Ordinances.**

**806.12 Assignment of points for offenses.** The assignment of points for offenses, as set forth in Section 806.11. of this ordinance, shall apply towards suspension of the rental housing permit for any 1-family house, duplex, multiple-family *dwelling unit, rooming unit, or fraternity/sorority house*, as the case may be, in accordance with the following schedule:

1. 1-Family House or Fraternity / Sorority House: Points shall be assigned to the property whenever an offense occurs anywhere on the property, including sidewalks within or along the boundary of the property, provided such offense is caused by a *tenant* or a guest at the property. Points for offenses committed by the property *owner* shall be assigned to the property.
2. 2-Family (Duplex), Multiple-Family or Rooming Unit: Points for offenses that occur within an individual dwelling or *rooming unit* shall apply to that unit. Points for offenses committed by a *tenant* or guest shall apply to the *tenant's* dwelling or *rooming unit*. Points

for offenses committed by the property *owner* shall be assigned to the property in general.

## SECTION 807 STUDENT HOME LICENSE [1,2,4,5]

### 807.1 General provisions.

**807.1.1 Scope.** This Part shall require the licensing of all student homes

**807.1.2 Purpose.** The regulation, inspection and licensing of student homes is intended to:

1. Protect the health, safety, and welfare of *persons* affected by or subject to the provisions of this Chapter;
2. Ensure that *owner(s)* of a student home, *persons-in-charge*, and *tenants* are informed of, and adhere to, all applicable code provisions governing the use and maintenance of student homes;

**807.1.3 Administration.** The Planning Department, as directed by the Borough Manager, shall be responsible for ensuring the equitable and effective administration of this Section.

**807.1.4 Student home defined.** For the purposes of this Part, a student home is any property that meets the definition of student home in the State College Borough Zoning Ordinance.

**807.2. Rental housing permits required for student homes.** No student home shall be leased or occupied for rental purposes, in whole or in part, by any *person* unless it is first in compliance with the provisions of every section of this section. *Occupancy* of any dwelling by any *person* other than or in addition to the *owner* of record shall be presumed to require a rental housing permit issued by the Borough of State College.

#### 807.2.1 Student home license application.

Applications for a student home license shall be submitted to Borough of State College Planning Department on forms provided by the Borough. The forms shall be signed by the *owner* or, if the *owner* is a corporation, an authorized agent of the corporation. Applications that do not contain all required information will be rejected by the Borough of State College.

**807.2.2 Issuance or denial of a student home license.** A student home license shall be issued by

the Borough of State College upon proof that all of the following requirements have been satisfied:

1. A complete application for a license has been submitted;
2. All requirements for student home use in Chapter XIX of the State College Borough Codification of Ordinances have been met;
3. The structure has been inspected by the Borough of State College and complies with all applicable provisions of Chapter XIX of the State College Borough Codification of Ordinances;
4. The correct student home license fee has been submitted;
5. The applicant has provided documentation to the Borough of State College that all owners of record of real property adjacent to the proposed student home have been notified of the receipt of the student home license application;
6. The applicant has provided documentation to the Borough of State College that the neighborhood association, if any, whose boundaries encompass the real property of the owner(s) of record have been notified.

**807.2.3 Student home license renewal.** Student home licenses shall be renewed annually on or before the permit expiration date of each year. A student home license become null and void upon licensee's failure to submit the required or proper annual student home license fee. No reduction shall be made for fractional yearly licenses.

**807.2.4 Late fee.** A late fee charge equal in amount to the required permit fee per unpaid unit shall be imposed after the date of permit payment due, and every 30 days thereafter.

**807.2.5 Transferability.** Student home licenses shall be transferable upon change of ownership, providing the use permitted and licensed has not changed. The new owner or designated operator is required to notify the State College Borough Planning Department within 5 business days of the change of ownership.

**807.2.6 Applications.** Applications for student home licenses, and applications for the renewal student home licenses shall be filled out completely and accurately including addresses, and telephone numbers, and email address for both the *owner(s)*, and *person-in-charge*. The student home license shall not be issued or renewed if an application

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does not contain all required information. Applications for initial student home licenses and for student home license renewals shall contain all of the information required in Section 807.

**807.2.7 Contact address.** The contact address provided to the Borough of State College in accordance with Section 807 must be a valid address for the receipt of United States mail and shall be checked by the *owner* or *person-in-charge* on a regular basis.

**807.2.8 Telephone number.** The telephone number provided to the Borough of State College in accordance with Section 807 must be a valid telephone number capable of receiving and recording voice mail at all times. This number is considered the emergency contact number for this individual. A response to a voice mail left on this number by a representative of the *Municipality* shall be returned or responded to within 3 hours. A response to a voice mail left on this number by a tenant shall be returned or responded to within 3 hours.

**807.2.9 E-Mail address.** A valid e-mail address shall be provided to the Borough of State College in accordance with section 807. The e-mail address shall be considered an emergency contact and response to an e-mail left at this address by a staff member of the Borough of State College or *tenant* shall be responded to within 48 hours.

**807.2.10 Student Home License fee.** The student home license fee shall be established by resolution of the *municipality*.

**807.2.11 Display and use.** The student home license shall be made available by the *owner/operator* within 24 hours upon a request by any party or may be displayed. The issuance of a student home license to an *owner/operator* shall constitute consent for an inspection. The student home license is and shall remain the property of the Borough of State College.

### **807.3 Student home license.**

**807.3.1 Student Home License.** A license will not be *approved* for a student home use unless property complies with all applicable requirements for student home use expressed in Chapter XIX or for which a certificate of nonconformity has been *approved* by the Borough of State College.

### **807.4 Applications for student home licenses.**

**807.4.1 Application.** Applications for a student home license shall be submitted to the State College Borough Planning Department.

**807.4.2 Registered student homes.** All student homes currently registered with the Borough of State College are eligible to receive a student home license upon completion and submission by the *owner* of an application for an initial student home license.

#### **807.4.3 Existing unregistered student homes.**

The *owners* of any existing student homes not registered with the Borough of State College as of the effective date of this code must provide documentation that the unregistered student home is eligible to receive a zoning permit or certificate of nonconformity. A zoning permit or certificate of nonconformity must be issued before a student license can be issued by the *municipality*. The Borough of State College has the right to request additional documentation to assist in their determination. Any appeal of this section or in relation to the issuance or denial of a zoning permit or certificate of nonconformity shall be made to the State College Borough Zoning Hearing Board in accordance with the municipal zoning ordinance.

After issuance of a zoning permit or certificate of nonconformity, existing unregistered student homes have 90 calendar days to complete the license process.

#### **807.4.4 Initial application form and contents.**

The student home license application shall be made on forms provided by the State College Borough Planning Department. The forms shall be signed by the *owner* or, if the *owner* is a corporation, an authorized agent of the corporation.

#### **807.4.5 Renewal application form and contents.**

An application for the renewal of a student home license shall be made on forms provided by the Borough of State College or its agent. An application for a license renewal shall be signed by the *owner* and contain the same information as an initial application unless the *owner* certifies there have been no changes from the previous application, in which case information on the previous application may be incorporated by reference into the application for license renewal.

**807.4.6 New owner application form and contents.** An application for the new *owner* or prospective new *owner* of a previously or currently licensed student home shall be made of forms provided by the Borough of State College.

**807.5. Inspection of student homes.**

**807.5.1 Initial student home license inspection.** Within 60 calendar days following the acceptance of an application for an initial student home license and issuance of a zoning permit or certificate of nonconformity, the proposed student home shall be inspected for compliance with the requirements of the State College Borough Zoning Ordinance.

**807.5.1.1 Scheduling of Inspections.** *Owners* and *Person-in-Charge* shall be notified of inspections in accordance with the following:

1. Prior to conducting an inspection for student home license application the Borough of shall give the *owner* and *person-in-charge* reasonable notice by first class mail sent to the address on file. The notice shall contain the date and time of the inspection.
2. The *owner* or *person-in-charge* must be present at all inspections.

**807.5.2 Renewal inspection.** Notice of inspections for the renewal of student home licenses shall follow the procedures in Section 807.5.1.1.

**807.5.3 Additional inspections.** When any *violations* of the State College Borough Zoning Ordinance are found during an inspection said inspection shall not be considered to have been completed until the State College Planning department determines that all *violations* have been corrected or that a satisfactory schedule has been provided by the property *owner* for the correction of the *violations*. The State College Planning Department may require such additional inspections as deemed necessary to determine that all *violations* have been corrected.

**807.5.4 Notice of violations.** The property *owner* and *person-in-charge* shall be promptly notified in writing of the existence of any *violations* found during an inspection of a property. For purposes of this subsection, "*violation*" shall mean any distinct *violation* of the State College Borough Zoning Ordinance

This notice shall either be sent by first class mail to the address(s) for the *owner* and *person-in-charge* contained in the rental unit license application, renewal application or reinstatement application or delivered to the *owner* or *person-in-charge* in *person*. The notice shall contain all information required by the applicable notice of *violation* sections of the State College Borough Zoning Ordinance, as appropriate. All *violation* notices shall provide a reasonable time limit within which the *violations* must be corrected.

**807.5.5. Additional inspections.** In addition to the initial or renewal inspections, inspections may be scheduled on one or more of the following bases:

1. By area, such that all student homes in a predetermined geographical area will be inspected simultaneously, or within a short period of time.
2. By written complaint, such that written complaints of *violations* will be inspected within a reasonable time.
3. By recurrent *violations*, such that any covered student home which has been found to have a high incidence of recurrent or uncorrected *violations* will be inspected more frequently.
4. For the purpose of re-inspection to ensure the correction of any *violations* in existence at a previous inspection.

**807.5.6. Notice of Additional Inspections.** For any inspection authorized by this article or other codes and ordinances, other than an initial or renewal inspection, the Borough shall attempt to give the *owner* and the *person-in-charge* reasonable notification of the date and time of the inspection unless probable cause exists to believe the lack of notice is necessary for the appropriate conduct of an investigation.

**807.5.7. Inspection authorization.** An application for a student home license shall authorize the entry upon and inspection of the *premises* at all reasonable times as required by this Part to the extent permitted by law. The failure of an *owner* to permit an inspection of the rental unit after notice is given shall constitute a withdrawal of the rental unit license application and a reason for denial of an application.

**807.5.8. Inspection reports.** A copy of all inspection reports shall be mailed to the *tenants*.

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**807.6. Standard student home license provisions.**

A student home license shall show the following:

1. The date of issuance and expiration date;
2. The maximum number of *persons* who may occupy the student home;
3. The tax parcel identification number, street address and unit number of the student home;
4. Notification that the student home license is subject to the imposition of terms and conditions, suspension, summary suspension, or revocation based upon failure to comply with the applicable requirements of the State College Borough Code;
5. The name, telephone number, postal address, email address of the *owner* and the *person-in-charge*;
6. The type of the student home license;
7. Any requirements or restrictions imposed by the Borough of State College on the license pursuant to this Part or Chapter XIX of the Borough of State College Codification of Ordinances.

**807.8. Appeals.** Any decision by the State College Planning Department Director regarding the approval, approval with conditions, or denial of a student home license may be appealed to the State College Borough Manager within 21 days from the date the State College Planning Department mails, by first class mail, notice of the State College Planning Department Director’s action to the appellant.

**807.8.1 Appeals of the State College Borough Manager.** Appeals of the decision of the State College Borough Manager on any appeal of an action by the State College Planning Director shall be to the court of competent jurisdiction.

**Section 807.8.2 Effect of appeal.** Except for an appeal from an emergency rental unit license suspension order, appeals to the State College Borough Manager shall operate to stay any order or action until a decision is reached. A stay shall not relieve an *owner* of any obligation to correct any property maintenance code *violations*; to schedule any licensing inspection or re-inspection; to cooperate with *code officials* to facilitate any complaint investigation; or to pay any licensing, inspection or re-inspection fee.

**807.9 Enforcement.**

**807.9.1 Maximum licensed occupancy.** No *owner*, *person-in-charge*, or *person* occupying any

student home licensed under this chapter shall knowingly, or under circumstances where the *owner*, *owner’s* legal agent, or *person* in charge should have known, allowed the student home to be occupied by more than the number of *persons* permitted by the student home license. Each day that a *violation* exists shall constitute a separate offense.

**807.9.2 Occupancy without a license.** No *person* shall occupy, and no *owner* or *person-in-charge* shall allow a *person* to occupy, a student home unless a license applicable to the student home has been issued and remains in effect. Each day that a *violation* exists shall constitute a separate offense.

**807.9.3 Occupancy of nonhabitable space.** No *person* shall occupy for sleeping purposes, and no *owner* or *person-in-charge* shall allow a *person* to occupy for sleeping purposes, the nonhabitable spaces, as defined in the Centre Region Building Safety and Property Maintenance Code, of a student home. Each day that a *violation* exists shall constitute a separate offense.

**807.9.4 False statements.** No *person* shall knowingly make any false statement or provide any false information on a rental unit license application to any employee of the Borough of State College or other authorized *person* in relation to any investigation of a *violation* of this Part.

**807.9.5 Coercive conduct.** No *person* shall coerce, threaten, or intimidate any *person* into failing to report, or as a result of reporting, a *violation* of the State College Borough Codification of Ordinances, or to waive any rights established by law.

**807.9.6 Transfer of complaint inspection fees.** No *owner* or *Person-in-Charge* shall transfer or attempt to transfer fees imposed for complaint inspections to the *tenant* making the complaint unless the *owner* or *owner’s* legal agent was not given a reasonable opportunity to repair the *violation* prior to the complaint or the *tenant* was responsible for the *violation* which gave rise to the complaint.

**Section 807.10. Penalty.** Any *person* who shall violate any of the provisions of this ordinance shall, on conviction thereof, be sentenced to pay a fine of not more than \$500.00 for the first offense in any calendar year and not more than \$1000.00 for the second and subsequent offenses in any calendar year plus all costs. Upon failure to pay such fine and

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costs, to imprisonment for not more than 30 days. Each day's continuance of a *violation* of any provision of this ordinance shall constitute a separate offense.

**807.11. Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.



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# CHAPTER 9 FIRE CODE

## SECTION 901 SCOPE

**901.1 Scope. [5A]** These regulations shall adopt the *International Fire Code 2009-2018 edition*, in its entirety as amended herein, and be known as the Fire Code of the *Municipality* including the adoption of the provisions contained in **Appendix B, Fire-Flow Requirements for Buildings, and Appendix J, Emergency Responder Radio Coverage** as mandatory provisions. Chapters and sections will be in accordance with the text of the ~~IFC-2009~~ **IFC-2018**.

**901.2 Fire safety program license.** The fire safety program license is the same as a fire safety permit, fire permit, operational permit, fire certificate, and fire certificate of *occupancy* for the purposes of this document.

## SECTION 902 AMENDMENTS

**902.1 Permit required. [4]** Section [F]307.2 is amended to read as follows:

**[F]307.2 Permit required.** A permit shall be obtained from the *code official* in accordance with Section 105.6 prior to any *open burning*. Application for such approval shall only be presented by and issued to the *owner* of the land or the *owner's* representative upon which the fire is to be kindled.

**902.2 Permit required.** Section [F]307.2.2 is added to read as follows:

**[F]307.2.2 Construction waste.** Burning of Municipal or construction waste is strictly prohibited. All Municipal or construction waste shall be properly disposed in accordance with local or state regulations.

**902.3 Permit required.** Section [F]315.3.1 is amended to read as follows:

**[F] 315.3.1 Storage beneath overhead projections from buildings.** The outdoor storage, display and handling of combustible materials including but not limited to overstuffed furniture,

under eaves, canopies, porches, or other projections or overhangs is prohibited.

**902.4 Scope.** Section [F]401.1 is amended to read as follows:

**[F]401.1 Scope.** When required by the *Fire Code Official*, the reporting of emergencies, coordination with emergency response forces, emergency plans and procedures for managing or responding to emergencies shall comply with the provisions of this Chapter.

**902.5 Emergency services directional signage.** Section [F]511 is added to read as follows:

## SECTION 511 EMERGENCY SERVICES DIRECTIONAL SIGNAGE

**902.6 General.** Section [F]511.1 is added to read as follows:

**[F]511.1 General.** The requirements of this section pertain to all building complexes of two or more buildings where the complex is served by a private network of streets, alleys, lanes, roads, *cartways*, and or drives.

**902.7 Requirement.** Section [F]511.2 is added to read as follows:

**[F]511.2 Requirement.** When the *cartway* reaches an intersection with two or more options for continuation of the travel path, a sign conforming to the requirements of Sections 511.3 through 511.8 shall be installed so that it is clearly visible and can be read by all traffic entering the intersection.

**902.8 Weather resistance.** Section [F]511.3 is added to read as follows:

**[F]511.3 Weather resistance.** Signs shall be weather resistant and be maintained until replaced by permanent signs.

**902.9 Dimensions.** Section [F]511.4 is added to read as follows:

**[F]511.4 Dimensions.** The minimum dimension of the sign shall be based on the information required in Section 511.7 with a minimum of a 4 inch (101.6 mm) clear border on all sides.

**902.10 Installation.** Section [F]511.5 is added to reads as follows:

**[F]511.5 Installation.** Signs shall be installed and maintained in accordance with the design requirements of the *International Building Code*. The sign shall be installed such that the bottom of the sign is a between 48 inches (1219 mm) and 54 inches (1372 mm) above the grade.

**902.11 Color.** Section [F]511.6 is added to reads as follows:

**[F]511.6 Color.** Signs shall be constructed in such a way that the background color is white with all lettering and directional arrows being a reflective red material.

**902.12 Required information.** Section [F]511.7 is added to reads as follows:

**511.7 Required information.** Signs shall include all building numbers or names or ranges of building numbers, accessible from that *cartway*, and directional arrows directing emergency responders to that building from this location following the most efficient path of travel. All address numbers shall be Arabic numbers or alphabetical letters. All numbers and letters shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). All directional arrows shall be a minimum of 12 inches (305 mm) in overall length with a minimum of a 4 inch (101.6 mm) long by 2 inch (50.8 mm) wide head and minimum stroke with of 0.5 inches (12.7 mm).

**902.13 Excluded content.** Section [F]511.8 is added to reads as follows:

**[F]511.8 Excluded content.** Any information not required by Section 511.7 is specifically excluded from this sign.

**902.14 Labeling required.** Section [F]509.1.1 is added to reads as follows:

**[F]509.1.1 Labeling required.** Doors into all rooms that contain building utilities shall be identified with a plainly visible and legible sign. These letters and numbers shall contrast with their background. Printing shall be Arabic numerals or alphabet letters. Letters and numbers shall be a minimum of 2 inches (51 mm) high with a minimum stroke width of 0.25 inch (6.3 mm). This includes, but not limited to electrical, utility, sprinkler, fire alarm and mechanical rooms.

**902.15 Implementation.** Section [F]J101.3 is added to reads as follows:

**[F]J101.3 Implementation.** *Structures* whose initial fire safety program license issuance date was after to August 1, 2010 shall comply with the provisions of Appendix J prior to the issuance of the fire safety program license. *Structures* whose initial fire safety program license issuance date was prior to August 1, 2010, shall comply with the requirements of Appendix J prior to August 1, 2021.

**902.16 Monitoring.** Section [F]907.7.5 is amended to read as follows:

**[F]907.7.5 Monitoring.** Fire alarm systems required by this chapter or by the *International Building Code* shall be monitored by an *approved* supervising station in accordance with NFPA 72.

**Exception:** Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11 less than five stories in height.
2. Smoke detectors in Group I-3 occupancies.
3. *Automatic sprinkler systems* in one- and two-family dwellings.

**[F]907.7.5.1 Automatic telephone-dialing devices.** Automatic telephone-dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless *approved* by the *fire chief*.

# CHAPTER 10

## WELLS AND BOREHOLES

### SECTION 1001 GENERAL

**1001.1 General.** The purpose of this Chapter is to protect the quality of the ground-water resources of the Spring Creek Watershed. Within the Watershed, ground water supplies 99% of the public and private water use. Improper construction of wells and boreholes can provide short-circuit flow pathways for surface and subsurface contaminants to impact ground-water quality. This Chapter sets forth standards for the construction of wells and boreholes that are not otherwise regulated.

**1001.2 Scope.** The scope of this Chapter applies to the construction, modification, alteration, termination, and abandonment of all wells and boreholes that penetrate more than 20 feet (6096 mm) below grade, including but not limited to domestic water supply wells, geothermal heat system wells and/or boreholes, geotechnical borings, test borings, agricultural wells, irrigation wells, commercial wells, industrial wells, etc. The following are exempt from the requirements of this Chapter:

1. Wells and/or boreholes associated with water supply wells for public water systems (defined by the Pennsylvania Department of Environmental Protection as consisting of at least 15 service connections or regularly serving no fewer than 25 individuals daily at least 60 days out of the year).
2. Horizontal geothermal heat exchangers constructed in pits, trenches, ditches, or in horizontal directional borings.
3. Monitoring wells whose construction and operation is overseen by the Pennsylvania Department of Environmental Protection.
4. Borings (such as shot holes, exploratory borings, etc.) at a mining site associated with mining activities whose construction and operation are overseen by the Pennsylvania Department of Environmental Protection.

5. Utility trenches.
6. Foundations, pilings, and other soil and/or bedrock penetrations which are an integral part of building construction.
7. Normal routine maintenance and minor repairs to keep a well or borehole in good working order.
8. Wells that are completed and fully operational as of the effective date of this code.

### SECTION 1002 DEFINITIONS

**ABANDONED WATER SUPPLY WELL.** A water supply well, the regular use of which has been discontinued for a period of one year or more, or which is in such a state of disrepair that continued use for the purpose of obtaining ground water is impracticable, or which has been replaced by a new well or public water supply.

**ALTERATION.** Any action which necessitates entering a well with drilling tools; treating a well to increase yield, altering the physical *structure* of depth of the well; blasting; removal or replacement of well casing.

**ANNULAR SPACE.** The space between two (2) cylindrical objects, one of which surrounds the other, such as the space between a drill hole and a casing pipe.

**ANSI.** American National Standards Institute.

**API.** American Petroleum Institute.

**APPROVED GROUT.** Neat cement, cement plus bentonite, bentonite, bentonite plus silica sand, or low-permeability sealing material as *approved* for use by the *Code Official*. *Approved* grout is to be mixed and applied according to manufacturer's specifications (e.g., water content and viscosity) for use in grouting wells and/or geothermal boreholes.

**AQUIFER.** A geologic formation, group of formations, or part of a formation that contains

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sufficient saturated permeable material to yield significant quantities of water to wells and springs.

**ASTM.** American Society for Testing and Materials.

**BACK SIPHONAGE.** The flowing back of used, contaminated or polluted water from a plumbing fixture or vessel or other sources into a potable water supply pipe due to negative pressure in such pipe.

**BENTONITE.** A highly plastic, colloidal clay composed largely of the mineral montmorillonite.

**BORING/BOREHOLE.** A penetration of soil and, or rock that is augered, drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed which is generally cylindrical in shape and whose diameter is generally smaller than its depth of penetration.

**BRIDGING MATERIAL.** Solids added to a drilling fluid to bridge across the pore throat or fractures of an exposed rock thereby building a filter cake to prevent loss of whole mud or excessive filtrate.

**CASING.** An impervious durable pipe placed in a well to prevent the walls from caving and to seal off surface drainage or undesirable water, gas or other fluids and prevent their entering the well.

**CHIP BENTONITE GROUT.** Chip bentonite grout is composed of dry 3/8 inch (9.5 mm) or 1/2 inch (12.7 mm) sized chips of bentonite.

**CLOSED-LOOP GEOTHERMAL SYSTEM.** A type of geothermal heating and, or cooling system that utilizes a pressurized heat exchanger consisting of pipe, a circulating pump, and a water-source heat pump in which the heat transfer fluid is not exposed to the atmosphere. The heat transfer fluid is potable or beneficial reuse water and may have *approved* antifreeze added.

**COLIFORM.** All of the aerobic and facultative anaerobic, gram negative, non-spore forming, rod-shaped bacteria which are capable of fermenting lactose with gas formation within forty-eight (48) hours at thirty-five (35 °C) degrees Celsius.

**COMMUNITY WATER SYSTEM.** A water system which serves at least 15 service connections used by year round *residents* or regularly serves at least 25 year round *residents*.

**CONSTRUCTION OF WELLS.** All acts necessary to obtain groundwater, or artificially recharge groundwater. Provided, however, such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals, or products of mining or quarrying, or for inserting media to repressure oil or natural gas formations or for storing petroleum, natural gas, or other products and services. Construction of wells includes the location and excavation or drilling of the well, but excludes the installation of pumps and pumping equipment.

**CONTRACTOR.** Any individual, partnership, company, association, corporation, group or entity employed, hired, contracted or otherwise engaged by the *Owner* to perform defined services for compensation.

**CROSS CONNECTION.** An arrangement allowing either direct or indirect connection through which backflow, including back siphonage, can occur between the drinking water in a public water system and a system containing a potential source of contamination.

**CURING TIME.** Minimum time required for particular types of cementing or grouting materials to harden or set up before drilling or other construction operations can be resumed.

**DECOMMISSIONING.** The act of rendering a well or borehole to a condition where there is no pathway present for surface or subsurface contaminants to travel down to the water table.

**DECOMMISSIONED VERTICAL CLOSED LOOP BOREHOLE.** A vertical closed loop borehole whose original purpose and use have been permanently discontinued or which is in such a state of disrepair that its original purpose cannot be reasonably achieved.

**DEP.** Pennsylvania Department of Environmental Protection.

**DCNR.** Pennsylvania Department of Conservation and Natural Resources.

**DIRECT EXCHANGE (DX) GEOTHERMAL SYSTEM.** A type of geothermal heating and, or cooling system where the heat pump refrigerant is circulated through metal piping installed in vertical, inclined, or horizontal boreholes. This type of geothermal system must use a cement-based, special

grout in the boreholes and must have electronic corrosion protection for the metal piping.

**DRILLING MUD.** A fluid composed of water and bentonite used in the drilling operation to remove cuttings from the hole, to clean and cool the bit, to reduce friction between the drill stem and the sides of the hole, and to plaster the sides of the hole. Such fluids range from relatively clear water to carefully prepared mixtures of special purpose compounds.

**FLOWABLE FILL.** Flowable fill is a mixture of Portland cement (ASTM C150), potable water, sand, and a fluidizing agent. This mixture is predominately sand. An example mixture of flowable fill contains approximately 85 percent sand, 9 percent water, 4 percent Portland cement, 2 percent finely ground slag, and a fluidizing agent. Flowable fill and other bridging agents do not meet the permeability requirements to protect ground water quality and prevent flow between aquifer zones.

**FLOWING WELL.** A well that yields water by artesian pressure at the ground surface.

**FUSE.** To make a plastic pipe joint by heat and pressure in accordance with the pipe manufacturer's specifications.

**GEOHERMAL HEATING AND, OR COOLING SYSTEM.** A system that uses a heat pump to extract heat from the earth in heating mode and/or reject heat into the earth in cooling mode. It is also called a geothermal heat pump system, a ground-coupled heat pump system, an earth-source heat pump system, and a GeoExchange system.

**GROUND-COUPLED HEAT PUMP.** A geothermal heat pump that uses the earth itself as a heat source and heat sink. It is coupled to the ground by means of a closed-loop heat exchanger installed horizontally or vertically underground.

**GROUNDWATER.** Water within the earth below the water table within the zone of saturation. Groundwater includes both water under water table conditions and confined within deep aquifers.

**GROUT.** A high-solids fluid mixture of cement or bentonite and potable water of a consistency that can be pumped through a tremie pipe and placed as required. Various additives, such as sand or bentonite may be included in the mixture to meet certain requirements

**GROUTING, POSITIVE EMPLACEMENT.** A technique of the installation of grouting materials whereby emplacement is achieved by positive pumping pressure through a tremie pipe from the bottom of the zone upward.

**HEAT PUMP.** A mechanical device used for heating and/or cooling which operates by pumping heat from a cooler to a warmer location.

**HYDROLOGIC BALANCE.** This term refers to the condition where, in the long term, the rate of local groundwater pumping from an aquifer does not exceed the rate of local groundwater recharge to the aquifer.

**IGSHPA.** The International Ground Source Heat Pump Association.

**INDIVIDUAL WATER SUPPLY.** A system including wells, pumps, and piping equipment, which supplies water to a private home.

**INSTALLATION OF PUMPS AND PUMPING EQUIPMENT.** The procedure employed in the placement and preparation for operation of pumps and pumping equipment, including all construction involved in making entrance to the well and establishing seals but not including repairs to existing installations.

**MAJOR ALTERATION OF A WELL AND/OR BOREHOLE.** Any alteration of a regulated well or borehole which can increase the potential for rapid vertical flow of water into groundwater or which can otherwise increase the potential to pollute groundwater. Examples of major alterations include, but are not limited to, deepening of an existing well, conversion of a well to another use (such as geothermal heating), etc.

**MINOR ALTERATION.** Any alteration that is not otherwise defined as a major alteration.

**NEAT CEMENT GROUT.** A fluid mixture of hydraulic cement and water, with or without admixtures in the following proportions; one bag of cement (94 pounds (42.6 kg)) to not less than 5 gallons (18.9 l) nor more than 7 gallons (26.5 l) of water.

**NON-COMMUNITY WATER SYSTEMS.** A public water system which is not a community water system.

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**N.S.F.** National Sanitation Foundation.

**OPEN-LOOP GEOTHERMAL SYSTEM.** A type of geothermal heating and/or cooling system that utilizes a water-supply well and a water pump to deliver ground water to a water-source heat pump. The discharge water from the water-source heat pump may be returned to the subsurface through a recharge well or infiltration bed, or may be discharged into a pond, lake, or stream. A spring may also be the source of the ground water supply.

**OTHER FILL AND BRIDGING MATERIALS.** Under some limited circumstances, borehole completion without grout (below the minimum 20-foot depth of the *approved* grout surface formation seal), may be necessary. Acceptable fill materials are site specific and may include, but may not be limited to: bentonite chips, cuttings removed from the borehole; clean sand, gravel, or a mixture of sand and gravel; and/or cement and water or concrete mixes.

**OTHER GROUT AND FILL PLACEMENT METHODS.** Other methods of grout or fill placement shall be accepted if such methods allow verification of completion. Such methods must ensure that the grout or fill placement provides environmental protection and the intended system performance.

**OWNER.** Any *person* vested with sole or partial, legal or equitable ownership of the subject property.

**PACKER.** A mechanical device that is placed in a borehole to prevent the vertical movement of water or grout.

**PERMEABILITY.** A measure of the relative ease with which a porous medium can transmit a liquid under a potential gradient. It is a property of the medium alone and is independent of the nature of the liquid and of the force field causing movement. It is a property of the medium that is dependent upon the shape and size of the pores.

**PERSON.** Shall mean any individual, partnership, company, association, corporation or other group or legal entity.

**PITLESS ADAPTOR.** A device or assembly of parts which will permit water to pass through the wall of the well casing or extension thereof, and which provides access to the well and to the parts of the water system within the well in a manner to prevent

entrance of pollution into the well and the water produced.

**POLYMER.** A substance consisting of molecules characterized by the repetition of one or more types of monomeric units.

**POTABLE WATER.** Water suitable for human consumption.

**PORTLAND CEMENT (NEAT CEMENT) GROUT.** A mixture of Portland cement (ASTM C150 Standard Specification for Portland Cement) and not more than 6 gallons (22.7 l) of potable water per bag (1 cubic foot (28.3 l) or 94 pounds (42.6 kg)) of cement shall be used according to the manufacturer's specifications.

**PUBLIC WATER SYSTEM.** A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term is either a community or non-community system and includes collection, treatment, storage and distribution facilities under the control of the *operator* of the system and used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption.

**PUMPABLE BENTONITE GROUT.** Pumpable bentonite grout is a high solids mixture of sodium bentonite powder or granules and potable water mixed according to the manufacturer's specifications.

**RETURN WELL.** A well design and constructed for the return of water to the ground.

**SAND-CEMENT GROUT.** A mixture of Portland cement - Type I (ASTM C150), sand and water in the proportion of not more than two parts by weight of sand to one part of cement with not more than 6 gallons (22.7 l) of potable water per bag of cement (1 cubic foot (28.3 l) or 94 pounds (42.6 kg)) shall be used according to the manufacturer's specifications.

**SEMI-PUBLIC WATER SUPPLY.** A water supply which services one or several facilities such as industrial or commercial establishments, parks, camps, hotels, motels, schools, institutions, eating and drinking establishments or a water supply which services two (2) or more *dwelling units* and is not a public water system as defined by the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et. seq.).

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**STANDING-COLUMN GEOTHERMAL SYSTEM.** A type of open-loop geothermal heating and/or cooling system that circulates ground water from a water well through a water-source heat pump and returns the discharge water from the water-source heat pump to the same water well it was pumped from. The water withdrawal and return locations within the water well bore are separated as far as is possible. Some standing-column geothermal systems discharge some of the circulating ground water to enhance their heat transfer.

**THERMALLY-ENHANCED BENTONITE BASED GROUT.** Thermally-enhanced bentonite based grout is a high solids mixture of sodium bentonite, inert additives such as sand or rock dust that enhance thermal conductivity, and potable water mixed according to the manufacturer's specifications. The sand must be clean so as to not introduce contaminants into the grout mixture. The use of special additives to alter permeability, increase thermal conductivity, increase fluidity, control grout loss, and/or control time of set, and the composition of the resultant slurry, must be used in accordance with the manufacturer's specifications.

**TREMIÉ PIPE.** A rigid or flexible pipe or a hose that carries the grouting materials to the bottom of the zone being grouted. The tremie pipe is withdrawn as the grout material fills the annular space outside the casing or fills the space between the loop pipes and the borehole wall. The end of the tremie pipe is kept submerged just below the surface of the grout material.

**TREMIÉ PLACEMENT METHOD FOR FILL AND BRIDGING MATERIALS.** The tremie pipe shall be lowered to the bottom of the zone being filled, and raised slowly as the fill material is introduced. When using the tremie pipe method to install fills, the bottom of the tremie should be maintained as close as possible to, but not inside of, the emplaced fill.

**TREMIÉ PLACEMENT METHOD FOR GROUT.** After water or other drilling fluid has been circulated in the annular space sufficient to clear obstructions, grout shall be placed by pressure pumping through a tremie pipe. The tremie pipe shall be lowered to the bottom of the zone being grouted, and raised slowly as the material is introduced.

**VERTICAL CLOSED-LOOP BOREHOLE.** A borehole which is constructed to receive heat-exchanger loop pipes and grout material. Fill

material may be used below a minimum depth of 20 feet below grade as the subsurface conditions warrant.

**WATER-SOURCE HEAT PUMP.** A heat pump that uses a water-to-refrigerant heat exchanger to extract heat from the heat source.

**WATER SUPPLY WELL.** Any well that is constructed to remove or return water to the ground.

**WATER TABLE.** That surface in an unconfined groundwater body at which the pressure is atmospheric. It is defined by the levels at which water stands in wells that penetrate the water body just far enough to hold standing water.

**WELL.** Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, monitoring, or artificial recharge of groundwater. This includes but is not limited to test wells, test borings, and monitoring wells, in addition to wells to be utilized as individual or semi-public water supplies.

**WELL DRILLER.** An individual or company that is permitted or licensed by the State of Pennsylvania to drill wells in Pennsylvania.

**WELL SCREEN.** A filtering device that allows ground water from unconsolidated and semiconsolidated aquifers to enter the well while at the same time keeping the majority of sand and gravel out of the well and out of the pump. A screen also supports the aquifer material and prevents the borehole from collapsing.

**WELL SEAL.** An *approved* device or method used to protect a well casing or water system from the entrance of any external pollutant at the point of entrance into the casing of a pipe, electric conduit or water level measuring device.

**ZONE OF SATURATION.** The zone below the water table in which all interstices are filled with ground water.

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## SECTION 1003 PERMITS

**1003.1 Permit required.** No *person*, firm, or corporation shall make a penetration of soil and, or rock that is augered, drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed that is regulated by this code until a drilling permit has been issued by the *Code Official*.

**1003.2 Permit application.** Applications for permits shall be made to the Centre Region Code Administration Office on forms furnished by said office.

**1003.3 Fees.** The drilling permit fee shall be established by resolution of the *Municipality*.

**1003.3.1 Payment of fees.** A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

**1003.4 Action on application.** The *Code Official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of this code, the *Code Official* shall reject such application in writing, stating the reasons therefore. If the *Code Official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *Code Official* shall issue a *permit* therefore as soon as practicable.

**1003.5 Time limitation of application.** An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *Code Official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**1003.6 Validity of permit.** The issuance or granting of a drilling permit shall not be construed to be a permit for, or an approval of, any *violation* of any of the provisions of this code or of any other ordinance of the jurisdiction. Drilling *permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall

not be valid. The issuance of a drilling permit based on *construction documents* and other data shall not prevent the *Code Official* from requiring the correction of errors in the *construction documents* and other data. The *Code Official* is also authorized to prevent *occupancy* or use of a *structure* where in *violation* of this code or of any other ordinances of this jurisdiction.

**1003.7 Expiration.** Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *Code Official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**1003.8 Suspension or revocation.** The *Code Official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in *violation* of any ordinance or regulation or any of the provisions of this code.

**1003.9 Placement of permit.** The building *permit* or copy shall be kept on the site of the work until the completion of the project.

**1003.10 Time.** The *Code Official* shall grant or deny a permit application, in whole or in part, within 15 business days of the filing date for permits associated with 1 and 2 family dwelling and within 30 business days of the filing date for permits associated with other systems. Reasons for denial shall be in writing and given to the applicant. The *Code Official* and the permit applicant may agree to extend the deadline by a specific number of days.

**1003.11 Stamp.** The *Code Official* shall stamp or place a notation on each page of the set of reviewed construction documents that the documents were reviewed and *approved* for compliance with this code before the permit is issued. The *Code Official* shall clearly mark any required non-design changes on the construction documents. The *Code Official* shall return a set of the

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construction documents with this notation and any required changed to the applicant. The permit holder shall keep a copy of the construction documents at the work site open to inspection by the building *code official*.

## SECTION 1004 SUBMITTAL DOCUMENTS

**1004.1 General.** Submittal documents consisting of *construction documents*, statement of *special inspections*, and other data shall be submitted in two or more sets with each drilling *permit* application. The *construction documents* shall be prepared by a *registered design professional* where construction is not associated with a 1 and 2 family dwelling. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**1004.2 Construction documents.** Construction documents shall be in accordance with Sections 1004.2.1 through 1004.2.2.

**1004.2.1 Information on construction documents.** *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

**1004.2.2 Site plan.** The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new well construction, proposed buildings, existing and proposed on-lot sewage treatment systems, and existing *structures* on the site, distances from *lot lines*, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition or abandonment, the site plan shall show construction to be demolished or abandoned and the location and size of existing *structures* and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan when the application for *permit* is for *alteration* or repair or when otherwise warranted.

**1004.3 Examination of documents.** The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**1004.4 Amended construction documents.** Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

## SECTION 1005 WATER SUPPLY WELL AND BOREHOLE LOCATION

**1005.1 Minimum water supply well depth.** The source of supply for a water supply well shall be from a water bearing formation drawn not less than 20 feet (6096 mm) from the ground surface. Wells shall be located at a point free from flooding and may not be located within a FEMA FIRM floodplain unless conforming to the requirements of Section 1005.1.1; and shall be at a higher elevation and at the minimum setback distances to existing or potential sources of pollution set forth in Section 1005.2.

**1005.1.1 Water supply well construction in a floodplain.** If a well is proposed to be located within a floodplain then the well application must include a letter from a Registered Professional Engineer in the Commonwealth of Pennsylvania documenting why the necessity of placement of the well within the floodplain, the documented height of the 100- year flood level, and what mitigation measures, including but not limited to, the extension of the casing above the elevation of the 100-year flood elevation, are to be used to mitigate the contamination hazard.

**1005.1.1.1 Municipal variance.** Prior to construction of any borehole in a floodplain the permit applicant shall provide a copy of the granted municipal variance allowing construction in the floodplain or a letter from the *municipality* that they take no objection to the construction.

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**1005.2 Minimum set back distance.** Wells and boreholes regulated by this code shall be located using the minimum setback distances to existing or potential sources of pollution listed in Table 1005.2. For closed loop geothermal wells and boreholes which due to infeasibility cannot conform to the requirements of Table 1005.2 an appeal to the *Code Official* can be made detailing the infeasibility, and the proposed location. Upon review, the *Code Official* may reduce the required set back distances with written approval of the *Municipality*.

## **SECTION 1006 WATER SUPPLY WELL CONSTRUCTION REQUIREMENTS**

**1006.1 Casing.** All wells supplying individual or semi-public potable water supplies and all wells supplying open loop geothermal heating and/or cooling systems and all wells for the return and recharge of geothermal heating and cooling system discharge water shall be equipped with watertight and durable casing constructed of listed material and minimum wall thickness:

1. Wrought iron - 0.1875 inches (4.76 mm)
2. Steel - 0.1875 inches (4.76 mm)
3. Polyvinyl chloride (PVC) plastic 0.175 inches (4.445 mm)

**1006.1.1 Joining.** The sections of casing shall be joined together by threaded couplings, or full circumferential welding for ferrous materials, and threaded couplings or solvent welding in accordance with ANSI/NSF Standard 14 for PVC. Other nonferrous casing joining must meet AWWA Standard A100.

**1006.1.2 Minimum depth.** The casing shall be carried to a minimum depth of 20 feet (6096 mm) and grouted in place.

**1006.1.3 Grouting.** Casing and grouting must be compatible. Pressure grouting is required for all wells by running tremie pipe to bottom of the annular space outside the casing.

**1006.1.4 Minimum borehole diameter.** The borehole should be 3 inches (76.2 mm) larger in diameter than the outside diameter of casing to allow for a minimum of 1-1/2 inches (38.1 mm) of annular space for grout placement.

**1006.1.5 Minimum extension above grade.** Casing shall extend at least 12 inches (304.8 mm) above ground surface. The casing may be terminated at grade or just below grade if fitted with a waterproof and airtight cap and is located within a box-type enclosure with an access lid such as a small meter vault.

**Exception:** Airtight and watertight sealed open loop return wells can be direct buried.

**1006.1.6 Ferrous casing.** Ferrous Casing shall be new pipe meeting ASTM or API specifications for water supply well construction. It shall be equipped with a drive shoe or other effective casing seal and have full circumference welds or threaded pipe joints.

**1006.1.7 Non-ferrous casing.** Non-Ferrous Casing shall meet appropriate ANSI, ASTM or NSF standards for water well casing applications. It shall not be driven.

**1006.2 Grouting.** An annular space shall be provided between the well casing and the earth formation. The annular space shall be completely filled with *approved* grout materials in one continuous operation under pressure from a minimum depth of 20 feet (6096 mm) below grade to the natural ground surface within 24 hours of completion of drilling. No activity in and around the well shall occur within 24 hours after grouting of the casing with neat cement or cement with bentonite and using a curing accelerant, or within 1/2 hour if using bentonite.

In the event that grouting is done following completion of all drilling operations, all obstructions must be completely cleared prior to placement of grout material.

**1006.2.1 Pitless adaptor.** During the installation of a pitless adaptor, grout material may be removed from the exterior of the casing in order to provide a watertight seal between the casing and this adaptor. For the installation of a pitless adaptor, a ditch at least 3 feet (914.4 mm) deep is required along with conduits, stone, dust or sand. A sanitary well cap shall be incorporated for protection from leakage and identification of the well respectively.

**1006.2.2 Geothermal.** Geothermal heating and/or cooling system vertical heat exchange boreholes containing loop pipes may be filled with *approved* grout or bridging or fill materials from their total

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depth up to a minimum depth of 20 feet (6096 mm) below grade. These vertical heat exchange boreholes must be filled with only *approved* grout from a minimum depth of 20 feet (6096 mm) below grade up to the ground surface. If the annular space around the loop pipes from a minimum depth of 20 feet (6096 mm) below grade up to the ground surface is free from standing water, the *approved* grout may be emplaced without pressure pumping through a tremie pipe.

**1006.3 Packer.** Packers when used shall be of material that will not impart adverse taste, odor, toxic substances or bacterial contamination to the well water.

**1006.4 Pitless installations.** Pitless installations are those where the casing terminates above the ground surface or below grade as specified in Section 1006.1. Where used, they shall be effectively sealed. All buried suction lines shall be encased. The access casing shall be protected against corrosion and shall extend at least 12 inches (304.87 mm) above the natural ground surface and to a depth of at least 20 feet (6096 mm) below the ground surface. Pitless adaptors cannot be installed through a ferrous casing by cutting the hole with a torch or flame, but must be installed by using a hole saw or drill to make the hole through the ferrous casing.

**1006.5 Well screens.** Well screens shall provide maximum amount of open area while still maintaining structural strength. They shall have the size of openings based on a sieve analysis to preclude entry by sand, silt, and other undesirable elements.

**1006.6 Well cap.** All installations shall install a secure, screened, varmint free well cap on all wells to prevent any surface pollutants from entering the well or any vandalism to the well or aquifer. In the event of a flowing well, the well cap must stop overflow from the well. Casing terminated at grade or just below grade, shall have a waterproof and airtight well cap installed.

**1006.7 Venting.** Where venting is required, an overlapping cover or pipe with an opening facing downward shall be required. In no case shall openings be less than 12 inches (304.8 mm) above the ground.

**1006.8 Monitoring wells.** Monitoring wells shall be designed and installed such as to minimize potential contamination of the aquifer and to maximize the information obtained from each such well.

**1006.9 Heat pumps.** Heat pump (geothermal) installations shall be designed and constructed to provide an effective watertight seal with the well casing or water storage reservoir and to prevent contamination from reaching the water chamber or interior pump surfaces. In closed loop systems, boreholes must be grouted from a minimum depth of 20 feet (6096 mm) below grade to the ground surface with an *approved* grout. Open loop systems must conform to same requirements as water wells.

**1006.10 Power pump installations.** The pump base installed directly over a well casing or pipe sleeve shall be designed to provide a watertight seal. It shall be located in a flood-free area. The pump and related equipment shall permit convenient access, removal, maintenance and repair. The suction opening shall be placed at least 2 feet (609.6 mm) below the maximum drawdown of the water in the well. The suction opening shall also be located at a sufficient distance from the bottom of the well so as to prevent agitation of accumulated sediment.

**1006.11 Abandoned water supplies.** Existing wells that are to be abandoned shall be mitigated in accordance with Sections 1006.11.1 through 1006.11.3.

**1006.11.1 Drilled wells.** Drilled wells shall be filled and sealed by *approved* grout.

**1006.11.2 Hand dug wells.** Hand dug wells shall be filled with stone to within 4 feet (1219 mm) of the top of the well, then filled with compacted earth to ground level.

**1006.11.3 Dry wells.** Dry wells being abandoned must be filled with stone and the top 20 feet (6096 mm) filled with *approved* grout; however, the top 2 feet (609.6 mm) may be covered with topsoil.

**1006.12 Disinfection.** Following completion of construction, the well shall be pumped continuously until the water discharge is clear. It shall be filled with water containing concentration of not less than 100 parts per million of free chlorine. A portion of this solution shall be recirculated directly to the well in order to insure proper agitation. The water shall not be used for a period of 24 hours. Other combinations of water and chlorine concentration and time interval may be used if demonstrated equally effective to the building *code official*. Disposal of the purged water shall be at a point so as to minimize

adverse effects to aquatic life and in no way directed into any subsurface sewage disposal system.

1 ounce (29.57 ml) of dry calcium hypochlorite dissolved in 52.5 gallons (198.7 l) of water makes the proper strength disinfectant solution. Household bleach may be used for disinfection as given in Table 1006.12(1):

**1006.13 Cross-connections.** All check valves and backflow protection shall be properly installed. Backflow protectors must be incorporated into the system and be used as needed for each outside water hose connectors. At a minimum two check valves shall be incorporated into each water system that derives water from a well.

**Exception:** Where not practical, a cross-connection prevention assembly shall be provided. For semi-public water supplies, the cross-connection prevention assembly device is shall be installed at any fixed potable water outlet to which a hose may be connected.

**1006.14 Testing.** The assembled loop system shall be pressure tested with water at 100 psi (690 kPa) for 30 minutes with no observed leaks before connection (header) trenches are backfilled. Flow rates and pressure drops shall be compared to calculated values. If actual flow rate or pressure drop figures differ from calculated values by more than 10 percent, the problem shall be identified and corrected.

**1006.15 Completion report.** Upon completion of the well or borehole, submit 2 copies of DCNR's water well completion report form 8700-FM-TG-5001S, as may be amended, to the *code official* and 1 copy of this form to the owner. If a geothermal well is constructed, a report shall be filed with the Centre Region Code Administration by the driller indicating the well was constructed in accordance with this Code.

## SECTION 1007 BOREHOLE CONSTRUCTION REQUIREMENTS

**1007.1 Cased boreholes.** If casing is to be left in place permanently, then the boring shall conform to the requirements for water supply wells stated in Section 1006.

**1007.2 Non-cased boreholes.** If no casing is utilized, then the boring shall be grouted using

*approved* grout for not less than 20 feet (6096 mm) below grade.

**1007.3 Temporary casing.** If a temporary casing is removed or retracted, this shall be accomplished immediately after grout has been placed or else before the grout has hardened or cured.

**1007.4 Construction standard.** All materials and construction practices shall conform to the requirements stated in Closed-Loop / Geothermal Heat Pump Systems Design and Installation Standards, such as, but not limited to, standards for pressure testing, heat transfer fluids, etc. All materials and construction practices shall effectively prevent contamination of groundwater.

**1007.5 Testing.** The assembled loop system shall be pressure tested with water at 100 psi (690 kPa) for 30 minutes with no observed leaks before connection (header) trenches are backfilled. Flow rates and pressure drops shall be compared to calculated values. If actual flow rate or pressure drop figures differ from calculated values by more than 10 percent, the problem shall be identified and corrected.

## SECTION 1008 MAJOR ALTERATIONS

**1008.1 General.** When major alterations are made to wells and boreholes regulated by this code, these alterations shall conform to Sections 1006 and 1007 with the following modifications.

**1008.1.1 Existing non-grouted wells and boreholes.** If major alterations are made to an existing well or boring which is not grouted with an *approved* grout, then the following measures may be taken in lieu of the grouting requirements of Sections 1006 and 1007.

1. Remove soil from the uppermost 2 feet (609.6 mm) of the casing to a diameter of no less than 1 foot (304.8 mm) outside the existing casing.
2. Fill the exposed annular space with an *approved* grout to grade.
3. Place a compacted earth mound around the well casing. The compacted earth mound shall be no less than 6 inches high (152.4 mm) and shall extend no less than 1 foot (304.8 mm) away from the casing in all directions. The purpose of the compacted

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earth mound is to divert surface water away from the well, so the compacted earth mound shall be non-erodible.

This exception applies only to wells and, or borings that were in existence prior to the effective date of this code.

**SECTION 1009  
CROSS-CONNECTIONS**

**1009.1 General.** Cross connections between an individual or semi-public water supply and a public water system shall be prohibited.

**SECTION 1010  
VIOLATIONS**

**1010.1 General.** No well or borehole regulated by this code shall be used until compliance with this code has been obtained.

**SECTION 1011  
DISCLAIMER**

**1011.1 General.** Approval of this application and issuance of a permit for a well and, or boring on the above described property does not constitute any guarantee or warranty by the *Municipality* or the Center Region Code Administration regarding quantity or quality of water that may be obtained as a result of any well drilled under this permit. The *approved* permit solely provides the approval to drill a well and, or boring at the site shown on the application, and does not provide any other guarantees, approval, or warranties.

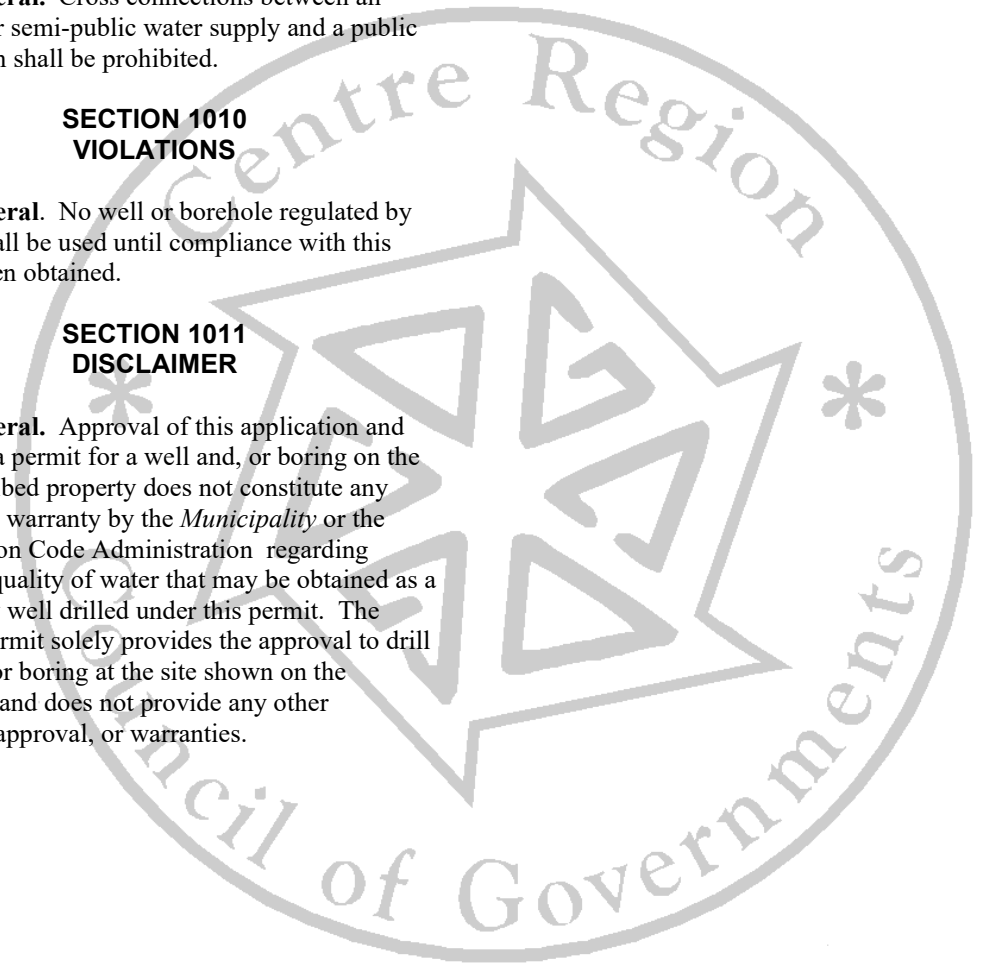


Table 1005.2.  
Minimum Well and Borehole Setback Distances

Setback From	Potable Water Supply Well (feet [meters])	Borehole and Geothermal Supply and Geothermal Return Well (feet [meters])
Lakes, ponds, streams or other surface waters	25 [7.62]	25 [7.62]
Storm drains, retention basins, stabilization ponds or stormwater management facilities	10 [3.05]	10 [3.05]
Preparation area or storage area of hazardous spray materials, fertilizers or chemicals, salt piles	100 [30.48]	100 [30.48]
Gravity sewer lines and drains carrying domestic sewage or industrial waste	50 [15.24]	10 [3.05] or according to <i>easement</i>
Existing water and forced sewer buried utilities and/or utility trenches	Outside existing easement or, if no easement exists, no less than 15 feet [4,572 mm] from the utility or trench centerline.	
Septic tanks, aerobic tanks or holding tanks	50 [15.24]	25 [7.62]
Subsurface sewage disposal systems, elevated sand mounds, other sewage disposal fields	100 [30.48]	25 [7.62]
Sewage seepage pits, cesspools	100 [30.48]	25 [7.62]
Farm silos, barnyards, privies and fuel tanks	100 [30.48]	25 [7.62]
Rainwater pits, ditches	25 [7.62]	10 [3.05]
Spray irrigation sites, sewage sludge and septage disposal sites	100 [30.48]	25 [7.62]
Dedicated public right-of-way	20 [6.10]	10 [3.05]
Building foundations (except for buildings enclosing water wells and/or water well pumps and any other source of pollution as <i>approved</i> )	30 [9.14]	10 [3.05]

Table 1006.12(1)  
Volume of Chlorine Bleach for Shock Chlorination of Wells and Springs

Water Depth	Well Diameter					
	6 in (152.4 mm)	8 in (203.2 mm)	10 in (254 mm)	24 in (609.6 mm)	32 (812.8 mm)	36 in (914.4 mm)
10 ft (3.05 m)	1 c (236.6 ml)	1 c (236.6 ml)	2 c (473.2 ml)	12 c (2839 ml)	16 c (3785 ml)	24 c (5678 ml)
20 ft (6.10 m)	1 c (236.6 ml)	2 c (473.2 ml)	4 c (946.4 ml)	20 c (4732 ml)	32 c (7571 ml)	40 c (9464 ml)
30 ft (9.14 m)	2 c (473.2 ml)	4 c (946.4 ml)	6 c (1420 ml)			
40 ft (12.19 m)	2 c (473.2 ml)	4 c (946.4 ml)	8 c (1893 ml)			
60 ft (18.29 m)	4 c (946.4 ml)	6 c (1420 ml)	12 c (2839 ml)			
80 ft (24.38 m)	4 c (946.4 ml)	8 c (1893 ml)	14 c (3312 ml)			
100 ft (30.48 m)	6 c (1420 ml)	10 c (2366 ml)	16 c (3785 ml)			
150 ft (45.72 m)	10 c (2366 ml)	16 c (3785 ml)				

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## CHAPTER 11 EMERGENCY ALARMS [5]

### SECTION 1101 GENERAL

**1101.1 General.** The intent and purpose of this Chapter is to reduce the frequency of false or nuisance *alarms* in the *Municipality*.

### SECTION 1102 EXTERIOR ALARMS

**1102.1 Required.** *Owners* or users of exterior *audible alarms* must equip such exterior *audible alarms* with a timing mechanism that will disengage the exterior *audible alarm* after a maximum of 15 minutes, except for water flow *alarms* on automatic sprinkler systems. Exterior *audible alarms* without such a timing mechanism shall be unlawful in the *Municipality* and must be disconnected by the *owner*.

### SECTION 1103 AUTOMATIC DIALING DEVICES

**1103.1 Prohibited.** No *automatic dialing devices* may be keyed to Centre County 911 Emergency Communications & Addressing.

### SECTION 1104 PROFESSIONAL ALARM LICENSE

**1104.1 Required.** An annual *Professional Alarm License* shall be required for persons selling, installing, or servicing *alarm systems* within the *municipality*.

**1104.2 Exclusion.** No one except an alarm supplier, holding a valid *Professional Alarm License* from the *municipality* or its designee, shall sell, install or service any *alarm system* within the *municipality*.

**1104.3 Fees.** *Professional Alarm License* fees shall be established by the *Municipality*.

#### Exceptions:

1. The owner or occupant of the structure is exempt from a *Professional Alarm License* when installing an *alarm system* providing all of the following exist:

a. The purpose of the *audible alarm* is to notify the occupants of the *structure* of an *emergency* situation; the *audible alarm* does not sound outside the *structure* (no external speakers)

b. The internal signal emitted by the *audible alarm* does not exceed 90 decibels at the property line; and the *alarm* signal device, when activated, notifies only the *owner* or *occupant* when they are not on the *premises*.

2. The *Municipality* and/or COG shall be issued an *Alarm System Permit*, where applicable, and shall be exempt from any *Alarm System Permit* fees.

**1104.4 Issuance.** The *Code Official* shall issue a License to an alarm supplier meeting all of the requirements of this chapter, upon the filing of the required application, payment of the license fee, and verification that there are no outstanding violations of this chapter.

**1104.5 License requirements.** Each License shall be an annual License and bear the signature of the *Code Official*. A copy of the License shall be physically displayed upon each of the premises using the *alarm system*, and shall be available for inspection by the *Code Official* or authorized agent. A License is not required where no *Alarm System Permit* is required.

**1104.6 Required insurance.** The *alarm supplier* applying for a License shall furnish the *Code Official* an insurance certificate on an annual basis confirming that the *alarm supplier* has, in force, general liability insurance coverage in an amount of not less than \$500,000 for each occurrence. The *alarm supplier* who self-insures such coverage shall furnish evidence of financial ability.

**1104.7 Unlawful activity.** No corporation, sole proprietor, partner, joint venture, trustee, executor, administrator, employee, fiduciary or stockholder with a 5% or greater interest in a corporation (except a corporation whose stock is publicly traded and

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registered with the Securities and Exchange Commission or with a State Securities Commission) applying for a License shall have been convicted of a felony or pleaded Nolo Contendere to a felony charge or indictment.

**1104.8 Knowledge.** *Alarm suppliers* shall demonstrate a working knowledge of burglar, fire or supervisory *alarm systems* that they sell and shall be authorized by the manufacturer of the alarm equipment to sell, install and maintain the same.

**1104.9 Revocation.** A License shall be revoked or renewal denied when any of the following exists:

1. The *alarm supplier* fails to meet the requirements necessary to obtain a License
2. The License fee is not paid
3. The *Code Official, Chief of Police, Fire Chief* or their designee has reason to believe the alarm supplier's installations are the cause of false alarms
4. The *alarm supplier* fails to provide emergency service as required by this code

**1104.10 Service requirements.** Every *alarm supplier* that installs one or more *alarm systems* in the *Municipality* shall make service available directly or through an agent on a twenty-four-hour-per day basis, seven days a week, to repair in a timely manner such devices and to correct malfunctions as they occur. Any person using an *alarm system* shall make arrangements for service to be available for such device on a twenty-four-hour-per day, seven-days-per-week basis.

**1104.11 Operating instructions.** Every *alarm supplier* who, sells, leases, or installs an *alarm system* in the *Municipality*, shall furnish operating instructions and manual to the property *owner*, and *tenant* who has control of the *alarm system*.

## SECTION 1105 ALARM SYSTEM PERMIT

**1105.1 Required.** An *Alarm System Permit* shall be required for each structure having an *alarm system* or multiple *alarm systems*.

**1105.2 Fees.** The *Alarm System Permit* fees shall be established by the *Municipality*.

### Exceptions:

1. The owner or occupant of the structure is exempt from an *Alarm System Permit* when installing an alarm system providing:
  - a. The purpose of the audible alarm is to notify the occupants of the *structure* of an *emergency* situation; the audible alarm does not sound outside the *structure* (no external speakers)
  - b. The internal signal emitted by the audible alarm does not exceed 90 decibels at the property line; and the alarm signal device, when activated, notifies only the owner or occupant when they are not on the premises.
2. The *Municipality* and/or COG shall be issued an *Alarm System Permit*, where applicable, and shall be exempt from any *Alarm System Permit* fees.

**1105.3 Permit requirements.** An *Alarm System Permit* shall be obtained by or on behalf of the *owner* of the property upon which the *alarm system* is installed from the Centre Region Code Administration prior to the installation of the alarm system.

**1105.4 Permit duration.** The *Alarm System Permit* shall be valid for the duration that the permit holder is the *owner* of the property, up to five (5) years or until revoked by the *Code Official*. No *Alarm System Permit* shall be valid for more than five (5) years.

**1105.5 Transferability.** The *Alarm System Permit* is not transferable.

**1105.6 New property owner/deed transfer.** A new property *owner* is required to obtain an *Alarm System Permit* within sixty (60) calendar days after the official recorded date of sale for the property where the *alarm system* is installed.

**1105.7 Permit card.** The *Alarm System Permit* shall be physically present upon the premises using the *alarm system*, and shall be available for inspection by the *Code Official* or by an authorized agent. The permit card shall bear the following:

1. Seal of the Centre Region Code Administration

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2. Signature of the *Code Official*
3. Date the permit is valid from
4. Date the permit expires
5. *Alarm system* manufacturer
6. The name of the legal property *owner*
7. The address of the property where the *alarm system* is installed
8. The name of the business (if applicable)
9. The *tenant* or agent responsible for the property where the *alarm system* is installed (if applicable)
10. The *alarm supplier* or other entity responsible for maintaining the *alarm system* (if applicable)
11. The type of *alarm system* (fire, burglary, holdup, medical, etc.)
12. At least two (2) alternate emergency phone numbers of persons to be contacted to secure the property
13. Valid email address for the building *owner*
14. Any additional information as may be determined to be necessary by the *Code Official*.

It shall be the *owner's* responsibility to notify the Centre Region Code Administration in writing amending the foregoing information with the within fifteen (15) calendar days whenever the information changes during the life of the permit.

**1105.8 Penalties.** Users who fail to obtain an *alarm system permit* prior to the alarm system being activated, shall, in addition to the permit fee, shall pay a penalty of \$500.

#### **SECTION 1106 INSTALLATION, OPERATIONAL, & INSPECTION REQUIREMENTS**

**1106.1 Installation.** Every *alarm supplier* selling, leasing or furnishing to any user, or a user who

privately installs an *alarm system* which is located on premises within the *Municipality* shall:

1. Be permitted to install only equipment that is listed by Underwriter's Laboratories, Incorporated, or other approved recognized national testing agency as being electrically safe and meeting the *Municipality* requirements for the alarm system. Installation shall be in accordance with the manufacturer's specifications. Wiring for the *alarm system* must conform with all applicable state and municipal codes.
2. Be required to cause each *alarm system* installed to be provided with standby battery power which shall automatically and immediately take over in the event of a power failure without initiating an *alarm* except for trouble signal.
3. Be required to install equipment in such a way as to neutralize electrical surges on the *alarm system*.
4. Be required to deactivate any *alarm system* within a reasonable period of time when multiple *false alarms* are received.
5. The sensory mechanism used in connection with an *alarm* device must be adjusted to suppress false indications of fire or intrusion, so that the *alarm* device will not be activated by impulses due to transient pressure change in water pipes, short flashes of light, wind noises (such as the rattling or vibrating of doors or windows), vehicular noise adjacent to the premises or other forces unrelated to genuine *alarm* situations.

**1106.2 Inspections.** All such entries upon the premises where an *alarm system* is installed and all such inspections of the installation and operation of *alarm systems* shall be at reasonable times and upon reasonable notice, except in *emergency* situations.

#### **SECTION 1107 FALSE ALARMS**

**1107.1 Notice required.** The permittee shall be notified, in writing by the Centre Region Code Administration, of each and every false alarm activated in the absence of an *emergency*, whether willfully or by inadvertence, negligence or unintentional act, including the malfunction of the

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1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

*alarm system* to which the Police or Fire Agency responds. Each twenty-four (24) hour period during which such an alarm occurs shall constitute a separate offense, and each offense shall accumulate over a twelve-month period.

**1107.2 Penalties.** The penalties for each *false alarm* shall be as follows:

- First *False Alarm*: Written Warning
- Second *False Alarm*: Written Warning
- Third *False Alarm*: Written Warning
- Fourth *False Alarm*: \$150
- Fifth *False Alarm*: \$300
- Each Additional *False Alarm*: \$500

**1107.3 Nuisance alarms.** When the fourth and subsequent *false alarm* occurs, the Centre Region Code Administration shall, within twenty (20) working days from the date of the *false alarm*, notify the permittee that a *false alarm* charge is due and payable and the amount thereof. Such notice shall be emailed and forwarded by United States Mail to the permittee at the most recent address provided by the permit holder. Failure of the Centre Region Code Administration to provide notice of assessment of the false alarm charge as stated within twenty (20) working days from the occurrence of a *false alarm* shall preclude the *Municipality* from assessing a *false alarm* charge for said *false alarm*.

**1107.4 Payment of false alarm charges.** A *false alarm* charge shall be due and payable at the Centre Region Code Administration twenty-one (21) calendar days from the date of the mailing of the notice of assessment of the charge. The *Municipality* and/or COG shall be exempt from payment of all fees.

**1107.5 Failure to pay.** Failure of the permittee to pay a *false alarm* charge on or before the due date shall constitute a violation of this code and shall subject said person to the penalties set forth in chapter 1.

**1107.6 Cause.** If doubt exists as to the cause of the *false alarm*, the *Code Official*, or their designee, shall make a decision regarding the circumstances of the activation.

**1107.7 Multiple alarms.** Multiple alarms received by the Police or Fire Agency before the system can be deactivated within a reasonable period of time shall be considered a single *alarm*.

## SECTION 1108 LIABILITY OF MUNICIPALITY AND COG

**1108.1 General.** The issuance of any permit under this ordinance shall not constitute acceptance by the *Municipality* or COG of any liability to maintain any equipment, to answer alarms nor otherwise render the *Municipality* or COG liable to any person for any loss or damage relating to the *alarm system* or procedure.

**1108.2 Indemnification.** In the event the *owner* of such premises is a person other than the permit applicant, as in the instance of a lessee or other user not the *owner* of the premises on which the *alarm* is installed, such permit application shall constitute an indemnification agreement by the applicant to hold harmless any such police officer or firefighter; the police department or the fire department; the *Municipality* or COG, as appropriate, from any and all damages whatsoever claimed by the lessor or *owner* of the premises on which the *alarm* is installed.

## SECTION 1109 ADMINISTRATION AND ENFORCEMENT

Administration and enforcement of the requirements of this chapter shall be a function of the Code Administration Agency and shall include the following:

1. Authority to accept or reject a permit application or revoke a permit because of a misrepresentation or false statement contained in any application for a permit, failure to correct any deficiencies in equipment or operation of an *alarm device* connected to the central receiving station after due notice, or not meeting other conditions and specifications of this ordinance.
2. Authority to order the disconnection of an alarm device to the central receiving station for a violation of this ordinance or failure to pay any of the appropriate fees.

## SECTION 1110 RIGHT TO APPEAL

Any applicant or permit holder shall have a right of appeal under this ordinance. An appeal may be taken when the *Fire Agency* or the *Municipality* empowered to make a decision regarding an installation, operation or maintenance of an alarm

100 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

device for which a permit has been requested and is denied, or upon which a permit has been issued and a revocation of said permit has occurred. Such an appeal, when filed, shall be in writing and filed within ten (10) calendar days following such decision.



## CHAPTER 14 12 [6A] REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

<b>ANSI</b>		
American National Standards Institute 1819 L Street, NW, 6 <sup>th</sup> Floor Washington, DC 20036		
Standard reference number	Title	Referenced in code section number
14-2008e	Plastics Piping System Components and Related Materials	1006.1.1
<b>ASME</b>		
American Society of Mechanical Engineers Three Park Avenue New York, NY 10016-5990		
Standard reference number	Title	Referenced in code section number
A17.1/CSA B44—2007	Safety Code for Elevators and Escalators	606.1
<b>AWWA</b>		
American Water Works Association 6666 Quincy Avenue Denver, CO 80235		
Standard reference number	Title	Referenced in code section number
A100—2006	AWWA Standard for Water Wells	1006.1.1
<b>ASTM</b>		
ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2959		
Standard reference number	Title	Referenced in code section number
C150-09	Standard Specification for Portland Cement	1002
E136-09b	Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750°C	703.3.3.1
F1346—91 (2003)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	303.2

102 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

# ICC

International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

Standard reference number	Title	Referenced in code section number
IBC-09 18	International Building Code	102.3, 201.3, 304.1.1, 305.1.2, 306.1.1, 307.1.2, 307.1.3, 401.3, 402.1, 404.5.2.3, 404.9, 604.3.1.1, 604.3.2.1, 702.1.1, 702.3, 702.3.1, 702.5, 702.6, 702.7, 703.2.1, 703.2.2, 704.2.5, 711.1, 713.1, 907.7.5, 902.10, A102.1, A102.2, A102.3
IEBC-09 18	International Existing Building Code	102.3, 201.3, 304.1.1, 305.1.2
IFC-09 18	International Fire Code	102.3, 201.3, 702.1, 702.2, 702.4.1, 704.1, 704.2.7, 704.6, 711.1, 901.1, 902
IFGC-09 18	International Fuel Gas Code	102.3, 201.3, 603.1
IMC-09 18	International Mechanical Code	102.3, 201.3, 403.1, 603.1, 603.5
IPC-09 18	International Plumbing Code	102.3, 201.3, 502.5, 505.1, 602.2
IPMC-09 18	International Property Maintenance Code	704.2.4, 704.2.6
IRC-09 18	International Residential Code	102.3, 201.3, 303.2, 603.1, 702.6.1, 704.2.5

# IGSHPA

International Ground Source Heat Pump Association  
374 Cordell South, Oklahoma State University  
Stillwater, OK 74078-8018

Standard reference number	Title	Referenced in code section number
CLGHPS-08	Closed-Loop / Geothermal Heat Pump Systems, Design and Installation Manual	1007.4

# NFPA

National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Standard reference number	Title	Referenced in code section number
10-07 18	Standard for Portable Fire Extinguishers	704.6, 704.6.1, 711.1
12-18	Standard on Carbon Dioxide Extinguishing Systems	
12A-18	Standard on Halon 1301 Fire Extinguishing Systems	
13-07 16	Standard for the Installation of Sprinkler Systems	706.1
13D-16	Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes	
13R-16	Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies	
17-17	Standard for Dry Chemical Extinguishing Systems	
17A-17	Standard for Wet Chemical Extinguishing Systems	
25-08 17	Inspection, Testing and Maintenance of Water-based Fire Protection Systems	704.1.1
70-08 17	National Electrical Code	102.3, 201.3, 604.2, 704.2.4.1
72-08 -16	National Alarm and Signaling Code	704.2.4.1, 902.6
80-07 16	Fire Doors and Other Opening Protectives	703.1.3, 703.2
96-08 17	Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations	607.2
105-07 16	Installation of Smoke Door Assemblies and Other Opening Protectives	703.1.2
204-18	Standard for Smoke and Heat Venting	
701-04 15	Standard Methods of Fire Tests for Flame Propagation of Textiles and Films	705.1
720-15	Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment	
750-15	Standard on Water Mist Fire Protection Systems	
2001-18	Standard on Clean Agent Fire Extinguishing Systems	

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7. Borough of Bellefonte

# MZO

Standard reference number	Title	Referenced in code section number
MZO	Municipal Zoning Code/Ordinance	202, 404.5.2, 404.5.2.2, 803.2, 805.2, 805.4, 805.8, 805.8.2, 807.1.4, 807.4.3, 807.5.1, 807.5.3, 807.5.4

# UL

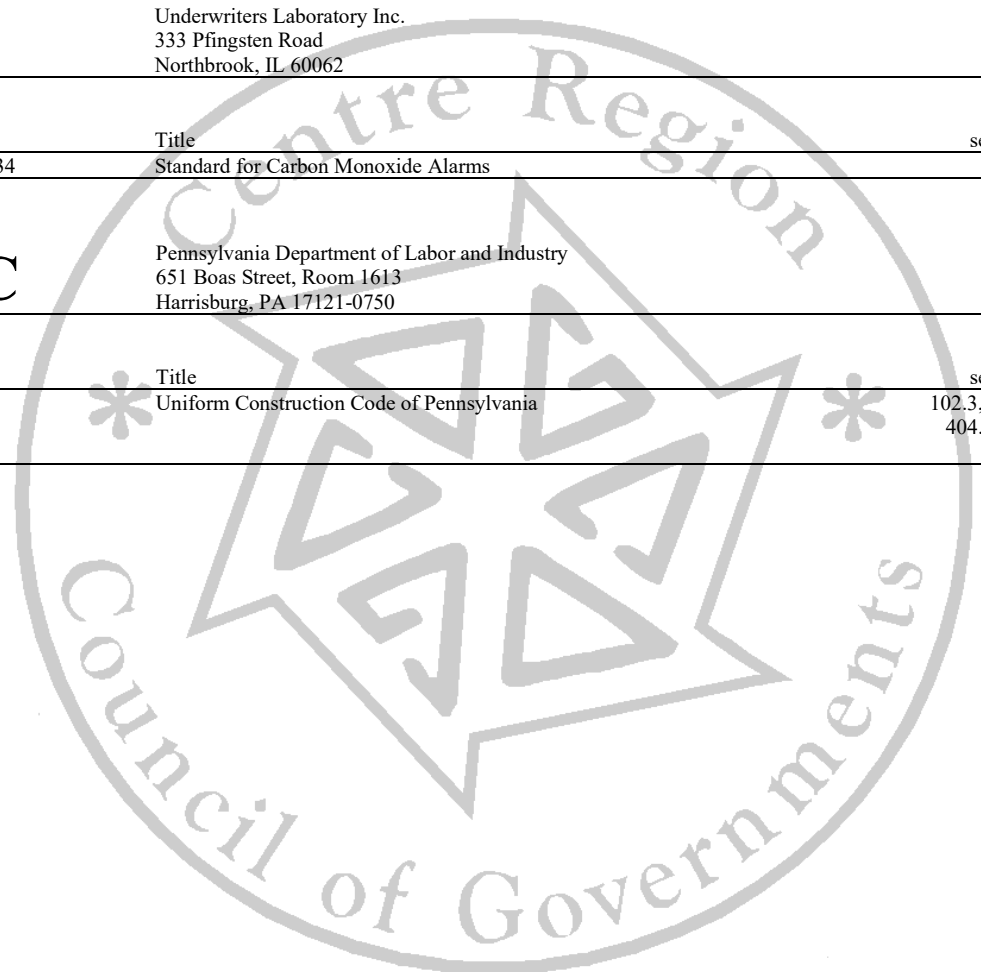
Underwriters Laboratory Inc.  
333 Pfingsten Road  
Northbrook, IL 60062

Standard reference number	Title	Referenced in code section number
ANSI/UL-2034	Standard for Carbon Monoxide Alarms	608.2

# UCC

Pennsylvania Department of Labor and Industry  
651 Boas Street, Room 1613  
Harrisburg, PA 17121-0750

Standard reference number	Title	Referenced in code section number
PA-UCC	* Uniform Construction Code of Pennsylvania *	102.3, 102.7, 105.1, 404.5.2.3, 704.10, 802.1



104 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte





The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

# APPENDIX A

## BOARDING STANDARD

### A101 GENERAL

**A101.1 General.** All windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized *persons* and shall be painted to correspond to the color of the existing *structure*.

### A102 MATERIALS

**A102.1 Boarding sheet material.** Boarding sheet material shall be minimum 1/2-inch (12.7 mm) thick wood structural panels complying with the *International Building Code*.

**A102.2 Boarding framing material.** Boarding framing material shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

**A102.3 Boarding fasteners.** Boarding fasteners shall be minimum 3/8-inch (9.5 mm) diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

### A103 INSTALLATION

**A103.1 Boarding installation.** The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

**A103.2 Boarding sheet material.** The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

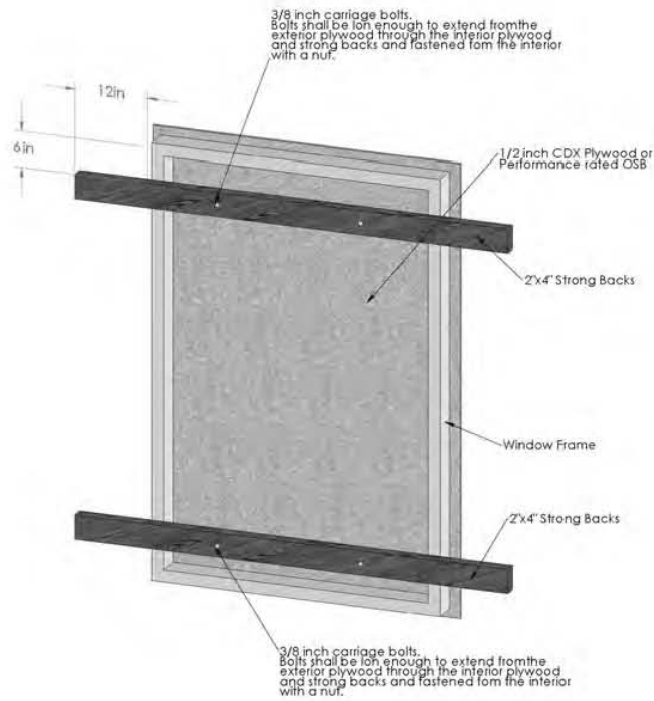
**A103.3 Windows.** The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51 mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the bottom and below the top of the

window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

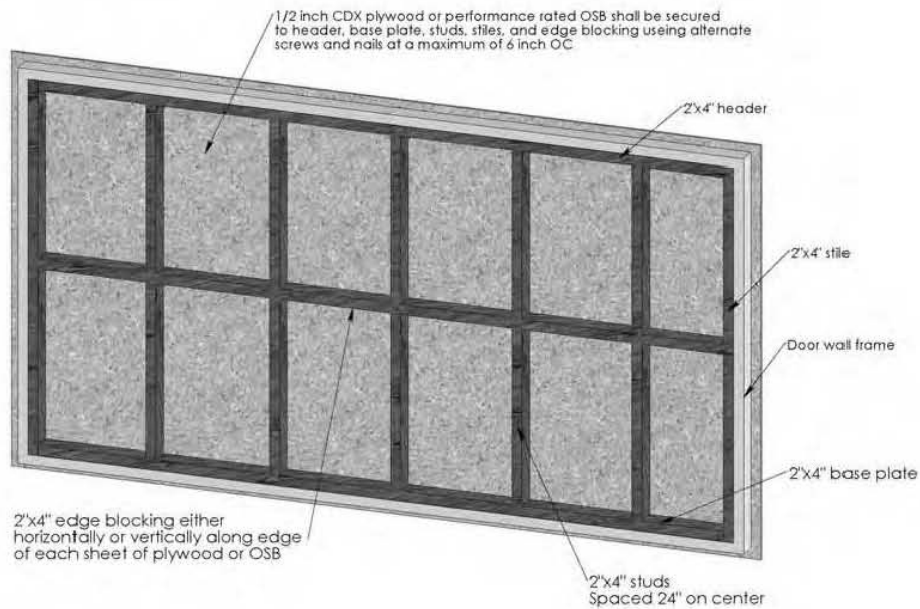
**A103.4 Door walls.** The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at not more than 24 inches (610 mm) on center. Blocking shall also be secured at not more than 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches (152 mm) on center.

**A103.5 Doors.** Doors shall be secured by the same method as for windows or door openings. One door to the *structure* shall be available for authorized entry and shall be secured and locked in an *approved* manner.

106 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
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**FIGURE A103.1(1)**  
**BOARDING OF DOOR OR WINDOW**



**FIGURE A103.1(2)**  
**BOARDING OF DOOR WALL**

# APPENDIX B

## BOROUGH OF BELLEFONTE ENABLING ORDINANCE

ORDINANCE NO. 06052017-01

**AN ORDINANCE OF THE BOROUGH OF BELLEFONTE, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE BOROUGH OF BELLEFONTE SAFETY AND PROPERTY MAINTENANCE CODE, 2011 EDITION AND AMENDMENTS, AND ADOPTING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, AS AMENDED, TO BE KNOWN AS CHAPTER 425 – PROPERTY MAINTENANCE AND SAFETY**

**Section 101. Repeal of Ordinances.** The provisions of Ordinance 12202010-02 as amended that provide for the adoption and modification of the Borough of Bellefonte Safety and Property Maintenance Code / 2011 are hereby repealed.

**Section 102. Changes.** The following articles and sections of Borough of Bellefonte Code Chapter 425 as adopted are amended, deleted, or altered as follows:

**Add §425-2 Adoption of the Centre Region Building Safety and Property Maintenance Code, 2017 Edition.**

It is hereby adopted by the municipality for the intent and purposes set forth in § 425-1 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the Commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the municipality or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of this chapter, regardless of the strictness of the provisions. The provisions of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as amended, are set forth in the copy presently on file in the office of the Municipal Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the municipality, except as modified by this chapter and any subsequent amendments thereto.

**Add §425-3 Amendments to Building Safety and Property Maintenance Code** The following articles and sections of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as adopted, are amended, deleted, or altered as follows:

1. Add: Section 315 Vegetative growth: To read: No person, firm or corporation owning or occupying any property within the Borough of Bellefonte shall permit any grass or weeds or any other vegetation whatsoever to grow or remain upon such premises to exceed a height of six inches or so as to cause unpleasant or noxious odors, conceal filthy deposits or create or produce pollen.

Exception:


- a) Vegetation which is edible and cultivated for that purpose shall be permitted to exceed a height of six inches.
  - b) Vegetative growth commonly recognized as having an ornamental purpose shall be permitted.
  - c) For the purposes of this section, trees, bushes and hedges shall not be considered vegetation subject to the height limitation.
  - d) Noxious weeds prohibited by the Noxious Weed Control Law, 3 P.S. § 255.8, as amended, or as it may be amended in the future, or by regulations of the Department of Agriculture, shall not be permitted to grow within the Borough of Bellefonte either generally or as exceptions to the height limitations set forth above.
2. Add: Section 315.1 Vegetative growth and right-of-way encroachment. To read: No person, firm or corporation owning or occupying any property within the Borough of Bellefonte shall permit any weeds or brushes to grow and remain upon that portion of the street or alley immediately in front of or adjoining said premises between the property line and the outer edge of any adjacent street or alley. It is the intent and meaning of the section that a portion of the streets or alleys between the property line and the outer edge of the roadway, commonly known as the right-of-way, which space should only be occupied by lawns, sidewalks and shade trees, shall be maintained not to exceed a height of six inches by the owner, tenant, occupant or agent of the property immediately abutting such space. Vegetative growth commonly recognized as having an ornamental purpose shall be permitted.
3. Add Section 315.2 Vegetative violations. To read: Grass, weeds, or other vegetation so growing on any property in the Borough or on any public right-of-way or public utility easement adjoining or adjacent to such property is hereby declared to be a nuisance and abatable as such at law or in equity
4. Add: Section 316 Unlicensed vehicles. To read: Except as provided for in other regulations, no inoperative, unlicensed or uninspected motor vehicle or trailer designed to be towed by a motor vehicle shall be parked, kept or stored on any premises. No vehicle or trailer shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles or trailers is prohibited unless conducted inside an approved spray booth.
- Exception: A vehicle of any type or trailer is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
5. The title of Table 404.5. is now: Table 404.5. Minimum Habitable Space (square feet [square meters]) applies to all properties.
6. Table 404.5.1 is deleted.

7. Table 404.5.2 is deleted.
8. Alter: Section 805.8 Offenses. To read: For the purpose of this suspension provision, offenses are violations of the Borough of Bellefonte Zoning Ordinance.
9. Section 806 Rental Housing Permit Suspension for Nuisance and Criminal Violations is modified as follows: All notations to Borough or State College Borough shall be changed to Borough of Bellefonte.
10. Alter: Section 806.11.1 Refuse. To read: Refers to garbage, refuse, and municipal solid waste regulations enforced by the Borough of Bellefonte Ordinance Enforcement and Zoning Officers pursuant to Chapter **482**, Solid Waste, of the Borough of Bellefonte Code.
11. Alter: Section 806.11.2 Property maintenance (interior and exterior). To read: Refers to regulations for the maintenance of residential property as generally enforced by the Centre Region Code Administration, pursuant to this code with the exception of Chapter **9** (Fire Code).
12. Alter: Section 806.11.3 Sidewalk obstruction. To read: Refers to regulations for clearing snow, ice, and other obstructions from sidewalks pursuant to Chapter 495, Article II, Sidewalks, of the Borough of Bellefonte Code.
13. Alter: Section 806.11.4 Noise. To read: Refers to the enforcement of Chapter **372**, Noise, of the Borough of Bellefonte Code.
14. Alter: Section 806.11.5 Vegetation. To read: Refers to enforcement of grass and weeds pursuant to Section 315, Vegetative growth, of this code.
15. Alter: Section 806.11.9 Dogs. To read: Refers to enforcement of dog offenses pursuant to Chapter **193**, Animals, of the Borough of Bellefonte Code.
16. Alter: Section 806.11.10 Fire Code. To read: Refers to regulations for the prevention of fires at rental properties as adopted in Chapter **9** (Fire Code) of this code.
17. Section 807 is deleted


**Add 5425-4 Effective date.** To read: The provisions of this ordinance shall be in full force and effect on July 1, 2017.

ENACTED AND ORDAINED as an ordinance by the Borough of Bellefonte this 5th day of June 2017.

**BOROUGH OF BELLEFONTE COUNCIL**

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Manager/Secretary

**APPENDIX C**  
**COLLEGE TOWNSHIP ENABLING ORDINANCE**

**COLLEGE TOWNSHIP**  
**CENTRE COUNTY, PENNSYLVANIA**

**ORDINANCE O-17-05**

**PROPERTY MAINTENANCE AND FIRE CODE**

**AN ORDINANCE OF THE TOWNSHIP OF COLLEGE, COUNTY OF  
CENTRE, COMMONWEALTH OF PENNSYLVANIA, REPEALING THE  
2010 EDITION OF THE CENTRE REGION BUILDING SAFETY AND  
PROPERTY MAINTENANCE CODE AND ADOPTING THE 2017  
EDITION OF THE CENTRE REGION BUILDING SAFETY AND  
PROPERTY MAINTENANCE CODE, AS AMENDED, TO BE KNOWN AS  
CHAPTER 152 – PROPERTY MAINTENANCE AND FIRE CODE**

**Section 101, Repeal of Ordinances.** The provisions of Ordinances O-10-03 and O-10-10, as amended, that provide for the adoption and modification of the *Centre Region Building Safety and Property Maintenance Code 2010*, are hereby repealed.

**Section 102. Changes.** The following articles and sections of College Township Code, Chapter 152, as adopted, are amended, deleted, or altered as follows.

**Delete §152-2, Adoption of standards by reference, in its entirety and replace with the following.**

**§152-2 Adoption of standards by reference**

It is hereby adopted by the municipality for the purposes set forth in §152-1 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as promulgated by the Centre Region Council of Governments, except such provisions that may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the Commonwealth by virtue of such laws and that provide a more stringent standard and that are required to be observed by the municipality or the provisions of other ordinances of this jurisdiction that are in conflict with the provisions of this chapter, regardless of the strictness of the provisions. The provisions of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as amended, are set forth in the copy presently on file in the office of the Municipal Manager and are hereby adopted as fully as if set forth in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the municipality, except as modified by this chapter and any subsequent amendments thereto.

112 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte



**Delete §152-3, Amendments; deletions; alterations in its entirety and replace with the following.**

**§152-3 Amendments; deletions; alterations**

The following articles and sections of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as adopted, are amended, deleted, or altered as follows.

- A. Table 404.5.2 is deleted.
- B. The title of Table 404.5.1, Minimum Habitable Space (square feet [square meters]), applies to all properties receiving a rental housing permit for the first time after January 1, 1998.
- C. Section 702.6.1, Three story one or two family dwelling. Shall be deleted in its entirety.
- D. Section 805, Rental Housing Permit Suspension for Zoning Violations, is modified as follows: all notations to Borough or State College Borough shall be changed to College Township; Borough Manager to College Township Manager; and Borough Council to College Township Council.
- E. Alter: Section 805.8, Offenses. To read: For the purpose of this suspension provision, offenses are violations of the College Township Zoning Ordinance.
- F. Section 806, Rental Housing Permit Suspension for Nuisance and Criminal Violation, is modified as follows: All notations to Borough or State College Borough shall be changed to College Township; Borough Manager to College Township Manager; and Borough Council to College Township Council.
- G. Alter: Section 806.11.1 Refuse. To read: Refers to garbage, refuse, and municipal solid waste regulations enforced by the College Township Ordinance Enforcement and Zoning Officers, pursuant to Chapter 172, Solid Waste, of the College Township Code.
- H. Alter: Section 806.11.2, Property maintenance (interior and exterior). To read: Refers to regulations for the maintenance of residential property as generally enforced by the Centre Region Code Administration, pursuant to this code with the exception of Chapter 9 (Fire Code).
- I. Alter: Section 806.11.3, Sidewalk obstruction. To read: Refers to regulations for clearing snow, ice, and other obstructions from sidewalks pursuant to §180-16.1, Sidewalks, of the College Township Code.
- J. Alter: Section 806.11.4, Noise. To read: Refers to the enforcement of Chapter 93, Disorderly Conduct, of the College Township Code.
- K. Alter: Section 806.11.5, Vegetation. To Read: Refers to enforcement of grass and weeds pursuant to Chapter 196, Weeds, of the College Township Code.
- L. Alter: Section 806.11.9, Dogs. To read: Refers to enforcement of grass and weeds pursuant to Chapter 95, Dogs and Cats, of the College Township Code.
- M. Alter: Section 806.11.10, Fire Code. To read: Refers to regulations for the prevention of fires at rental properties as adopted in Chapter 9 (Fire Code) of this code.
- N. Delete: Section 807, Student home license.


**Modify §152-4, Health officer. To read:** Any Health Officer of a participating municipality who has adopted the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as amended, may enforce the provisions of this code.


**Modify §152-5, Effective date. To read:** The provisions of this ordinance shall be in full force and effect on July 1, 2017.

**ENACTED AND ORDAINED** as an ordinance by the Township of College this 1<sup>st</sup> day of June, 2017.

ATTEST:

COLLEGE TOWNSHIP COUNCIL:

  
Adam T. Brumbaugh, Twp. Mgr./Secretary

  
D. Richard Francke, Council Chair



The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

# APPENDIX D

## FERGUSON TOWNSHIP ENABLING ORDINANCE

### ORDINANCE 1032

**AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2010 EDITION AND AMENDMENTS, AND ADOPTING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, AS AMENDED, TO BE KNOWN AS CHAPTER 5 – PART 3 – BUILDING SAFETY AND PROPERTY MAINTENANCE CODE.**

**Section 101. Repeal of Ordinances.** The provisions of Ordinances 932, and 948 as amended that provide for the adoption and modification of the Centre Region Building Safety and Property Maintenance Code / 2010 are hereby repealed.

**Section 102. Changes.** The following articles and sections of Ferguson Township Code Chapter 5 as adopted are amended, deleted, or altered as follows:

**Delete §5-302 Adoption of the Centre Region Building Safety and Property Maintenance Code, 2010 Edition. In its entirety and replace with the following:**

**§5-302 Adoption of the Centre Region Building Safety and Property Maintenance Code, 2017 Edition.**

It is hereby adopted by the municipality for the purposes set forth in § 5-301 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the municipality or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of this chapter, regardless of the strictness of the provisions. The provisions of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as amended, are set forth in the copy presently on file in the office of the Municipal Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the municipality, except as modified by this chapter and any subsequent amendments thereto.

**Delete §5-303 Amendments to Building Safety and Property Maintenance Code. In its entirety and replace with the following:**

**§5-303 Amendments to Building Safety and Property Maintenance Code** The following articles and sections of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as adopted, are amended, deleted, or altered as follows:

116 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if “A” follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College; 7. Borough of Bellefonte

1. Table 404.5.2 is deleted
2. The title of Table 404.5.1 is now: Table 404.5.1 Minimum Habitable Space (square feet [square meters]) applies to all properties receiving a rental housing permit for the first time after January 1, 1998
3. Alter: Section 302.11.2 Study ordered. To read: At any time when the *Code Official*, or other municipal official observes a tree that appears to be a structurally unsound tree, a diseased tree, a dead tree, a dying tree, has significant amount of decay present, or a dangerous tree, *code official*, has the authority to order a special inspection or study be completed by a third party professional certified arborist, contracted by the *owner*, at the *owner's* expense.
4. Alter: Section 302.11.4 Tree removal. To read: If a tree is determined to be a dangerous tree by a certified arborist, the *code official* has the authority to require the modification of the tree as to abate the hazard and maintain the tree in a non-dangerous condition. If the hazard cannot be abated the *code official* has the authority to require the removal of the tree The modification or removal shall be ordered in writing in accordance with the requirements of section 302.11.4.
5. Section 805, Rental Housing Permit Suspension for Zoning Violations, is modified as follows: all notations to Borough or State College Borough shall be changed to College Township, Borough Manager to College Township Manager and Borough Council to College Township Council.
6. Alter: Section 805.8 Offenses. To read: For the purpose of this suspension provision, offenses are violations of the Ferguson Township Zoning Ordinance.
7. Section 806 Rental Housing Permit Suspension for Nuisance and Criminal Violations is modified as follows: All notations to Borough or State College Borough shall be changed to Ferguson Township, Borough Manager to Ferguson Township Manager, and Borough Council to Ferguson Township Council.
8. Alter: Section 806.11.1 Refuse. To read: Refers to garbage, refuse, and municipal solid waste regulations enforced by the Ferguson Township Ordinance Enforcement and Zoning Officers pursuant to Chapter 20, Solid Waste, of the Ferguson Township Code.
9. Alter: Section 806.11.2 Property maintenance (interior and exterior). To read: Refers to regulations for the maintenance of residential property as generally enforced by the Centre Region Code Administration, pursuant to this code with the exception of Chapter 9 (Fire Code).
10. Alter: Section 806.11.3 Sidewalk obstruction. To read: Refers to regulations for clearing snow, ice, and other obstructions from sidewalks pursuant to Chapter 21, Part 2, Sidewalks, of the Ferguson Township Code.
11. Alter: Section 806.11.4 Noise. To read: Refers to the enforcement of Chapter 10, Health and Safety, Part 3, Noise, of the Ferguson Township Code.
12. Alter: Section 806.11.5 Vegetation. To read: Refers to enforcement of grass and weeds pursuant to Chapter 10, Health and Safety, of the Ferguson Township Code.
13. Alter: Section 806.11.9 Dogs. To read: Refers to enforcement of dog offenses pursuant to Chapter 2, Animals, of the Ferguson Township Code.
14. Alter: Section 806.11.10 Fire Code. To read: Refers to regulations for the prevention of fires at rental properties as adopted in Chapter 9 (Fire Code) of this code.
15. Section 807 is deleted

**Add §5-304 Health officer. To read:** Any Health Officer of a participating municipality which has adopted The Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, may enforce the provisions of this Code.

**Add §5-305 Effective date. To read:** The provisions of this ordinance shall be in full force and effect on July 1, 2017.

**ORDAINED and ENACTED** this 5th day of June, 2017.

TOWNSHIP OF FERGUSON

By:   
Steve Miller, Chairman  
Board of Supervisors

[ SEAL ]

ATTEST:

By:   
David G. Pribulka, Secretary



**APPENDIX E**  
**HALFMOON TOWNSHIP ENABLING ORDINANCE**



120 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte





# APPENDIX F

## HARRIS TOWNSHIP ENABLING ORDINANCE

### ORDINANCE 328

AN ORDINANCE OF THE TOWNSHIP OF HARRIS, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2010 EDITION AND AMENDMENTS, AND ADOPTING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, AS AMENDED, TO BE KNOWN AS CHAPTER 10 – ARTICLE IV – PROPERTY MAINTENANCE AND FIRE CODE

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Harris Township, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

**Section 1. Intent and Purpose:** It is the intent and purpose of this ordinance to adopt a modern property maintenance code, which will prescribe effective standards and minimum requirements for buildings and premises in the Township. This code is designed to cover every facet of housing and property maintenance in order to insure that persons in or visiting the Township are provided with a safe and sanitary environment.

**Section 2. Repeal of Ordinances:** The provisions of Ordinances 288 as amended that provide for the adoption and modification of the Centre Region Building Safety and Property Maintenance Code / 2010 are hereby repealed.

**Section 3. Adoption of the Centre Region Building Safety and Property Maintenance Code, 2017 edition:** It is hereby adopted by Harris Township for the purposes set forth in Section 1 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the Township or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of this chapter, regardless of the strictness of the provisions. The provisions of the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as amended, are set forth in the copy presently on file in the office of the Harris Township Municipal Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the municipality, except as modified by this chapter and any subsequent amendments thereto.

**Section 4. Deletions:** The following sections of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, are deleted in their entirety:

Section 302.11 Trees

Table 404.5.1 Minimum Habitable Space applies to all properties receiving a rental housing permit for the first time between January 1, 1998 and December 31, 2002

Table 404.5.2 Minimum Habitable Space applies to all properties receiving a rental housing permit for the first time after January 1, 2003

Section 702.6.1 Three story one or two family dwelling

Section 708.3.3 Open burning

Section 805 Rental housing permit suspension for zoning violations

Section 806 Rental housing permit suspension for nuisance and criminal violations

Section 807 Student home license

Section 902.1 Permit required

Section 902.2 Permit required

**Section 5. Amendments, and Alterations:** The following sections of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, are amended to read as follows:

Alter Section 101.2 Scope. To read:

Exception: Owner-occupied single-family dwellings that do not require a rental housing permit are exempted from all sections of this code except Sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 302.1, through 302.7, 302.9, 302.10, 303, 304.1, 304.3 through 304.12, 304.19 through 304.21, 306, exterior provisions of 307.1, 312, 604, and chapters 2, 9, 10, and 11 of this code.

Alter: Section 404.3 Minimum ceiling heights. To read:

Exceptions: 4. Structures constructed prior to 1996

Alter: Table 404.5. Minimum habitable space applies to all properties receiving a rental housing permit.

Alter: Section 714.2 L-P Gas containers. To read:

**714.2 L-P Gas containers.** Under no circumstances shall any LP-gas container or compressed gas fuel cylinder with a water capacity greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity] be used on any balcony or area that does not have a direct *means of egress* that does not require entry to a *structure* nor in areas covered by a *roof* or partially enclosed area no matter what the construction type.

Add: Section 805 Rental housing permit revocation. To read:  
**Section 805 Rental housing permit revocation.**

**805.1 Violation Notice Required.** Within any eighteen (18) month period, as specified in Section 805.2 (2), written notices may be issued as follows:

1. Prior to revocation of a rental housing permit, the Township shall provide written notice to the owner of any rental property whenever two (2) or more offenses pertaining to occupancy, external or internal property maintenance, refuse, dogs, sidewalk obstructions, noise, drugs, alcohol, disorderly conduct, or vegetation have occurred individually or in combination at the property within an 18-month period. The written notice shall state that the property has been identified as a problem property and that continued offenses could result in revocation of the rental housing permit.
2. Whenever two (2) or more additional violations occur after the first notice, a second written notice shall be sent advising the property owner that his/her property has again been identified as a problem property and that further offenses at said property may result in rental housing permit revocation. To afford the property owner an opportunity to correct problems identified in the first notice, the second notice shall not be sent before thirty (30) calendar days following the first notice.
3. Whenever two (2) or more additional violations occur for a total of six (6) or more offenses, a third written notice shall be sent advising the property owner that the property has again been identified as a problem property and the rental housing permit may be revoked.

**805.2. Empowerment and Conditions for Revocation.** The code official of the Centre Region Code Administration is empowered to revoke the rental housing permit for any property within the Township whenever all of the following conditions have occurred:

1. The property owner received two (2) written notices from the Municipality that the property has been determined to be a problem property;
2. Six (6) or more offenses pertaining to occupancy, external/internal property maintenance, refuse, dogs, sidewalk obstructions, noise, disorderly conduct, drugs, alcohol or vegetation have occurred individually or collectively at the property within an eighteen (18) month period;

3. Said offenses resulted in a plea of guilty or conviction or judgment in favor of the Municipality or warrant for the arrest of a defendant.

Revocation by the code official shall not be for internal property maintenance offenses, except those that are deemed life-safety offenses.

When a complaint made by the property owner, their property manager, person in charge, or by the tenants of the premises results in prosecution against another at the premises, such violation shall not be counted toward revocation of the rental housing permit.

**805.3 Revocation Procedures.** The code official shall notify the property owner of the revocation by written notice sent by a parcel service with delivery receipt, delivered in person, or posted on the property. The notice shall advise the property owner of the property address, the effective dates of the revocation, the reason for the revocation, the effect of the revocation on the property, penalties that can be imposed for violation of the revocation and appeal rights and procedures.

The code official shall set forth the effective date of the revocation in such manner so that revocation commences on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a one-year period. When there is no lease in force or when the lease or leases are for periods greater than one year, revocation shall commence upon the first day following the annual permit renewal date. No housing permit shall be renewed for six (6) months for the first revocation and twelve (12) months for each subsequent revocation beginning on the effective date of the revocation.

**805.4 Effect of Revocation.** Upon the commencement of revocation, the property shall be secured and no person, firm or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the rental housing permit for such unit is revoked.

**805.5 Appeal Procedure from Code Official.** Appeals of revocation initiated by the code official shall be heard by the Centre Region Building and Housing Code Board of Appeals in accordance with the procedures established for appeals to that Board, as referenced in Section 111, "Means of Appeals. The Board of Appeals is empowered to sustain, withdraw or modify the revocation.

**805.6 Offenses.** For purposes of this section, offenses are those as set forth in the following ordinances or statutes:

Occupancy: Refers to applicable definitions within Chapter 12, Article XI of the Harris Township Code of Ordinances, as amended.

Refuse. Refers to Municipal Solid Waste regulations enforced by the Ordinance Enforcement Officer pursuant to Chapter 5 of the Harris Township Code of Ordinances, as amended.

Property Maintenance (Interior and Exterior). Refers to regulations for the maintenance of residential property contained in the Centre Region Building Safety and Property Maintenance Code, as generally enforced by the Centre Region Code Office.

Sidewalk Obstruction. Refers to regulations for clearing snow, ice and other obstructions from sidewalks pursuant to Chapter VII, Subchapter D. of the Harris Township Code of Ordinances, as amended.

Vegetation. Refers to enforcement of grass and weeds pursuant to Chapter V, Subchapter B. of the Harris Township Code of Ordinances, as amended.

Disorderly Conduct. Refers to enforcement by the State College Borough Police Department of Section 5503, Crimes Code, Act of Dec. 6, 1972, P.L. 1482, No. 334.

Drugs. Refers to enforcement by police of The Controlled Substance, Drug, Device and Cosmetic Act," of April 14, 1972, P.L. 233, No. 64, as amended.

Alcohol. Refers to possession or consumption by a minor pursuant to Section 6308, Crimes Code, Act of Dec. 6, 1972, P.L. 1482, No. 334, or furnishing to a minor, Section 493, Liquor Laws, Act of April 12, 1951, P.L. No. 90, as amended.

Dogs. Refers to enforcement of dog offenses pursuant to Ordinance No, 159, the Harris Township Dog Ordinance, and the Pennsylvania State Dog Law.

**805.7 Assignment of Offenses.** Offenses, as set forth in Section 805.6 of this ordinance, shall apply towards revocation of the rental housing permit for any 1-family house, duplex, multiple-family dwelling unit, rooming unit or fraternity, as the case may be, in accordance with the following:

1-Family House or Fraternity House: Section 805.6 offenses that occur anywhere on the property, including sidewalk obstruction on sidewalks contiguous to the property, shall apply to the house or the fraternity.

2-Family (Duplex), Multiple-Family or Rooming Unit: Section 805.6 offenses that occur within an individual dwelling or rooming unit shall apply to that unit. Offenses committed by a tenant shall apply to the tenant's dwelling or rooming unit. Offenses committed by the property owner shall be assigned to the property in general.

**SECTION 7. Effective Date.** The effective date of this ordinance shall be September 1, 2017.

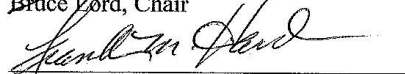
**SECTION 8. Severability Clause.** Nothing in this ordinance or Chapter or in the Centre Region Building Safety and Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, as cited in Section 2 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

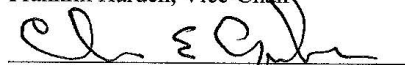
**SECTION 9.** In all other respects the Code of Harris Township remains in full force and effect, and is not in any way affected or modified by this amendment.

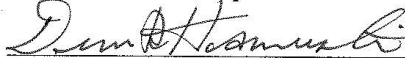
ENACTED AND ORDAINED this 11<sup>th</sup> day of September, 2017

HARRIS TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Bruce Lord, Chair

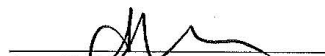
  
\_\_\_\_\_  
Franklin Harden, Vice-Chair

  
\_\_\_\_\_  
Charles E. Graham, Supervisor

  
\_\_\_\_\_  
Dennis Hameister, Supervisor

  
\_\_\_\_\_  
Nigel Wilson, Supervisor

ATTEST:

  
\_\_\_\_\_  
Amy Falkas, Secretary

# APPENDIX G

## PATTON TOWNSHIP ENABLING ORDINANCE

PATTON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2017- 585

### PROPERTY MAINTENANCE AND FIRE CODE

**AN ORDINANCE OF THE TOWNSHIP OF PATTON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE 2010 EDITION OF THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE AND ADOPTING THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, AS AMENDED, TO BE KNOWN AS CHAPTER 127 (PROPERTY MAINTENANCE AND FIRE CODE).**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Patton Township, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

**SECTION 1. Intent and Purpose.** It is the intent and purpose of this ordinance to adopt a modern property maintenance code, which will prescribe effective standards and minimum requirements for buildings and premises in the Municipality. This code is designed to cover every facet of housing and property maintenance in order to insure that persons in or visiting the Municipality are provided with a safe and sanitary environment.

**SECTION 2. Repeal of Ordinances.** The provisions of Ordinance No. 2010-519 and No. 2011-529 as amended that provide for the adoption and modification of the Centre Region Building Safety and Property Maintenance Code /2010 are hereby repealed.

**SECTION 3. Adoption of the Centre Region Building Safety and Property Maintenance Code, 2017 edition.** It is hereby adopted by Patton Township for the purposes set forth in Section 1 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017 edition*, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the Commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the Municipality or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of the ordinance, regardless of the strictness of the provisions. The provisions of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, are set forth in the copy presently on file in the office of the Patton Township Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this ordinance shall take effect, the provisions thereof

128 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte



shall be controlling within the limits of Patton Township, except as modified by this ordinance and any subsequent amendments thereto.

**SECTION 4. Amendments, Deletions, Alterations.**

The following sections of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, is deleted in its entirety:

**§302.11. Trees.**

**Table 404.5.2 Minimum habitable space (square feet [square meters]) applies to all properties receiving a rental housing permit for the first time after January 1, 2003.**

**§702.6.1. Three story one or two family dwelling.**

**§807. Student home license.**

The following sections of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, are amended to read as follows:

**Table 404.5.1 Minimum habitable space (square feet [square meters]) applies to all properties receiving a rental housing permit for the first time after January 1, 1998.**

**SECTION 5. Health Officer.** Any Health Officer of a participating municipality which has adopted The Centre Region Building Safety and Property Maintenance Code, 2017 edition, as amended, may enforce the provisions of this Code.

**SECTION 6. Effective Date.** The effective date of this ordinance shall be July 1, 2017.

**SECTION 7. Severability Clause.** Nothing in this ordinance or Chapter or in the *Centre Region Building Safety and Property Maintenance Code, 2017 edition* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, as cited in Section 2 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

**SECTION 8:** In all other respects the Code of Patton Township remains in full force and effect, and is not in any way affected or modified by this amendment.

ENACTED AND ORDAINED as an ordinance by the Township of Patton this the  
~~xx~~ day of ~~xxxxxx~~ 2017.

10<sup>th</sup> May DE

**PATTON TOWNSHIP BOARD OF SUPERVISORS**



Walt W...

Robert Ahmed ☺

\_\_\_\_\_

\_\_\_\_\_

Attest:



**Douglas J. Erickson  
Township Secretary**

[Seal]



# APPENDIX H

## BOROUGH OF STATE COLLEGE ENABLING ORDINANCE

### ORDINANCE 2093

AN ORDINANCE OF THE BOROUGH OF STATE COLLEGE PROVIDING FOR THE ADOPTION OF THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, FOR THE PURPOSE OF PRESCRIBING MINIMUM EFFECTIVE STANDARDS AND MINIMUM MAINTENANCE REQUIREMENTS FOR ALL EXISTING PREMISES AND STRUCTURES, BOTH RESIDENTIAL AND NON-RESIDENTIAL

Be it ENACTED AND ORDAINED by the Council of the Borough of State College, and it is hereby Enacted and Ordained by authority of the same, as follows:

SECTION 1. Intent and Purpose. It is the intent and purpose of this ordinance to adopt a modern property maintenance code, which will prescribe effective standards and minimum requirements for buildings and premises in the Borough of State College. This code is designed to cover every facet of housing and property maintenance in order to insure that persons in or visiting the Borough are provided with a safe and sanitary environment.

SECTION 2. Repeal of Ordinances. The provisions of Ordinance 1948, 2017, and 2029 as amended and Chapter IV, Part L of the Codification of Ordinances of the Borough of State College that provide for the adoption of the Centre Region Building Safety and Property Maintenance Code/2010 are hereby repealed.

SECTION 3. Adoption of the Centre Region Building Safety and Property Maintenance Code/2017. It is hereby adopted by the Borough of State College for the purposes set forth in Section 1 that certain code known as the *Centre Region Building Safety and Property Maintenance Code, 2017* edition, as promulgated by the Centre Region Council of Governments, except such provisions which may be in conflict with the laws of the Commonwealth of Pennsylvania or the regulations issued by an agency of the Commonwealth by virtue of such laws and which provide a more stringent standard and which are required to be observed by the Borough of State College or the provisions of other ordinances of this jurisdiction which are in conflict with the provisions of the ordinance, regardless of the strictness of the provisions. The provisions of the Centre Region Building Safety and Property Maintenance Code, 2017 edition, as supplemented, are set forth in the copy presently on file in the office of the Borough Manager, and are hereby adopted as fully as if set forth in length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Borough of State College, except as modified by this ordinance and any subsequent amendments thereto.

SECTION 4. Amendments, Deletions, Alterations. The following articles and sections of the Centre Region Building Safety and Property Maintenance Code/2017, as adopted, are amended, deleted or altered as follows:

132 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

The following sections are deleted:

302.11 Trees  
304.24 Fire escape inspection  
313 Emergency accommodations  
404.8 Congregate cooking facilities inspection  
404.9 Maximum occupancy of fenced in exterior areas

The following sections are modified to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 11 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure, or equipment, or for the public safety, health, general welfare, not specifically covered by this code, shall be determined by the code official.

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

108.2.1 Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

SECTION 5. Health Officer. Any Health Officer of a participating Borough or Municipality which has adopted Centre Region Building Safety and Property Maintenance Code/2010, as amended, may enforce the provisions of this Code.

SECTION 6. Effective Date. The effective date of this ordinance shall be July 1, 2017.

SECTION 7. Severability Clause. Nothing in this ordinance or in the *Centre Region Building Safety and Property Maintenance Code, 2017 edition* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability




134 The following notation [ ] behind the section number denotes that the *Municipality* has either not adopted this section or if "A" follows the number they have altered the section and the alteration can be found in the appropriate municipal ordinance appendix.  
1. College Township; 2. Ferguson Township; 3. Halfmoon Township; 4. Harris Township; 5. Patton Township; 6. Borough of State College;  
7. Borough of Bellefonte

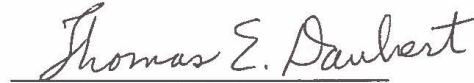
incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, as cited in Section 2 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

ENACTED AND ORDAINED this 3<sup>rd</sup> day of April, 2017.

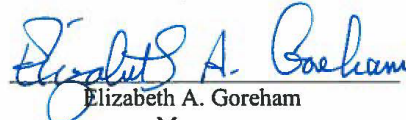
Attest:

BOROUGH OF STATE COLLEGE

  
Sharon K. Ergler  
Assistant Borough Secretary

  
By: Thomas E. Daubert  
President of Council

EXAMINED AND APPROVED as an Ordinance this 6<sup>th</sup> day of April, 2017.

  
Elizabeth A. Goreham  
Mayor

ORDINANCE 2100

AN ORDINANCE OF THE BOROUGH OF STATE COLLEGE PROVIDING FOR THE MODIFICATION OF THE CENTRE REGION BUILDING SAFETY AND PROPERTY MAINTENANCE CODE, 2017 EDITION, FOR THE PURPOSE OF PRESCRIBING MINIMUM EFFECTIVE STANDARDS FOR VISITABILITY IN NEW SINGLE-FAMILY HOMES TO BE USED AS RENTAL HOUSING.

Be it ENACTED AND ORDAINED by the Council of the Borough of State College, and it is hereby Enacted and Ordained by authority of the same, as follows:

SECTION 1. Intent and Purpose. It is the intent and purpose of this ordinance to modify the property maintenance code to include visitability standards for rental housing for premises in the Borough of State College. This code is designed to cover every facet of housing and property maintenance in order to insure that persons in or visiting the Borough are provided with a safe and sanitary environment.

SECTION 2. Amendments, Deletions, Alterations. The following articles and sections of the Centre Region Building Safety and Property Maintenance Code/2017, as adopted, are amended, deleted or altered as follows:

The following sections are added:

**317 Visitability**

**317.1 Scope.** The requirements of Section 317, Visitability apply to one and two family dwellings that receive a building permit under the Uniform Construction Code of Pennsylvania for initial construction after the 30<sup>th</sup> day of September, 2017, and are intended for a rental housing permit under this code.

**317.2 Minimum requirements.** At a minimum, each rental unit shall have one floor that meets the requirements of a Type C Unit as defined by Section 1005, Type C (Visitable) Units of ICC A117.1 Accessible and Usable Buildings and Facilities.

**Chapter 11**

The following citation is added:

**ICC**

Standard reference number

ICC-117.1-09

Title

Accessible and Usable  
Buildings and Facilities

International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

Referenced in code section  
number  
317.2

SECTION 3. Effective Date. The effective date of this ordinance shall be October 1, 2017.


SECTION 4. Severability Clause. Nothing in this ordinance or in the *Centre Region Building Safety and Property Maintenance Code, 2017 edition* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, as cited in Section 2 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.




ENACTED AND ORDAINED this 11<sup>th</sup> day of September, 2017.

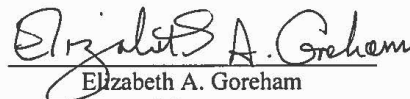
ATTEST

BOROUGH OF STATE COLLEGE

  
Sharon K. Ergler  
Assistant Borough Secretary

  
By: Thomas E. Daubert  
President of Council

EXAMINED AND APPROVED as an Ordinance this 14<sup>th</sup> day of September, 2017.

  
Elizabeth A. Goreham  
Mayor

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CHAPTER 15 MOTOR VEHICLES AND TRAFFIC, PART 4, GENERAL PARKING REGULATIONS, SECTION 403 PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS, SECTION 404 PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS, AND SECTION 406 PARKING TIME LIMITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS**

The Board of Supervisors of the Township of Ferguson hereby ordains:

**Section 1** Chapter 15 Motor Vehicles, Part 4, General Parking Regulations, Section 403 Parking Prohibited at All Times in Certain Locations is hereby amended to establish the following parking restrictions on the following streets:

Parking Prohibited at All Times in Certain Locations.

**DELETE**

<b>Street</b>	<b>Side</b>	<b>Between</b>
East Pine Grove Road (SR 26/SR 45)	South	A point 938 feet west of Rosemont Drive and Meckley Drive
East Pine Grove Road (SR 26/SR 45)	North	Nixon Road and a point 485 feet east of Nixon Road
East Pine Grove Road	North	A point 526 feet east of Nixon Road and a point 590 feet east of Nixon Road
East Pine Grove Road (SR 26/SR 45)	North	A point 620 feet east of Nixon Road and a point 795 feet east of Nixon Road
East Pine Grove Road (PA Route 26/45)	North	Rosemont Drive and a point 226 feet east of Rosemont Drive
West Pine Grove Road (SR 45)	North	From 100 feet east of Kirk Street to 73 feet west of Kirk Street
West Pine Grove Road (SR 45)	North	From intersection with Nixon Road west for a distance of 230 feet
West Pine Grove Road (PA Route 45)	North	A point 100 feet west of Sports Road (private drive) and a point 100 feet east of Sports Road

**ADD**

<b>Street</b>	<b>Side</b>	<b>Between</b>
Pine Grove Road (SR 45)	North	Western Deepwood Drive and a point 95 feet east of Sports Road (private)
Pine Grove Road (SR 45)	North	A point 95 feet west of Kirk Street and a point 90 feet east of Kirk Street
Pine Grove Road (SR 26/45)	North	A point 188 feet west of Nixon Road and a point 94 feet west of Thrush Street (private)
Pine Grove Road (SR 26/45)	North	A point 70 feet west of Thrush Street (private) and a point 85 feet east of Thrush Street (private)

Pine Grove Road (SR 26/45)	North	A point 119 feet west of Rosemont Drive and a point 226 feet east of Rosemont Drive
Pine Grove Road (SR 26/45)	South	Western Deepwood Drive and Western Meckley Road
Nixon Road	East	Pine Grove Road and a point 300 feet north of Sunday Drive
Nixon Road	West	Pine Grove Road and a point 56 feet north of Pine Grove Road
Nixon Road	West	A point 104 feet north of Pine Grove and a point 300 feet north of Sunday Drive
Water Street	Both	Pine Grove Road and Chestnut Street

**Section 2** Chapter 15 Motor Vehicles, Part 4, General Parking Regulations, Section 404 Parking Prohibited in Certain Locations Certain Days and Hours is hereby amended to establish the following parking restrictions on the following streets:

Parking Prohibited in Certain Locations Certain Days and Hours.

**DELETE**

Street	Side	Between	Days	Hours
Pine Grove Road (SR 26/SR 45)	South	A point 300 feet west of the western terminus of Deepwood Drive and a point of 938 feet west of Rosemont Drive	Every Day	At all at times except Sunday 8:00 a.m. to 12:00 noon

**Section 3** Chapter 15 Motor Vehicles, Part 4, General Parking Regulations, Section 406 Parking Time Limited in Certain Locations Certain Days and Hours is hereby amended to establish the following parking restrictions on the following streets:

Parking Time Limited in Certain Locations Certain Days and Hours.

**ADD**

Street	Side	Between	Days	Hours	Time Limit
Pine Grove Road (SR 26/45)	North	A point 990 feet west of Rosemont Drive and a point 750 feet west of Rosemont Drive	Monday through Friday	8:00 a.m. to 6:00 p.m.	2 hours

**ORDAINED** and **ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Lisa Strickland, Chair  
Board of Supervisors

[SEAL]

**ATTEST:**

By: \_\_\_\_\_  
Centrice Martin, Secretary

DRAFT

# Pine Grove Mills Parking Study Board of Supervisors Meeting June 6, 2023

- Outline for Discussion
  - Revisit Pine Grove Mills Mobility Study Recommendation
  - Review Current Parking Ordinance Restrictions
  - Review State Parking Restrictions Guidelines
  - Review Proposed Parking Restrictions Plan
  - Review Proposed Ordinance
  - Next Steps





*Photo courtesy of Centre Regional Planning Agency.*

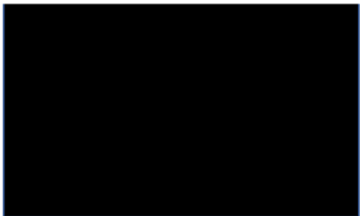


Township of Ferguson

# PINE GROVE MILLS TRANSPORTATION MOBILITY STUDY

## Presentation to the Board of Supervisors

JUNE 7, 2022



Submitted to:



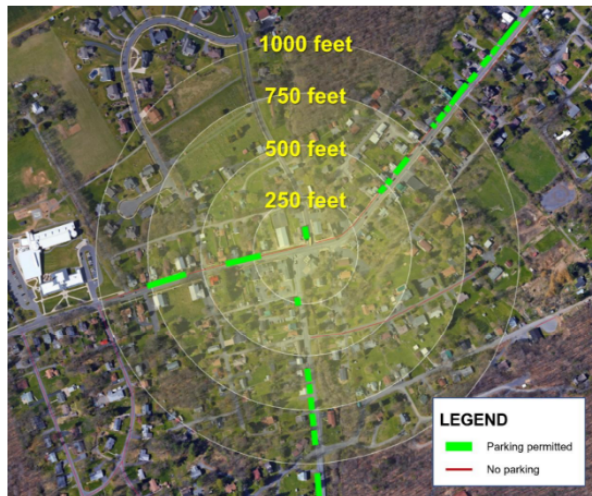
Submitted by:



# Mobility Study Recommendations

## G. Parking Improvements

The SAP identified the need for marking existing parking spaces and increasing the supply of public parking for use by existing and future/potential businesses. The Mobility Study evaluated utilization of the existing parking and provided a series of parking improvement, policy, and ordinance recommendations. Figure 32 summarizes potential parking increase within a radius of the Pine Grove Road/Water Street intersection with implementation of the concepts.



On-Street Parking Space Supply	Radius from Intersection of Pine Grove Road & Water Street			
	250 ft	500 ft	750 ft	1000 ft
<b>Existing Supply</b>	6	14	32	43
<b>Concepts that Add Parking</b>				
Reimagine Concept	+3	+5	+5	+5
Water Street Streetscape	+3	+4	+4	+4
Other Parking Actions	+1	+2	+3	+3
<b>Potential Increase</b>	<b>+7</b>	<b>+11</b>	<b>+12</b>	<b>+12</b>
	<b>+117%</b>	<b>+79%</b>	<b>+38%</b>	<b>+28%</b>
<b>Potential Supply</b>	<b>13</b>	<b>25</b>	<b>44</b>	<b>55</b>

Figure 32. Existing and Potential Parking by Radius

Public feedback indicated a desire for additional parking near the Pine Grove Road & Water Street/Nixon Road intersection, followed by Pine Grove Road east of Water Street/Nixon Road. There were also many respondents who felt there is not a need for additional parking in Pine Grove Mills.

### RECOMMENDATIONS

- G.1. Integrate new and revised parking in the concept for the Pine Grove Road & Water Street/Nixon Road intersection.
- G.2. Evaluate sight distance along Pine Grove Road west of Water Street according to the 25-mph speed limit and expand parking zones where sight distance allows.
- G.3. Mark existing parking spaces along Pine Grove Road.
- G.4. Standardize the parking signage systems, formats, and messaging used throughout Pine Grove Mills.
- G.5. Coordinate ordinance and field postings for parking.
- G.6. Update parking ordinance to remove Sunday parking on the south side of Pine Grove Road.
- G.7. Add No Parking signs at more regular intervals along the south side of Pine Grove Road.
- G.8. Add parking regulation signs along the east side of Water Street to restrict parking within the sight triangle.

## H. Rothrock State Forest Trails Access

### Concept Development

The SAP recognized opportunities for improved access and connectivity between Pine Grove Mills and the Rothrock State Forest Trails and suggested that walking access for residents be encouraged via the existing neighborhood connections in Pine Grove Mills, while regional/vehicular-based access be directed to the Kepler Road parking area along SR 0026. The Mobility Study advances these general recommendations of the SAP while adding location-specific implementation ideas (Figure 33).

### Implementation Considerations

Property ownership, maintenance, and liability for trailheads, trail rights of way, turnarounds, and current *de facto* parking areas will likely influence the implementation of certain recommendations made in this study. The Township may need to work in partnership with private owners, agencies, and homeowners' associations (HOAs) to advance certain ideas. For others, the Township may prefer to acquire right-of-way and easements or set up agreements and memorandums of understanding. Where ownership is unclear, the Mobility Study recommendations are contingent upon an ownership assessment.

### RECOMMENDATIONS

#### General Recommendations:

- H.1. Encourage walking or bike access only via the neighborhood trail connections.
- H.2. Work with neighborhoods to develop acceptable trailhead signage and access restrictions (residents only (?), walk only, walk and bike, motorized traffic, horses, etc.)
- H.3. Encourage vehicular access and parking at the Kepler Road access, to the south along SR 0026 (Water Street).
- H.4. Work with DCNR and State Forest to assess the desirability/feasibility of new trail connections through the State Forest to the Mid-State Trail.

#### Locational Recommendations:

##### At the Deepwood Drive Trail Access:

- H.5. Maintain existing trail connection on Township right-of-way between Deepwood Drive and State Forest lands.
- H.6. Retain existing "No Parking" along Deepwood Drive.

##### At the West Chestnut Street Turnaround:

- H.7. Work with DCNR and State Forest to assess ownership of the West Chestnut Street turnaround, trail access point, and gate.
- H.8. Based on the outcomes of ownership/responsibility, update the Township parking ordinance to prohibit vehicular parking in the turnaround and post "No Parking" signs.
- H.9. Assess the functionality and need for the existing gate.
- H.10. Clearly sign and define the trail access point and post a trail map and trail head signage, indicating access restrictions.
- H.11. Consider adding bike parking (rack).
- H.12. Consider stabilizing the embankment and creating a drainage swale above the turnaround area to capture run-off and prevent further erosion in the turn-around, West Chestnut Street, and adjacent properties.

##### At the Kepler Road Parking Area and Trail Access:

- H.13. Work with DCNR and State Forest to assess ownership of the area currently being used as vehicular parking.
- H.14. Conduct a parking and trail utilization study, including a survey of trail users to determine desired trailhead improvements.
- H.15. Post a trail map and trail head signage, indicating access restrictions.



# Mobility Study Recommendations

- G.1 Integrate new and revised parking in the concept for the Pine Grove Road & Water Street/Nixon Road Intersection.
- G.2 Evaluate sight distance along Pine Grove Road west of Water Street according to the 25-mph speed limit and expand parking zones where sight distance allows.
- G.3 Mark existing parking spaces along Pine Grove Road.
- G.4 Standardize the parking signage systems, formats, and messaging used throughout Pine Grove Mills.
- G.5 Coordinate Ordinance and field postings for parking.
- G.6 Update parking ordinance and remove Sunday parking on the south side of Pine Grove Road
- G.7 Add No Parking signs at more regular intervals along the south side of Pine Grove Road
- G.8 Add parking regulation signs along the east side of Water Street to restrict parking within the sight triangle.





# Current Parking Ordinance Restrictions

- Parking Prohibited at all Times Ch 15, Sec 403
  - Various locations along West Pine Grove Road and East Pine Grove Road
  - No restrictions along Water Street or South Nixon Road
- Parking Prohibited Certain Locations Certain Days and Hours Ch 15, Sec 403
  - Pine Grove Road on south side from Deepwood Drive to 938 feet west of Rosemont – No Parking Except Sunday 8 AM to Noon

## Other Restrictions

- 30 Minute Parking along East Pine Grove posted, no ordinance.
- Loading Zone along Water Street posted, no ordinance
- No Parking along Water Street posted, no ordinance



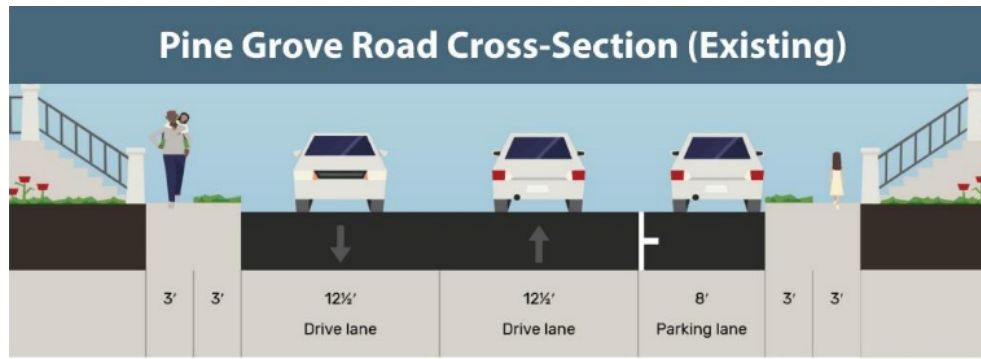
# State Parking Restriction Guidance

- 67 Pa Code, Chapter 212 – Official Traffic Control Devices
- Section 212.114 Stopping, Standing, and Parking Restrictions
  - (a) General. Stopping, standing or parking may be restricted along the curb or edge of a roadway when one or more of the following conditions exist:
    - Identifies 9 different scenarios where parking may be restricted.
- Creation of parking restrictions is a local agency decision since the Code states it **may** be restricted, not **shall** be restricted.



# Review Proposed Parking Restrictions Plan

- Attachment – PDF



R8-3

- Plan Components

- Update signing so there is consistent message that is properly posted.
- Restrict for sight distance at all streets and only driveways where there have been complaints.
- Revise time restriction for parking by businesses on East Pine Grove Road from 30 minutes to 2 hours.
- Paint lines for parking spaces with box style markings.



R7-108



# Review Proposed Ordinance

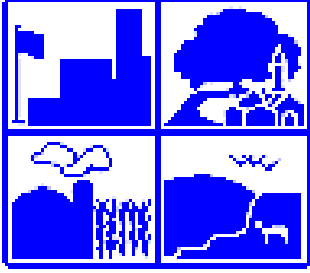
- Attachment – Word Doc
- Ordinance Components
  - Deletes inappropriate Parking Prohibitions and Adds Proposed Parking Prohibitions depicted on plan.
  - Deletes Parking Prohibitions Certain Days and Hours that weren't posted.
  - Adds Parking Time Limit Certain Days and Hours for parking by businesses on East Pine Grove Road for 2 hours. Was posted for 30 minutes but not ordained.
  - Results in Ordinances consistent with On-street signs.



# Next Steps

- Questions / Discussion / Changes to Plan or Ordinance
- Board of Supervisors Authorizes Public Hearing for Ordinance Adoption and Authorizes Marking Parking Stalls
- After Ordinance Adoption - Public Works Department installs new signs and removes conflicting signs
- Contractor paints parking stalls





# Ferguson Township

## Donation Request Form

- This form may be completed online and emailed to [cmartin@twp.ferguson.pa.us](mailto:cmartin@twp.ferguson.pa.us) or mailed to 3147 Research Drive, State College, PA, 16801. Attention: Centrice Martin, Township Manager.
- Please refer to Township website for donation policy: [www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

### ORGANIZATION INFORMATION

Name of Organization: Valley Community Business Alliance

Contact Name: Robert Zeigler Contact Number: 717-262-3530

Address: PO Box 518

City: Millheim State: PA Zip Code: 16854

Organization Website: www.route45getaways.com Contact Email Address: robertleezeigler@gmail.com

Name of Contact: Robert Zeigler Contact Phone: 717-262-3530

### EVENT OR PROGRAM INFORMATION

Has this organization received a donation from the Township in the past? Yes  No  If yes, when? Last 2 years

Please identify and list type of requested donation in options described below:

Monetary Amount: \$3700 In-kind Goods or Services: \_\_\_\_\_ Township Resources: \_\_\_\_\_

Event or Program Name: Route 45 Getaways!

Date, Time and Place of Event: 7/28/23 through 8/6/23, various times from Pine Grove Mills to Aaronsburg

Purpose of Program or Event: To foster tourism/agtourism, music, arts, & other venues in Centre County

Description how funds, in-kind donations, or resources will be used: Grant match to maximize marketing and business support

Targeted area/community the event will serve: Main focus is to bring people in to support local businesses and artists, but more emphasis on Pine Grove Mills and Millheim

Additional relevant information:

The \$3700 request is the match Ferguson Township was willing to do before. These funds will help keep the Route 45 Getaways! event active and continue to get tourism into Centre County, which benefits all municipalities.

Office use only:

Date received: \_\_\_\_\_

Date Donation Request Approved or Denied by Township Manager: \_\_\_\_\_

Township staff name and signature responsible for follow up: \_\_\_\_\_

TRU-TEK DRILLING  
 13116 State Hwy 18  
 Conneaut Lake, PA 16316



Phone # 814-382-0368  
 Fax # 814-382-0378  
 trutekdrilling.com

# Invoice

<b>Bill To</b>
Ferguson Twp 3147 Research Dr State College, PA 16801

Date	Invoice #
5/24/2023	3598
TERMS: Net 30 days	
Due Date	6/30/2023

Job No. or W.O. No.	Contract or PO	Billing Period
Park Hills Drainage	2018-C20U	5/24/2023

Quantity	Item	Description	Rate	Amount
		Progress Payment Application #2 (April 15-May 18)		
0.45	Traffic	Traffic control and maintenance	6,500.00	2,925.00
2,411	Bore	Directional Boring	79.34	191,288.74
4,438	mat	3 inch conduit	10.76	47,752.88
1	Retention	Amount of Retainage	-6,637.93	-6,637.93
		Sales Tax	6.00%	0.00

**Total** \$235,328.69

okay to pay  
 2018-C20U  
 20-400-446-360

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING THE NAMING OF FARMERS WAY TO IMPROVE AND ENHANCE THE RESPONSE OF EMERGENCY SERVICES PERSONNEL FOR PROPERTIES LOCATED ON THE LANE.**

**WHEREAS**, the Ferguson Township Board of Supervisors is authorized to approve naming of lanes, roads and streets in the Township; and

**WHEREAS**, Campbell Associates owns property located at county tax parcel 24-007-,004-,0000- and has submitted and a zoning permit for a residential home on said property; and

**WHEREAS**, Centre County Department of Emergency Communications and 9-1-1 has recommended that the existing lane that accesses the property be properly named as a condition of approval of the zoning permit; and

**WHEREAS**, the naming of this private street will enable the properties accessed by this street to obtain and maintain correct postal addresses that will improve and enhance the delivery of mail and the response of emergency services personnel.

**NOW THEREFORE**, the Ferguson Township Board of Supervisors hereby adopts the name of Farmers Way for the street depicted on Exhibit "A" attached hereto and made a part hereof.

**ADOPTED THIS 6th DAY OF JUNE, 2023.**

**TOWNSHIP OF FERGUSON**

By: \_\_\_\_\_  
Lisa Strickland, Chair  
Board of Supervisors

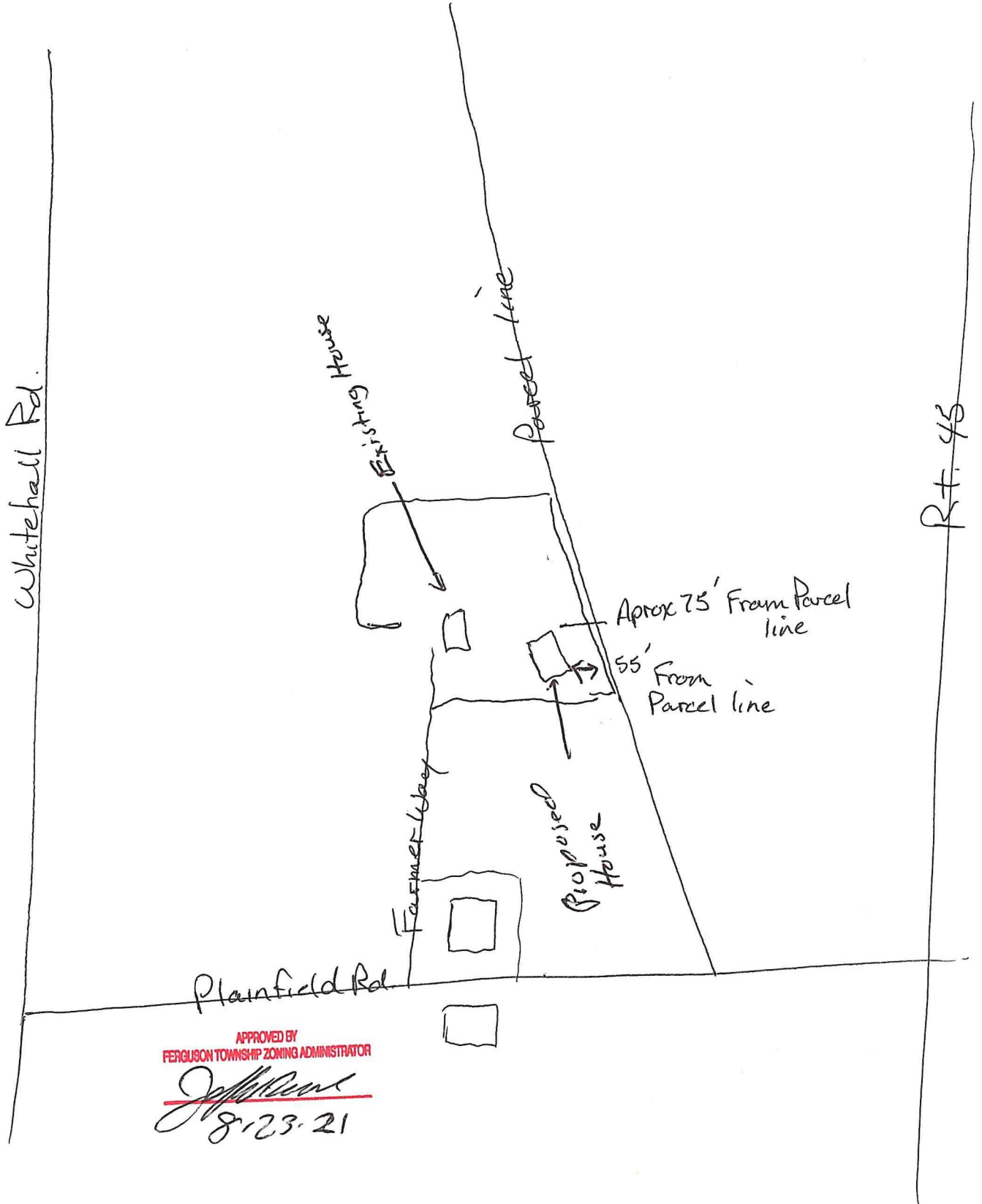
[S E A L ]

ATTEST:

By: \_\_\_\_\_  
Centrice Martin, Secretary



Sue, John Campbell  
Lot Detail



APPROVED BY  
FERGUSON TOWNSHIP ZONING ADMINISTRATOR

*Jefferson*  
8-23-21

EXHIBIT 'A'

PARCEL IN  
OWNER: CA  
FERGUSON  
DEED BOOK:  
DEED ACRES  
TAX ID NUME  
ZONING: RUR  
FERGUSON TO

HUB  
EXISTING WATER LINE  
LONG FARMERS WAY

WORKSHOP/GARAGE  
APPROXIMATE  
LOCATION OF EX.  
ON LOT SYSTEM

APPROXIMATE  
LOCATION OF EX.  
ON LOT SYSTEM - 1290  
FARMERS WAY  
(PRIVATE DRIVE)

PROPOSED  
WATER LINE

2-3%

TP 108

TP 107

FARM  
BUILDING

TP 106

CKB

RESIDENTIAL  
HOME

TP 5

TP 2

1%

1%

TP 1

TP 4

TP 3

ALT SEPTIC  
DO NOT DISTURB

APPROXIMATE  
LOCATION OF  
NEW HOME

## AGREEMENT and CONTRACT FOR PROFESSIONAL SERVICES

This **CONTRACT** is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the **TOWNSHIP OF FERGUSON**, a home rule municipality, with a principal business office located at 3147 Research Drive, State College, PA hereinafter called

**TOWNSHIP,**

And

---

KCI Technologies, Inc.  
hereinafter called the **CONSULTANT**.

The **TOWNSHIP** engages the **CONSULTANT** to perform professional services for a project known and described as: MS4-PRP – Slab Cabin Stream Restoration Project (Phase 1), hereinafter called the “**PROJECT**”.

### SECTION I SERVICES OF THE CONSULTANT

The **CONSULTANT** shall perform the following professional services to **TOWNSHIP** ordinances and standards in accordance with the usual and customary degree of professional care and skill that a registered professional in Pennsylvania would ordinarily exercise under similar conditions. **CONSULTANT** agrees to perform only those services expressly set forth below. **CONSULTANT** has not, nor shall it be presumed to have, agreed to perform any services not expressly specified herein.

- A. The **CONSULTANT** shall perform the detailed Scope of Work shown in Exhibit “A” plus any additional attachments. The names and qualifications of individuals proposed by the **CONSULTANT** in the proposal to work on the **PROJECT** have been submitted to and approved by the **TOWNSHIP** and shall not be changed without prior written approval of the **TOWNSHIP**.
- B. The **CONSULTANT** has prepared and submitted an estimated fee for the **PROJECT**, shown in exhibit “A”.
- C. The **CONSULTANT** shall follow and comply with the **TOWNSHIP** Code of Ordinances and written directions received from the **TOWNSHIP**.

### SECTION II PERIOD OF PERFORMANCE

The **CONSULTANT** shall complete all professional services within the timeframe specified in the **PROJECT** schedule shown in “Exhibit A”; provided, however, consultant shall not be liable for delays beyond its responsible control.

### SECTION III CONSULTANT'S COMPENSATION

- A. The method of payment for this **CONTRACT** is **NOT TO EXCEED**, based on actual costs **\$51,195.04** incurred/billable hours per major task shown in Exhibit "A" and Reimbursable Expenses as described in Exhibit "A". Billable hours not to exceed **\$51,195.04**.
- B. The **TOWNSHIP** shall pay the **CONSULTANT** based upon monthly progress reports and detailed invoices submitted by the **CONSULTANT** in a form acceptable to the **TOWNSHIP**. Invoices shall include a summary of costs to date by work element and report of labor hours worked by individuals.
- C. The **TOWNSHIP** shall make payments to the **CONSULTANT** within thirty (30) days after receipt of the progress report and complete and accurate detailed invoice.
- D. **CONSULTANT** shall be responsible for notifying Project Manager, as described hereafter, when its total invoices are near to or at the **NOT TO EXCEED** amount. **TOWNSHIP** shall not be responsible for fees exceeding the **NOT TO EXCEED** amount unless specifically agreed to by the **TOWNSHIP** in writing.

### SECTION IV THE TOWNSHIP'S RESPONSIBILITIES

- A. The **TOWNSHIP** shall designate a project manager during the term of this agreement. The project manager has the authority to administer this **CONTRACT** and shall monitor compliance with all terms and conditions stated herein. All requests for information from or a decision by the **TOWNSHIP** on any aspect of the work shall be directed to the project manager. The **TOWNSHIP** project manager for this **PROJECT** is Aaron Jolin, Ferguson Township Stormwater Engineer.
- B. The **TOWNSHIP** shall review submittals by the **CONSULTANT** and provide prompt response to questions and rendering of decisions pertaining thereto, to minimize delay in the progress of the **CONSULTANT** work. The **TOWNSHIP** will keep the **CONSULTANT** advised concerning the progress of the **TOWNSHIP** review of work.
- C. The **TOWNSHIP** shall furnish the **CONSULTANT** available public records, design documents, drawings, or surveys for this **PROJECT** and assist the **CONSULTANT** with obtaining such background information that may be helpful to the **CONSULTANT**, however, the **CONSULTANT** shall be responsible for searching the records and requesting specific drawings or information and independently verifying said information.
- D. If, at any time, **TOWNSHIP** or its designee becomes aware of any fault, defect, or discrepancy with respect to the services rendered by **CONSULTANT**, it shall give prompt written notice thereof to **CONSULTANT**. **CONSULTANT** shall thereafter be given a reasonable opportunity to cure such fault, defect, or discrepancy.

## SECTION V INSURANCE

A. The **CONSULTANT** shall secure and maintain at its own expense the following insurance coverages and shall provide evidence of the same in a form satisfactory to **TOWNSHIP** before beginning work on this **PROJECT**:

1. Workers compensation insurance with statutory benefits as required by any state of Pennsylvania or Federal law, including standard "other states" coverage and employer's liability insurance with minimum limits of \$100,000 each accident for bodily injury by disease; and \$500,000 policy limit for bodily injury by disease.
2. Commercial general liability insurance that insures against claims for bodily injury, property damage, and personal and advertising injury arising out of or in connection with **SERVICES** under this **AGREEMENT**, whether such operations be by **CONSULTANT**, its employees or subcontractors or their employees. The minimum limits of liability for this insurance are as follows:
  - \$1,000,000 combined single limit – each occurrence
  - \$2,000,000 combined single limit – general aggregate – per project
  - \$2,000,000 combined single limit – products/completed operations aggregate.This insurance shall include coverage for all the following:
  - i) Liability arising from premises and operations.
  - ii) Liability arising from the actions of independent contractors.
  - iii) Liability for bodily injury and property damage claims assumed by **CONSULTANT** under this **AGREEMENT**; and
  - iv) This insurance shall name **TOWNSHIP** and its appointed and elected officials, directors, officers, and employees as Additional Insured with respect to liability arising out of or in connection with **SERVICES** under this **AGREEMENT**, and the certificate insurance, must so state this.
3. Business auto liability insurance with a minimum combined single limit of \$1,000,000 per accident and including coverage for bodily injury and property damage claims arising out of:
  - i. The ownership, maintenance, or use of any auto; and
  - ii. Liability for bodily injury and property damage claims assumed by **CONSULTANT** under this **AGREEMENT**.
4. Professional liability insurance that insures against errors and omissions in rendering or failure to render **CONSULTANT SERVICES** required under this **AGREEMENT**. A minimum annual aggregate limit of \$2,000,000 is required. Any deductible or retention of \$5,000 or greater shall be disclosed by **CONSULTANT** and is subject to **TOWNSHIP's** written approval. (**CONSULTANT** disclosed the following:

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\_\_\_\_\_) Certificates of insurance shall evidence a retroactive date no later than

the beginning of **CONSULTANT'S SERVICES** under this **AGREEMENT**. **CONSULTANT** shall provide evidence of such coverage, satisfactory to **TOWNSHIP**, prior to the start of work on this **Project**.

- B. **CONSULTANT** shall require its subcontractors to maintain insurance during the term of this **AGREEMENT**, to the same extent required of **CONSULTANT**.
- C. **CONSULTANT** shall not commence **SERVICES** until all the required insurance has been approved by **TOWNSHIP**; nor shall **CONSULTANT** allow any subcontractor to commence work on any subcontract until all insurance required of subcontractor has been approved by **CONSULTANT**. Approval of insurance required of **CONSULTANT** will be granted only after submission to the **TOWNSHIP** of original certificates of insurance signed by authorized representatives of the insurers.
- D. All insurers underwriting **CONSULTANT** or subcontractor's insurance must be allowed to do business in the Commonwealth of Pennsylvania and be reasonably acceptable to **TOWNSHIP**. The insurers must have a rating of "B" or better in the latest evaluation by AM. Best Company, unless **TOWNSHIP** grants specific approval for an exception, such approval shall not be unreasonably withheld or delayed.
- E. Required liability insurance shall be in force throughout the term of the **AGREEMENT** and for two years after this **AGREEMENT** terminates or expires, whichever is earlier. Original certificates of insurance signed by authorized representatives of the insurers evidencing that the required liability insurance is in effect, shall be maintained with **TOWNSHIP** throughout the term of this **AGREEMENT** and for two years after this **AGREEMENT** terminates or expires, whichever is earlier.
- F. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation or non-renewal until thirty (30) days prior written notice has been given to **TOWNSHIP**.
- G. No acceptance and/or approval of any insurance by **TOWNSHIP** shall be construed as relieving or excusing **CONSULTANT** from any liability or obligation imposed by the provisions of this **AGREEMENT**.
- H. If **CONSULTANT** does not meet the insurance requirements of this **AGREEMENT**, **CONSULTANT** shall forward a written request to **TOWNSHIP** for a waiver in writing of the insurance requirement(s) not met or approval in writing of alternate insurance coverage or self-insurance arrangements. If **TOWNSHIP** denies the request, **CONSULTANT** must comply with the insurance requirements as specified herein.
- I. If any liability insurance purchased by **CONSULTANT** has been issued on a "claims made" basis, **CONSULTANT** must comply with the following additional conditions. The limits of liability and the extensions to be included remain the same. **CONSULTANT** must either:

- a. Agree to provide certificates of insurance to **TOWNSHIP** evidencing the above coverages for a period of two years after the **AGREEMENT** terminates or expires, whichever is earlier. Such certificates shall evidence a retroactive date no later than the beginning of the **SERVICES** under this **AGREEMENT**, or
- b. Purchase an extended (minimum two years) reporting period endorsement for each such "claims made" policy in force as of the date this **AGREEMENT** terminates or expires, whichever is earlier and evidence the purchase of this extended reporting period endorsement by means of a certificate of insurance or a copy of the endorsement itself. Such certificate or copy of the endorsement shall evidence a retroactive date no later than the beginning of the **SERVICES** under this **AGREEMENT**.

## **SECTION VII CONFLICT OF INTEREST**

- A. The **CONSULTANT** agrees to disclose any financial or economic interest it has with the **PROJECT** property, or any property affected by the **PROJECT**, existing prior to the execution of this **CONTRACT**, which would give rise to a conflict of interest. Further, the **CONSULTANT** agrees to disclose any such financial or economic interest with the **PROJECT** property, or any property affected by the Project, if the **CONSULTANT** gains such interest during the course of this **CONTRACT**. If the **CONSULTANT** gains such financial or economic interest in the **PROJECT** during the course of this **CONTRACT**, this may be grounds for terminating this **CONTRACT**. Any decision to terminate the **CONTRACT** shall be at the sole discretion of the **TOWNSHIP**.
- B. The **CONSULTANT** shall not engage the services on this **CONTRACT** of any present or former **TOWNSHIP** employee who was involved as a decision-maker in the selection or approval processes, or who negotiated and/or approved billings or **CONTRACT** modifications for this **CONTRACT**.

## **SECTION VIII COVENANT AGAINST CONTINGENT FEES**

- A. The **CONSULTANT** affirms that he has not employed or retained any company or person, other than a bona fide employee working for the **CONSULTANT** to solicit or secure this **CONTRACT**, and that he has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of the **CONTRACT**. For breach or violation of this clause, the **TOWNSHIP** may terminate this **CONTRACT** without liability, or in its discretion may deduct from the **CONTRACT** price or consideration, or otherwise recover, the full amount of such fee, commission, percentage brokerage fee, gift, or contingent fee.
- B. If the parties do not solve the matter through mediation, either party may proceed with all legal remedies available at law.

## **SECTION IX INDEMNIFICATION**

- A. **CONSULTANT** will indemnify and hold harmless **FERGUSON TOWNSHIP** its officers and employees from and against any and all liabilities, damages, or expenses (including

reasonable attorneys' fees and other costs recoverable by law) in connection with any personal injury or property damage to the extent caused by the negligence (whether by act, error, or omission), recklessness, or intentionally wrongful acts or omissions by **CONSULTANT**, its officers, directors, agents, employees, and sub consultants.

- B. **FERGUSON TOWNSHIP** will indemnify and hold harmless **CONSULTANT** and sub consultants and each of their officers, directors, shareholders, or employees from and against any and all liabilities, damages, or expenses (including reasonable attorneys' fee and other costs recoverable by law) to the extent caused by negligence (whether by act, error or omission), breach of this **AGREEMENT**, recklessness or intentionally wrongful acts or omissions by **FERGUSON TOWNSHIP** or its agents or employees.

## **SECTION X DISPUTE RESOLUTION**

- A. A dispute escalation process will be utilized to resolve questions of fact during the course of this **CONTRACT**. Both the **TOWNSHIP** and the **CONSULTANT** agree to try to mediate in good faith and resolve disputes.

## **SECTION XI TERMINATION**

- A. The **TOWNSHIP**, at its sole discretion, may terminate this **CONTRACT** for convenience or abandon any portion of the **PROJECT** for which services have not been performed by the **CONSULTANT**, upon fourteen (14) days written notice delivered to the **CONSULTANT** personally or by certified mail and a reasonable opportunity for **CONSULTANT** to cure. Immediately after receiving such notice, the **CONSULTANT** shall discontinue advancing the services under this **CONTRACT** and proceed to close said operations under this **CONTRACT**. In the event of such termination or abandonment, the **CONSULTANT** shall be paid for services performed prior to receipt of said notice of termination including reimbursable expenses then incurred. If the remuneration scheduled hereunder is based upon a fixed fee or ascertainable sum, the portion of such sum payable shall be proportionate to the percentage of services completed by the **CONSULTANT** based upon the Scope of Work set forth in Exhibit A and shall be agreed upon mutually by the **CONSULTANT** and the **TOWNSHIP**. However, in no event shall the fee exceed that set forth in this Agreement.
- B. The **TOWNSHIP** shall make final payment within sixty (60) days after the **CONSULTANT** has delivered the last of the partially completed items and the final fee has been agreed upon.
- C. In the event this agreement is terminated, the **TOWNSHIP** shall have the option of completing the work or entering into an agreement with another party for the completion of the work according to the provisions and agreements herein.
- D. If the **TOWNSHIP** fails to fulfill in a timely manner its obligations under this **AGREEMENT**, the **CONSULTANT** shall have the right to terminate this **AGREEMENT** upon fourteen (14) days written notice delivered to **TOWNSHIP** personally or by certified mail.



- E. Notwithstanding any other provision of this Agreement, neither party shall be liable to the other for any consequential damages incurred due to the fault of the other party, regardless of the nature of the fault or whether it was committed by **TOWNSHIP** or **CONSULTANT**, their employees, agents, consultants, subconsultants or subcontractors. Consequential damages include, but are not limited to, damages for delay, loss of use and loss of profit.
- F. Right to Know. This Agreement is subject to public disclosure under Pennsylvania's Right to Know Law ("RTKL") and any such requests will be handled in accordance with the terms outlined in Addendum "A" attached hereto and incorporated by reference.

## **SECTION XII ADDITIONAL SERVICES**

- A. Additional services, which are outside the scope of basic services contained in this agreement, shall not be performed by the **CONSULTANT** without prior written authorization from the **TOWNSHIP**. Additional services, when authorized by a **CONTRACT** supplement for Professional Services, shall be compensated for by a fee mutually agreed upon between **TOWNSHIP** and the **CONSULTANT**.

## **SECTION XIII SUCCESSORS AND ASSIGNS**

- A. This **CONTRACT** and any claims arising there under shall not be assignable except at the written consent of the parties hereto and it shall extend to and be binding upon the heirs, executor, administrators, successors, and assigns of the parties hereto.

## **SECTION XIV SPECIAL PROVISIONS**

- A. The **CONSULTANT** shall exercise professional care to comply with all applicable Federal, State, and local laws and ordinances in effect at the time the plans are sealed which are applicable to the services required by this Agreement.
- B. The **CONSULTANT** will not discriminate against any person on the basis of race, color, or national origin in the performance of this **CONTRACT**.
- C. The **CONSULTANT** further agrees to insert the foregoing provisions in all subcontracts.
- D. This **CONTRACT** shall be in full force and effect only when it has been executed by the duly authorized **TOWNSHIP** official(s) and the duly authorized agent of the **CONSULTANT**.

**ACCEPTANCE AND AUTHORIZATION TO PROCEED**

**TOWNSHIP OF FERGUSON** authorized **CONSULTANT** to proceed with the work as outlined in the Scope of Work under the terms of this Agreement:

Signed: \_\_\_\_\_

By: Centrice Martin

Title: Township Manager

Date: \_\_\_\_\_

**CONSULTANT** will proceed with the work as outlined in the Scope of Work under the terms of this Agreement:

Corporate Officer Signature: \_\_\_\_\_

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

Title: \_\_\_\_\_



**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES**

**MS4 PRP - SLAB CABIN STREAM RESTORATION (PHASE 1)**

**TOWNSHIP OF FERGUSON**

**MAY 17, 2023**

**KCI TECHNOLOGIES, INC.**

936 Ridgebrook Road  
Sparks, MD 21152



# PROJECT UNDERSTANDING

To support the Ferguson Township's Municipal Separate Storm Sewer System (MS4) Pollution Reduction Plan (PRP), KCI proposes to develop restoration design and permitting for approximately 518 linear feet (LF) of Slab Cabin Run-between Chestnut Street (upstream) and Butternut Street (downstream).

The proposed scope and fee herein provide assessment through 35% design. KCI is experienced and fully capable of providing services from this initial phase through final design and permitting. We can provide construction phase and post construction monitoring services as well.

## BACKGROUND

The impaired channel is steep with an average slope of approximately 7.5% and includes large cobble and boulder bed material. The subject reach is flanked by residential properties. Utilities between the channel and Rt 26 include overhead wires, poles, guy wires, electric boxes, and a fire hydrant near Butternut Street intersection.

Significant progress by the Township, including regulatory agency coordination, gathering of background information, and cursory preliminary design, is summarized in the April 19, 2023 MS4 PRP - Slab Cabin Stream Restoration (Phase 1) RFP, including the Slab Cabin Informational supplement, and is further summarized below:

In summary:

- » Downstream Karst features
- » Classified as a Class A Wild Trout water by the PA Fish and Boat Commission and is in the process of being reclassified (under Chapter 93) as a high quality (HQ) stream
- » Prior manipulations including fill has been placed in the floodplain, and partial realignment
- » Permitting agencies concerns and requests
  - Potential for creation of fish barriers
  - Stream bed impacts and biological disturbance
  - Ecological species establishment
  - Assessment of an upstream reference reach for comparison
  - Floodplain stability
  - The entire disturbed area shall be planted with native species and monitored annually for invasives.
  - Design water quality devices for incoming storm drain structures from Route 26, to reduce the fines from road salting
  - Conceptual plan for revised future road crossing box culverts which allow fish passage
  - ESA Clearance for bats. Run the PNDI and get clearance for any potential conflicts
  - Construction details/sequencing to minimize impacts and meet permitting requirements
  - Requires PASPGP-6 permitting with monitoring
  - Complete Historic Clearance from PHMC Section 106



#### Additional Relevant Information/Background:

- » Preliminary Hydrology and Hydraulic Analysis Assumptions (Suggested):
  - Suggest utilizing FEMA 100 Year Value at Route 26/45 Bridge – in Pine Grove Mills. The 0.1% storm flow value (450 cfs) utilized USGS WRIR 86-4195 (last update January 16, 2015).
  - Suggest utilizing PA StreamStats for base flow and bankfull calculations.
  - Preliminary hydraulics may consider more simplified methods, which do not have to include a HEC-RAS model - for preliminary design.
- » The Township has contracted with a surveying company (SAS) who will survey any additional data required at the Township's expense. The consultant awarded the job shall have open communication lines with the surveyor for coordination purposes.
- » The Township anticipates providing the survey the day the contract is awarded.

## OBJECTIVES

The primary project goals are to prevent continued channel erosion to protect private properties and reduce nutrients and sediment loads to address the MS4 permit requirement. Additional goals include improving aquatic habitat and providing hydraulic and geomorphic uplift. Project objectives to achieve hydraulic uplift include reducing bank height ratios to provide floodplain reconnection. Objectives for geomorphic uplift include stabilization of eroding bed and banks, reestablishment of stable channel profile and dimensions, improvement of channel bed diversity, and improved riparian vegetation. Objectives for habitat improvement include establishment of stable reference conditions and elimination of the upstream fish blockage.

KCI understands the design direction to minimize disturbance to the stream bed while maximizing floodplain connection. Bankfull bench excavation will provide more frequent inundation, reduce energy, promote nutrient processing, and avoid/minimize increases of the 100 yr water surface elevation.

## APPROACH

The proposed design will apply a comprehensive approach appropriate to the site, creating long-term stability of the streambed, streambanks, and floodplain, and improve habitat for wild trout and other native species. The stable upstream reach will be used as a reference reach to establish proposed step pools that mimic a natural stable reach that is sustaining wild trout. To minimize disturbance to the existing channel bed and avoid increases to 100-yr WSELs, the proposed approach is likely to achieve floodplain reconnection and reduce erosive forces primarily through floodplain benching and excavation (rather than significantly raising the channel bed).

To meet the goals and objectives, KCI proposes to perform **Phase 1 preliminary design and environmental study services** including existing conditions studies, conceptual design and validation, and preliminary permitting as outlined in the RFP and as described in the following Scope of Work.

# SCOPE OF SERVICES

## 1. EXISTING CONDITIONS STUDIES

**1.1 Agency Coordination (PNDI & PHMC).** KCI will use the Pennsylvania Natural Diversity Inventory to determine the presence of rare, threatened, and endangered (RTE) species within the project corridor. KCI will coordinate with the regulatory agencies to address any concerns about RTEs associated with the project.

KCI will coordinate with the Pennsylvania Historical Museum Commission (PHMC) through the PA-SHARE system to determine whether any historic or archaeological resources are known within the project site. KCI will provide a clearance letter to be submitted with future permit applications.

Based on our experience, we do not anticipate a bat survey requirement for this small project.

USFWS has been asking only that trees not be cleared between May 15 and August 15 of any given year. Specifically, this would require tree clearing begin prior to April 1, 2025 to meet the established deadline.

**1.2 Wetland Delineation.** KCI will conduct a site investigation to identify waters of the United States (WOTUS) and jurisdictional wetlands within the study area required for PA DEP and USACE PASPGP-6 (Joint Permit Authorization) in accordance with the “Routine” method outlined in the USACE Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region:

- » Wetland and WOTUS boundaries will be marked with flagging tape and located using GPS.
- » A Wetland Delineation Report will be prepared that can be utilized for waterway permitting requirements in a later phase. Data sheets and site photographs will be appended to the text.

**1.3 Baseline Invasive Plant Assessment.** KCI proposes to perform a baseline visual inspection and assessment inside the project area for presence of invasive plant species to fulfill requirements seen in recent permits for similar projects. The baseline invasive plant assessment will document the presence of any invasive plant species within the project limits and estimate the percent cover of any observed invasive plant species. Photographs will be taken to document the vegetative composition of the site during the inspection.

The impaired reach contains a significant amount of invasive species, including Tree of Heaven. By collecting baseline invasive data, we can document project uplift and eliminate the habitat for the invasive Spotted Lantern Fly



## 1.4 Reference Reach and Impaired Reach Geomorphic Survey

**1.4.1 Obtain and Review Data.** KCI will obtain and review available data prior to performing site investigations. These include existing hydrology and hydraulic analysis, topographic survey, geologic and soils information, conceptual design and reports, and other pertinent information.

KCI will review the USGS PA StreamStats for base flow and bank full calculations prior to the site visit to enable proper bankfull stage identification and calibration.

**1.4.2 Geomorphic Data Collection.** KCI will collect existing conditions geomorphic data for the reference reach (upstream of East Chestnut) (1) to compare to the impaired reach and help make stability determinations; (2) to develop dimensionless hydraulic geometry data to apply to the restoration design of the impaired reach; and (3) to establish design criteria for fish passage. Geomorphic survey of the reference reach and impaired reach include the following:

- » Longitudinal Profile Surveys - KCI will complete profile survey for up to 1,000 linear feet of stream channel in the project area (500 LF reference reach upstream of Chestnut Street and 500 LF downstream in the impaired reach). KCI will document the water surface elevations, possible bankfull and stage indicators, and significant bed facets during the profile surveys.
- » Representative Cross-sections - KCI will survey up to six representative cross-sections (2 or 3 in the upstream reference reach and up to 2 or 3 in the impaired/restoration reach).
- » Pebble Counts - KCI will conduct up to six pebble counts within the project limits..
- » KCI will evaluate the Near Bank Stress (NBS) and Bank Erosion Hazard Index (BEHI) for up to 500 LF along the impaired reach as described in the Bank Assessment for Non-point source Consequences of Sediment (BANCS) by Rosgen (2006).

**1.4.3 RAP Level 2.** KCI will complete the Pennsylvania Riverine Condition Level 2 Rapid Assessment Protocol, which “considers the condition of the channel/floodplain; riparian zone of influence; riparian vegetation; instream habitat and channel alterations” (DEP, 2016). The Level 2 Raps will be completed for both the reference reach and restoration reach, allowing for comparison of the reaches in a format in which the regulators are most accustomed.

**1.4.4 Culvert and Storm Drain Assessment .** KCI will assess the conditions of the upstream and downstream culverts and storm drain infrastructure in the study area. KCI will photodocument each structure, review the condition and stability, and determine whether the sizing is appropriate for the roadway classification.

## 1.5 Geomorphic Evaluation and Report

**1.5.1 Data Input and Analysis.** The Reference Reach Spreadsheet (Mecklenburg, 2006) uses a Rosgen-based geomorphic analysis where channel cross section dimension, meander pattern, longitudinal slope profile, and channel material data are input and reduced to dimensionless ratios, allowing for comparison between reference and impaired reaches. KCI will evaluate and calibrate the design discharge based on field observations and measurements taken during the geomorphic assessment and StreamStats discharge estimates. KCI will determine geomorphic bankfull parameters and dimensionless ratios.

The Mecklenburg spreadsheet allows for preliminary hydraulic analysis, including calculation of threshold grain size based on the Shield equation, relative roughness, channel velocity and shear stress, Froude number, and discharge rate.



**1.5.2 Report Development.** KCI will develop a Geomorphic Evaluation Report summarizing the background, methodology, and existing conditions of the reference reach and impaired reach. The report will include a channel stability analysis describing the reference and impaired reaches (photolog, profile, section, pebble count data, BANCs summary); assessment approach; project constraints; discussion of potential fish barriers; and a plan view identifying cross sections and pertinent existing features.

**Deliverables** (*transmitted electronically*):

- » PNDI Clearances
- » Wetland Delineation Report
- » Baseline Invasive Species Memorandum
- » Geomorphic Evaluation Report

**Assumptions/Exclusions:**

- » This scope of work does not include RTE surveys, if surveys are required, KCI will identify and team with qualified surveyors to complete the surveys.
- » This scope of work does not include historic or archaeological surveys, if surveys are required, KCI will identify and team with qualified historians to complete the studies.
- » Survey including details and dimensions of culvert crossings and base map development will be provided by others to KCI as a dwg and pdf.
- » Hydrology based on PA StreamStats.
- » Excludes biological monitoring (fish/benthic macroinvertebrates).
- » Assumes geotechnical evaluation by others and provided to KCI.
- » Phase 1 excludes detailed aquatic organism passage (AOP) analysis and design.



## **2. CONCEPT DESIGN**

**2.1 Concept Design Development.** KCI will coordinate with Township Staff to develop and provide a concept level design and analysis. KCI understands the design direction to minimize disturbance to the streambed, while maximizing floodplain connection through bankfull bench excavation, to provide more frequent inundation, reduce energy, promote nutrient processing, and avoid/minimize increases of the 100 yr water surface elevation.

*2.1.1 Design Development.* KCI will develop typical cross sections (e.g. riffle or step and pool) based on the determined design discharge and preliminary horizontal and vertical alignments in AutoCAD. The concept design will aim to apply dimensionless ratios for the bankfull condition as determined from the upstream reference reach. Preliminary proposed geomorphic and hydraulic parameters for the designed bankfull stage will be determined and evaluated using the Mecklenburg spreadsheet.

KCI will propose typical details for stream structures to provide long term stability while minimizing disturbance.

KCI's designs implement floodplain log or boulder sills and live fences to protect the floodplain from developing concentrated flow paths.

*2.1.2 Design Validation.* KCI will size proposed materials and evaluate stability using estimated shears and velocity for the 10-yr (based on PA StreamStats) as evaluated using Bentley Flowmaster or other simplified method. KCI will coordinate with Township Staff to evaluate areas of concern (e.g. constricted or steep areas, areas with existing or proposed walls, future culvert replacements, etc.). For preliminary evaluation of the 100-year storm, KCI will utilize the FEMA 100 Year Value at Route 26/45 Bridge – in Pine Grove Mills of 450 cfs, and Bentley Flowmaster or other simplified method for stream hydraulics.

### **2.2 Concept Design Memorandum and Plans.**

*Design Memo.* KCI will prepare a brief design report to build on or supplement the Geomorphic Evaluation Report. The memo will document the proposed concept design including proposed approach, design discharge determination, and preliminary design validation for bankfull and 100-year events, with rock sizing and scour analysis.

*Design Plan Components.* KCI will provide typical details, sections, horizontal alignment, and profile in dwg format and pdf. A preliminary planting schedule will be included.

**2.3 Review Meetings and Coordination.** KCI will attend one field meeting with regulators and Township Staff following submittal of the Concept Design. KCI's Project Manager, Permitting Specialist, and H&H lead will attend up to three (3) one hour virtual meetings with Township Staff and regulators. For all meetings, KCI will coordinate with Township Staff to develop agendas and will prepare and distribute meeting minutes.

### **Deliverables**

- » Electronic submittal of the Concept Design Report and Concept Design Plans in dwg and pdf formats.
- » Meeting minutes for up to four meetings.

### **Assumptions/Exclusions:**

- » Proposed surface development, HEC RAS Modeling, wall design, construction specifications and bid document preparation, performed in subsequent phases.
- » Property owner permission and coordination by others.
- » FHWA HY-8 Culvert Analysis Program to evaluate existing culvert performance by others.

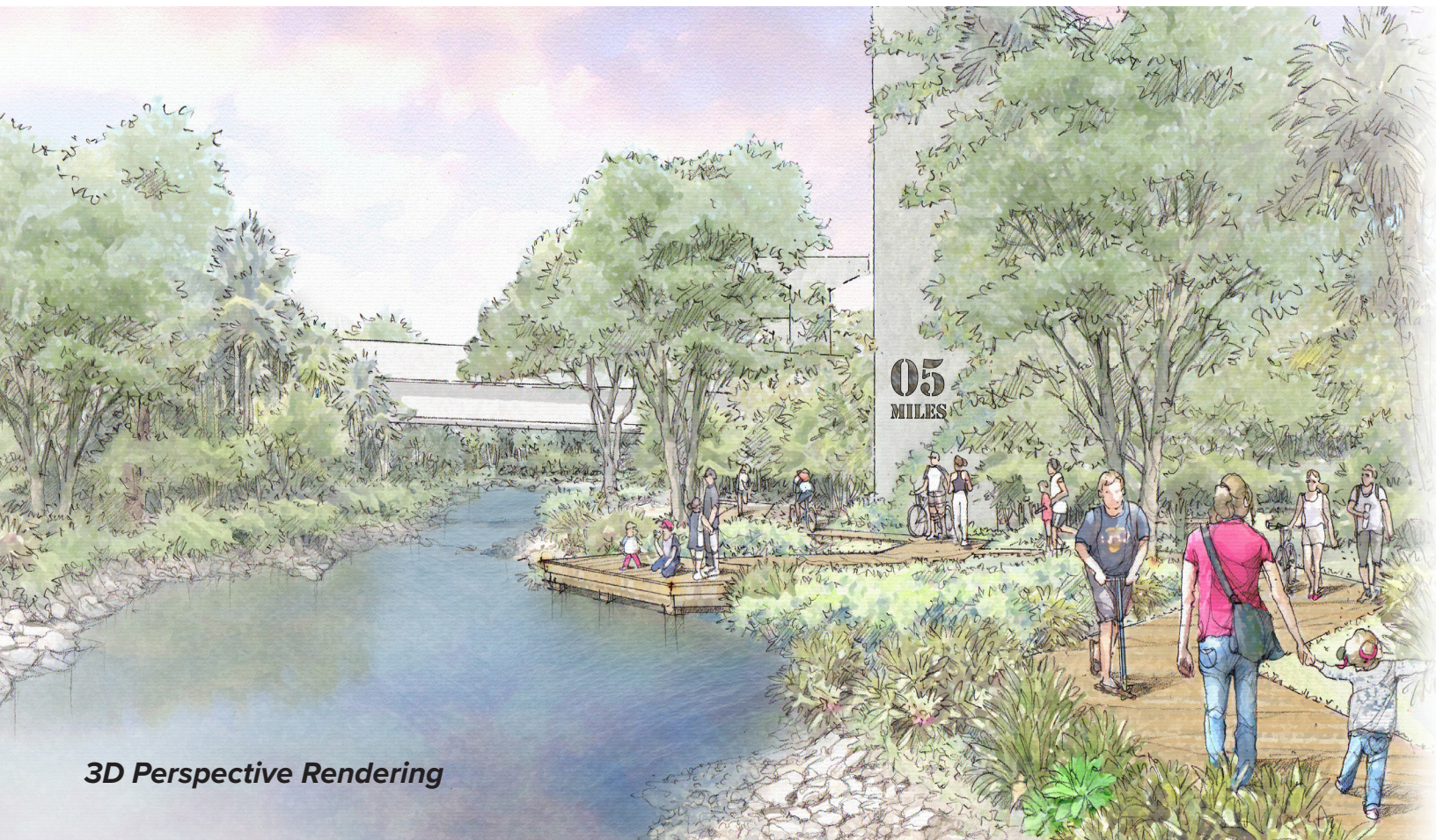
### **3. PRELIMINARY DESIGN**

Following consensus from permitting agencies and approval by the Township, KCI will prepare a preliminary design restoration option. The preliminary design will be used as the basis of design for the final design proposal and will be used to inform residents and the Ferguson Township Board of Supervisors (BOS).

**3.1 Preliminary Design Development.** KCI will refine the Concept Design to incorporate Township and Agency comments.

KCI will also develop preliminary access and staging stockpile locations and other proposed improvements and establish a Limit of Disturbance (LOD) to evaluate permit needs.

**3.2 Renderings.** KCI will provide illustrative plan and section renderings for use in presentations to residents and the BOS. KCI can provide 3D perspective renderings if desired. An additional alternate price is provided for this option.



***3D Perspective Rendering***

**3.3 Review Meetings and Coordination.** KCI's design and permitting team will attend up to three one hour virtual meetings with Township Staff and regulators. For all meetings, KCI will coordinate with Township Staff to develop agendas and will prepare and distribute meeting minutes.

**3.4 Phase 2 Recommendations and Scope Outline.** The Preliminary Design Report will be refined from the Concept Design Report to include an outline of permit requirements based on the evaluations and regulatory coordination and design recommendations. KCI will prepare a scope outline to bring the preliminary design to construction completion within the established August 2025 deadline. While not proposed at this time, KCI is fully capable and available to perform the Phase II services aggressively to avoid delays.

KCI can provide a full range of engineering services including structural, geotechnical, utility, and road/culvert/bridge designflow paths.

The memo will also provide options for evaluation and recommendation of Water Quality SCMs and development of conceptual plans for revised future road crossing box culverts. The Phase 2 will include development of a three-dimensional terrain and HEC-RAS modeling and shear stress analyses. KCI will assess the critical shear stress and scour potential of the design sections to determine suitable material for use in the restoration. The erosion and sediment control (ESC) design will include phasing to limit stream work to minimize impacted area (disturbed area) to 50' or less at one time and will utilize bypass pumping.

SCM recommendations may include “non-invasive plants indigenous to the New Jersey coastline [to] benefit rain gardens exposed to heavy loads of salt typically observed along roadways” (Draft PSCM, 2023).

The Phase 2 design will take into account the potential karst features when reevaluating hydrology and during construction. In Phase 2, KCI can also use HEC 26 Culvert Design for Aquatic Organism Passage if the Township desires.

## REFERENCES

Mecklenburg, D. 2006. The Reference Reach Spreadsheet-For Channel Survey Data Management. V 4.3L. Ohio Department of Natural Resources.

Pennsylvania Department of Environmental Protection (DEP), January 2023. Draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual (accessed May 1, 2023 <http://www.depgreenport.state.pa.us/>)

Pennsylvania Department of Environmental Protection (DEP), 2016. Pennsylvania Riverine Condition Level 2 Rapid Assessment Protocol Version 1.0 (accessed May 1, 2023, <https://files.dep.state.pa.us/publicparticipation/Advisory%20Committees/AdvCommPortalFiles/WRAC/2016/092116/310-2137-003.pdf>)

US DOT Federal Highway Administration, October 2010. Culvert Design for Aquatic Organism Passage.

## ISSUES RELATED TO COMPLETING THE WORK

The Slab Cabin Restoration presents various challenges that require experience and skill to navigate. **KCI does not foresee any issues with completing the project by August 2025, largely due to the thorough and proactive work performed to date by the Township (i.e. site and preliminary H&H evaluation and regulatory coordination).**

This table identifies potential issues and solutions. KCI is confident that the project can be completed within the proposed schedule without delays as the issues below have already been considered.

ISSUE	SOLUTION
<b>REGULATORY COORDINATION</b>	
Wild Trout habitat. Need to minimize disturbance while resulting in a stable design that provides fish habitat and passage.	<p>The Township has performed early coordination with regulators and understands what is needed for their approval. KCI will attend multiple meetings with regulators throughout the project to continue to promote 'buy in'.</p> <p>KCI will perform a reference reach survey to understand and design for stable conditions and habitat.</p> <p>KCI has many steep step pool restoration designs to draw from.</p>
Time of year restrictions to construction	Stay on schedule for design and permitting (see proposed schedule)
Northern Long Eared and Indiana Bat permitting requirements, including potential survey.	Based on our experience, we do not anticipate a survey requirement for this small project. USFWS has been asking only that trees not be cleared from May 15 through August 15 of any given year. Clearing may need to begin prior to April 2025 to avoid the bat nesting period. Trees can be cleared without having ESC approval if stumps are cut and grinding does not occur until stream construction.
<b>LANDOWNER COORDINATION</b>	
Residents will be heavily impacted by the project with anticipated floodplain excavation, tree removal, and proposed retaining walls.	<p>The Township has had early coordination with landowners to date.</p> <p>KCI can provide additional 3D perspective renderings to illustrate the work.</p> <p>Hydraulic modeling will evaluate floodplain impacts and determine need for design revisions.</p> <p>KCI will flag trees that should be removed during the field walk.</p> <p>There are many invasive plants in the corridor, such as tree of heaven. The riparian community will benefit from removal of invasives and a robust native planting plan.</p>
<b>SITE CONSTRAINTS</b>	
Utilities: Overhead wires; electric boxes, fire hydrants	Having the survey in hand early in the assessment and design will allow us to avoid utilities or identify early if coordination with the utility is required. KCI has Utility Engineers who can coordinate temporary relocations if required, though at this time KCI assumes the Township will coordinate with utilities.
Limited LOD	KCI has worked successfully to develop sequence of operations and coordinate with contractors to facilitate construction in constrained working areas. (See Patleigh Road Example)

# QUALIFICATIONS OF THE FIRM

KCI is a full service environmental design, water resources planning, and engineering firm offering a highly qualified and respected team of professionals with proven experience in all aspects of stream restoration design, management, and monitoring services. We are especially strong in our knowledge and formal training in applied fluvial geomorphology, Rosgen stream classification (Levels I-IV), biological / chemical monitoring, H&H analysis, and sediment transport. We have extensive applied and practical experience preparing restoration designs and monitoring stream ecosystems in urban, urbanizing, and / or degraded environments, where we incorporate engineered stability within the context of geomorphologic and biological principles. In recent years, we have expanded our strong NPDES support and compliance capabilities to address associated Bay TMDL needs for our clients.



Our team has established itself as an expert in providing urban stream restoration services to meet TMDL requirements by applying natural channel design. We also have expertise in aquatic organism passage (AOC), and water quality BMP design. With more than 200 registered engineers, KCI's staff possesses the diverse expertise and depth of resources necessary to provide comprehensive technical services. The KCI team has an extensive list of both collective and individual project experience relative to this contract.

KCI is proud of our record of completing projects on time and within budget. KCI has successfully provided services under similar contracts and will draw upon those experiences to act with timeliness and efficiency throughout any project assignment. **KCI has extensive experience in meeting fast-track schedules for environmental projects and is accustomed to working with tight time constraints.**

KCI has the experience and resources to meet the Township's schedule to fulfill MS4 requirements. Specifically, to have final Bid documents prepared by January 2025 with Project Completion by August 30, 2025.

## QUALITY CONTROLS/REPORTING SYSTEMS

While it is every project manager's goal to have each project run smoothly, there are sometimes unforeseen circumstances that arise during the course of the project. It is important in these circumstances to adapt quickly to project conditions in order to meet project success. The depth of experience and broad range of disciplines available at KCI allows us to be able to quickly adjust resources and staffing to respond quickly to these changing project requirements.

KCI's Quality Management System (QMS) received ISO certification and is currently certified to the ISO 9001:2015 standard. The goal of the certification is to provide clients with a higher level of service and to continually find ways to improve. All processes are documented and are reevaluated regularly to identify improvement opportunities.



**Additional Support Capabilities.** The KCI Team has a local staff of over 500 engineers, scientists, and planners in multiple disciplines that can be called on to answer specific questions that could arise during the course of the project, including all specialties of civil and environmental engineering. The KCI Team's environmental planning and design staff includes surveyors, site designers, public involvement specialists, landscape architects, water resource engineers, and environmental scientists.



## SHANNON LUCAS, PE, CC-P

PROJECT MANAGER

21  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

Certified Climate Change Professional  
PE / PA 090903  
PE / DC, MD, & VA  
Rosgen Level I - IV  
MDDNR Qual Prof Forest Stand  
Delineation & Conservation Plans

### EDUCATION

MS / 2006 / Civil Engineering / Johns  
Hopkins University  
BA / 1996 / Mathematics / Clemson  
University

Ms. Lucas is a senior project manager in the Natural Resources Practice at KCI where she oversees all aspects of the assessment, design, and construction implementation of stream restoration projects throughout their duration. Ms. Lucas works to restore watersheds' hydrology and ecological function using proven and developing sustainable design methods and best management practices. Ms. Lucas is experienced in the assessment, classification, design, construction supervision, and monitoring of stream restoration projects, as well as in stormwater BMP assessments and retrofit designs, watershed assessments, and plans. Most of her restoration experience is in urban streams and watersheds. Ms. Lucas is skilled in using AutoCAD and various hydrologic and hydraulic models including: TR-55, TR-20, and HEC-RAS.

### PROJECT EXPERIENCE

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Project Manager. Ms. Lucas provided administrative, technical, and project management services for this award winning MDTA stream and wetland mitigation project. She performed geomorphic and function based assessments, bankfull discharge calibration, and Rapid Bioassessment, and prepared a natural channel design restoration utilizing rock step pools and a W-Weir, and bioengineering techniques such as woody plugs and woody toe. She prepared contract documents, special provisions, engineers cost estimate and design report, and sealed the construction plan set (PS&E) for advertisement. She provided Bid Phase and Construction Phase services including review of Contractor submittals, redline revisions, construction inspection, and as-built survey review. She developed monitoring and maintenance procedures and prepared a baseline monitoring report including an invasive species survey. Ms. Lucas initiated post-construction stream and wetland monitoring and trained MBE subconsultants in geomorphic survey and reviewed asbuilt plans.

**Baltimore County Department of Environmental Protection and Sustainability, Patleigh Road** - Baltimore County, MD. Project Manager. Ms. Lucas led the engineering and design for the steep deeply incised headwater channel in a stormwater dominated residential watershed. The design combines step pools and boulder riffles, with native plantings that are aesthetically pleasing and are sized and placed to avoid low overhead wires. Ms. Lucas computed Bay TMDL and impervious acre credits, estimated scour to establish footer depth, and assessed shears and velocities to size rocks and evaluate proposed conditions to ensure sustainability. Ms. Lucas obtained all local, State, and Federal permits. The project was permitted through the TMDL General Permit. She oversaw construction and provided an asbuilt certification memo.

**Howard County, Sunny Field Stream Restoration** - Howard County, MD. Project Manager. Ms. Lucas applied natural channel design and bioengineering to restore 3,500 LF of urban channel for the County's compliance with the MS4 TMDL and impervious acre (IA) credit requirements. Ms. Lucas prepared Regenerative Stormwater Conveyance (RSC) designs and Protocol 4 computations for two contributing incised outfall channels. She performed BANCS evaluations, sediment sampling, and TMDL credit computations for Protocols 1, 2, and 5, following Expert Panel guidelines and provided computations and data for the County's annual MS4 report and GIS database. Protocol 3 was evaluated but deemed not applicable. Ms. Lucas field surveyed geomorphic sections and performed hydrologic analysis to calibrate bankfull dimensions. She prepared an alternatives analysis and concept design. Ms. Lucas performed hydraulic analysis to assess shears and velocities, size rock material, and estimate potential scour depths. Ms. Lucas managed the ES&C design and Soil Conservation District and Grading permit approval, H&H analysis and floodplain evaluation, RTE coordination, natural resource assessments (waters of the US and wetland following the 1987 Corp Manual and forest stand delineations and reports), preparation of the forest conservation plan and the JPA, including the impact plates, property owner notifications, and avoidance and minimization analysis for approval under section 404 of the Clean Water Act. Ms. Lucas designed to avoid specimen trees, negotiated with regulatory agencies to obtain all necessary permits, prepared graphics and presented to residents at a public meeting.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - Chester County, PA. Environmental Scientist. KCI is performing preliminary engineering and final design for this five-mile corridor funded through the Highway Safety Improvement Program (HSIP). KCI is responsible for highway and drainage design, traffic control design, right-of-way plan development, environmental clearance, utility coordination, and public involvement. Ms. Lucas provided stream relocation design services to meet critical permit requirements for the project. The project required relocation of a perennial stream at the toe of slope of the roadway. Ms. Lucas performed a geomorphic survey, oversaw preparation of Level 2 rapid bioassessment forms, and prepared a natural channel design that allows for instream habitat and natural stream functions.



## JENNIFER BIRD, QP

PERMITTING MANAGER

25  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

MDDNR Qual Prof Forest Stand  
Delineation & Conserv Plans

MDE Erosion and Sediment Control  
Responsible Personnel

### EDUCATION

BS / 1996 / Environmental Science /  
Susquehanna University

Ms. Bird is an environmental scientist with extensive experience conducting ecological resource, water quality, and permitting projects that focus on freshwater environments and adjacent upland habitats for a variety of public and private clients. These projects included, but have not been limited to, extensive field studies, the analysis and interpretation of field and Geographic Information Systems (GIS) data, literature reviews for use in permit preparation, and the preparation of environmental documentation for federal, state, and local agencies. Through her work in environmental permitting, Ms. Bird has been involved in development of environmental compliance and permitting documents for a variety of projects including, large-scale utility installation/infrastructure projects, solid waste management facilities, bridge rehabilitation and construction, combined sewer/stormwater management facilities, and various activities within tidal and freshwater wetlands and adjacent riparian (upland) areas. She is also a Maryland Department of the Environment Consultant Reviewer for the Wetlands and Waterways Program.

### PROJECT EXPERIENCE

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Project Manager. The project restores a tributary and a portion of the mainstem of Carsins Run generating 1,000 linear feet of stream and 3,000 square feet of wetland mitigation credit to offset unavoidable impacts to wetlands and waterways from the Maryland Transportation Authority (MDTA) Express Toll Lanes (ETL) Northbound Extension Project along I-95 from north of MD 43 in Baltimore County to MD 24 in Harford County (I-95 Section 200 Project). Ms. Bird and her team performed wetland and forest stand delineations, developed landscape plans, and conducted the baseline invasive species assessment. Her team identified all invasive species present within the proposed LOD, estimated the overall percent invasive cover, and summarized the findings in a baseline monitoring report.

**Pennsylvania Turnpike Commission Central Office, I-95/I-276 Interchange Needs Study, Preliminary Engineering, and EIS** - Bucks County, PA. Senior Environmental Scientist. Since 2003, KCI has been providing environmental and permitting support to the PTC during design of the I-276/I-95 Interchange project. Environmental support includes the design and construction of separate wetland and stream mitigation sites, development of mitigation plans for two endangered species in the project area, Phase 1 ESA's, cultural resource investigations, Section 106 coordination, and Section 4(f) resource evaluations. KCI was also responsible for coordinating and preparing the USACE/PADEP JPA's for six construction phases in Stage 1 of the project and provided NPDES permit support. Stage 1 has been constructed. Stage 2 of the project is currently ongoing with Section D30 the next segment of the project to go to construction. Ms. Bird performed wetland delineations, developed Level 2 RAP forms, assisted with permit preparation, including environmental assessment text, and is managing a subconsultant performing archeological studies. As part of this effort, KCI also studied natural and socioeconomic resources in the vicinity of the Delaware River Bridge alternative alignments and Ms. Bird is currently assisting with the alternatives analysis and NEPA documentation updates.

**Environmental Permitting, Pennsylvania Turnpike Commission Design Build Fiber Project, Mainline and Northeast Extension.** Statewide, PA. Senior Environmental Scientist. KCI is supplying environmental permitting support for a Design Build fiber installation along 180 miles of the mainline Pennsylvania Turnpike at both eastern and western limits of the state, as well as 110 miles of the Northeast Extension. These projects will support open road tolling facilities along each section of the Turnpike. Ms. Bird, as the environmental permitting lead, developed culvert inventories to catalog all stream crossings for the purposes of preparing a GP-11 submittal to the PA Department of Environmental Protection for approval of utility crossings over streams. Additionally, she oversaw wetland delineations in those segments of the projects proposed for aerial pole installation to assist project designers with avoidance and minimization. Ms. Bird prepared the GP11 packages, including application forms, a project description and purpose, photologs, site location maps, culvert/stream inventories, design plans, and erosion and sediment control plans. Ms. Bird also oversaw preparation and submission of PNDI requests to obtain any information regarding RTE species and coordinated with the regulatory agencies to ensure no impacts to protected resources along the corridor.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - Chester County, PA. Senior Environmental Scientist. KCI is performing preliminary engineering and final design for this five-mile corridor funded through the Highway Safety Improvement Program (HSIP) and is responsible for highway and drainage design, traffic control design, right-of-way plan development, environmental clearance, utility coordination, and public involvement. Ms. Bird performed wetland delineation to identify wetlands and waterways within the project corridor and oversaw a Phase I Bog Turtle Survey to determine presence of rare bog turtles. She attended a pre-application meeting with PADEP and USACE to determine permit and mitigation needs on behalf of KCI and prepared a Joint Permit Application package requesting approval for unavoidable impacts to resources, including an exceptional value watershed.



## JAMES KESTER, PE

SENIOR H&H ENGINEER

34  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

PE / PA 073768

PE / DE, MD, NC, & VA

Rosgen Level I - IV

### EDUCATION

BSCE / 1989 / Civil Engineering / Virginia Polytechnic Institute and State University

Mr. Kester is a senior H&H engineer in KCI's Water Resources Practice with experience in hydrologic and hydraulic (H&H) analysis and design. His responsibilities include closed storm drain and stormwater management design; erosion and sediment control, H&H and floodplain analyses for culvert, bridge, and stream restoration design, water quality assessment and facility design, scour analysis, dam breach analysis, and NPDES pollution prevention plan preparation. He is proficient in TR-55, TR-20, WSPRO, HEC-2, HEC-RAS, HEC-18, and bridge scour studies.

### PROJECT EXPERIENCE

**Pennsylvania Turnpike Commission Central Office, Full-Depth Reconstruction, Milepost A53-A57** - Lehigh County, PA. Water Resources Engineer. KCI is providing design management services for the preliminary and final design of the total reconstruction of four miles of 6-lane roadway including the Lehigh Interchange, approximately 9 bridge structures, 9 culverts, sound barriers, and retaining walls. KCI is assisting Turnpike staff in the management of the prime design consultant. The primary tasks are: verifying quality design submissions that meet established submission dates; verifying the accuracy and completeness of deliverables; and verifying design consistency among the projects. The firm also attends and assists at public meetings, agency meetings, and meetings with elected officials. Mr. Kester reviewed the H&H submissions for the stream crossings proposed for replacement.

**Pennsylvania Department of Transportation, District 10-0, Engineering and Environmental Services Open End, E04292** - Districtwide, PA. Water Resources Engineer. Work orders included Preliminary Engineering for Callery Bridge (SR 3014-251) and Callery Bridge No. 2 (SR 3015-2255); superstructure design for Smicksburg Bridge (SR 4026-453); engineering and construction consultation services for an I-79 sign structure; and SUE for Rathmel Bridge No. 2 (SR 2033); and US 422 over Two Lick Creek EB and WB bridge deck replacement. Mr. Kester reviewed the H&H submissions for the stream crossings proposed for replacement.

**Wildlands Conservancy, Wehr's Dam Removal and Stream Restoration, South Whitehall Township, PA.** Project Engineer. The purpose of the project was the removal of a fish blockage and restoration of the reach both above and below of the dam. Mr. Kester applied the USGS Pennsylvania StreamStats program to develop weighted discharge estimates factoring in two nearby Jordan Creek gaging stations. Jordan Creek is in a FEMA regulated floodplain and the effective hydraulic model was obtained to supplement field survey for HEC-RAS geometry development. Existing and proposed HEC-RAS plans were developed to compare the current condition to the condition with the dam removed and the proposed stream restoration in place. A range of storms were compared, including the FEMA 100-year, for changes to water-surface, velocity, and shear stress that could impact Jordan Creek. The removal of the dam and the proposed stream restoration had the potential to increase velocity beneath a historic bridge, increasing the potential for bridge scour. Therefore, scour was computed to ensure no impact. Mr. Kester was responsible for the hydrology and hydraulics modeling for existing and proposed conditions and performed the bridge scour computations for the downstream historic covered bridge.

**MDOT State Highway Administration Central Office, MD 210 Over Carey Branch Hydrology** - Prince George's County, MD. Project Manager. Mr. Kester was responsible for the development of a Hydrologic Analysis Report based on Hydrology Panel methods, a preliminary (visual) geomorphic assessment according to Chapter 14 of the Manual for Hydrologic and Hydraulic Design, the relocation of a portion of Carey Branch with a stable channel required by the widening of MD 210, and a hydraulic sizing of two proposed crossings and the upstream extension of the MD 210 RCB culvert. KCI completed a concept level HEC-RAS model and the Concept Hydraulic Analysis Report that was provided to the D/B Team.

**Pennsylvania Department of Transportation, District 4-0, SR 3014-370 Bridge Replacement over Nescopeck Creek, E00856** - Luzerne County, PA. H&H Engineer. This project involves environmental studies, preliminary engineering, final design, and construction consultation for the replacement of the existing Parker camelback steel truss bridge over Nescopeck Creek at the junction of SR 3015. During preliminary design, the bridge was determined eligible for listing in the National Register of Historic Places. KCI prepared the Purpose and Need and the Historic Bridge Rehabilitation Analysis Report, provided pertinent site-specific information and determined that rehabilitation would not meet the Purpose and Need. KCI designed the replacement bridge, which is a three-span prestressed concrete spread box beam bridge utilizing full-height abutments with wall piers. Mr. Kester prepared the H&H study and report to support this bridge replacement.





## STEPHEN MITTERER, PE

SENIOR PROJECT ENGINEER

33  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

PE / PA PE078187

### EDUCATION

BS / 2002 / Civil Engineering Technology  
/ Point Park University

AS / 1990 / Specialized Technology in  
Architectural CADD / Triangle Tech

Mr. Mitterer's experience is in transportation engineering with a focus on drainage, stormwater, erosion and sediment control, and environmental permitting. He supervises the preparation of the General and Individual NPDES permits including but not limited to the Post Construction Stormwater Plans and the Erosion and Sediment Pollution Control Plans. His experience includes projects for PennDOT, PA Turnpike Commission, and multiple municipal agencies.

### PROJECT EXPERIENCE

**Pennsylvania Department of Transportation, Bureau of Public Transportation, E04698 Erie West Front Street Extension** - City of Erie, Erie County, PA. Senior Project Engineer. This project is the design of an access road along the Erie Bayfront adjacent to the Bayfront Parkway between Sassafra Street Extension and State Street. Responsible for the drainage, stormwater, erosion control, NPDES permit and the Chapter 105 GP-4 and GP11 permits.

**Erie-Western PA Port Authority, Sassafra Street Connector, E04698** - City of Erie, Erie County, PA. Senior Project Engineer. This project is the design of roadway and multimodal improvements to the Sassafra Street Connector, including new sidewalks and a bicycle path, along the Erie Bayfront adjacent to the Bayfront Parkway. Responsible for the drainage and erosion control design.

**Township of Cranberry, SR 3020-297 Freedom Road East** - Butler County, PA. Senior Project Engineer. This locally led project involved widening of a 4,500-foot section of existing urban arterial to five lanes, the addition of turning lanes, and signal improvements at three intersections. Accommodations for bicyclists and pedestrians were provided with the inclusion of bike lanes and sidewalks. Responsible for the stormwater design and NPDES permit submission.

**Township of Cranberry, SR 3020-298 Freedom Road West** - Butler County, PA. Senior Project Engineer. This locally led project involved the widening of a 6,600 foot corridor from Haine School Road to the Butler County line. It included a 3-lane section and a 5-lane section with a bicycle lane, two signalized intersections, and approximately 60 properties. Responsible for the stormwater design and NPDES permit submission.

**Allegheny County, Bridge Design Group K, County Project No. AA00-1701** - Allegheny County, PA. Senior Project Engineer. This project is LC02-0510 Lick Run Bridge No. 2 - preliminary engineering and final design for replacement of a 36' single-span timber bridge carrying Wallace Road over Lick Run in Jefferson Hills Borough and South Park Township. Responsible for the preparation of the Erosion and Sediment Control Pollution Plans for the Chapter 105 permit.

**Pennsylvania Turnpike Commission Central Office, Design Management Services for Three Total Reconstruction Projects** - Bucks and Lehigh Counties, PA. Senior Project Engineer. Design management services for three total reconstruction projects: MP A44 to A48, MP A48 to A53, and MP A53 to A57. Responsible for design review of the drainage, stormwater, and environmental permits for the PA Turnpike Commission.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - New London, Franklin, and London Britain Townships, Chester County, PA. Senior Project Engineer. This project is the design of a five-mile corridor funded through the Highway Safety Improvement Program (HSIP). Responsible for the stormwater design and the NPDES permit preparation.

**HSS Investors, LLC, Hempt Farms Development** - Mechanicsburg, Cumberland County, PA. Senior Project Engineer. This project is the design of a new 451-acre mixed-use development including retail, office, industrial, residential and municipal land uses adjacent to the Carlisle Pike (SR 0011) in Silver Spring Township. Responsible for preliminary stormwater design.



# KATHERINE MYERS-BUCKLER, ENV SP, QP

ENVIRONMENTAL SCIENTIST

16  
Years of Experience

## CERTIFICATIONS & REGISTRATIONS

Envision Sustainability Professional (ENV SP)

Forest Stand Delineations and Forest Conservation Plans

## EDUCATION

MAS / 2013 / Energy and Sustainability / University of Denver

BA / 2007 / Environmental Studies / Gettysburg College

Ms. Myers is an Environmental Scientist with KCI's Natural Resources Practice who specializes in wetland delineations, forest stand delineations, and GIS mapping. Ms. Myers has evaluated natural resources and existing site conditions for a variety of projects including large-scale utility installation/infrastructure projects, stream restoration, transportation projects, combined sewer/stormwater management facilities, and pipeline installation. Her years of experience includes field studies, preparation of project plans in GIS, and the preparation of permit application materials for federal, state, and local agencies.

## PROJECT EXPERIENCE

**Environmental Permitting, Pennsylvania Turnpike Commission Design Build Fiber Project, Mainline and Northeast Extension.** PA. Environmental Scientist. KCI is supplying environmental permitting support for a Design Build fiber installation along 110 miles of the mainline Pennsylvania Turnpike at both eastern and western limits of the state, as well as 180 miles of the Northeast Extension. This project will support open road tolling facilities along both sections of the Turnpike. Ms. Myers developed culvert inventories to catalog all stream crossings for the purposes of preparing a GP-11 submittal to the PA Department of

Environmental Protection for approval of utility crossings over streams. She performed quality assurance reviews on wetland delineation datasheets and assisted in preparing the GP11 packages, including application forms, a project description and purpose, photologs, site location maps, culvert/stream inventories, design plans, and erosion and sediment control plans.

**Wetland Delineation, Pennsylvania Department of Transportation, I-80 Corridor.** Environmental Scientist. KCI provided wetland delineation support for proposed improvements along more than 10 miles of Interstate 80 in Luzerne County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts. She also performed a wetland delineation at an existing wetland mitigation site proposed for expansion.

**Wetland Delineation, Pennsylvania Department of Transportation, US 222/PA 324 Roundabout.** Environmental Scientist. KCI provided wetland delineation support for the proposed roundabout at US 222 and PA 324 in Lancaster County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts.

**Wetland Delineation, Pennsylvania Department of Transportation, Maclays Mill Road Bridge Rehabilitation.** Environmental Scientist. KCI provided wetland delineation support for the proposed bridge rehabilitation of the historical Maclays Mill Road Bridge in Franklin County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts, including the Wetland Condition Rapid Assessment.



## ADAM SPILLER, CPESC

QUALITY CONTROL / QUALITY ASSURANCE

19  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

Rosgen Level I - IV

Certified Professional in Erosion and Sediment Control

### EDUCATION

MEM / 2005 / Ecosystem Science and Management / Duke University

BS / 2002 / Biology / College of William and Mary

Mr. Spiller is an environmental scientist and project manager with experience specializing in stream and wetland design and monitoring. This work includes stream assessment and existing conditions surveys, design constraint evaluations, concept plans, design criteria development, mitigation report preparation, permitting, construction plans and specifications, construction oversight, and baseline data collection and report preparation. Mr. Spiller is experienced in performing stream and wetland assessments and restoration design. His educational background in biology and environmental management aid him in understanding functional implications of stream restoration.

### PROJECT EXPERIENCE

**American Rivers, Beaverdam Creek Dam Removal** - Haywood County, NC. Project Manager. American Rivers requested KCI perform design, permitting, H&H analysis, and construction coordination for the removal of the Beaverdam Creek Dam in the Town of Canton in Haywood County, NC. Mr. Spiller has served as the Project Manager and Design Lead for this project.

**North Carolina Department of Transportation, Black Bull Mitigation Bank** - Cape Fear, NC. Project Manager. KCI has implemented the Black Bull Mitigation Bank, a stream, buffer, and wetland mitigation project in the Cape Fear Basin in Alamance County, North Carolina. KCI is providing site selection, WOUS

delineation and JD, endangered and threatened species evaluation, 401/404 permitting, survey, design, construction, and monitoring as the owner of this bank. Constructed in 2021, the project will be monitored for seven years by KCI. Mr. Spiller helped lead the design team for this project that included the restoration and enhancement of over 6,000 LF of channel and associated wetlands and riparian buffer. The project included the assessment of cattle impaired and channelized streams and continued to the preparation of a mitigation plan. The mitigation plan documented these conditions and provided the justification for the design approach to restoring this site. The design incorporated multiple constraints including existing perennial springs, bedrock outcrops, and steep valley slopes. The project is now in the monitoring phase.

**NCDEQ Div of Mitigation Services, Adkin Branch Stream Restoration Repair** - Kinston, NC. Project Manager. Mr. Spiller conducted the site evaluation and assessment, remedial design, and construction management for the repair of the Adkin Branch Stream Restoration Project in a residential part of Kinston, NC. Since original construction and design by a different company, the stream mitigation site had experienced several large storm events, which led to areas of severe erosion and instability. The site was due to close out, but these unstable portions of the stream required repairs to prevent a loss of credits at the site. DMS tasked KCI with completing this project on a fast track schedule. During the assessment process, DMS requested that another repair area be added to the scope. This was done with a small contract amendment and did not negatively affect the project schedule. The entire project was successfully designed and constructed on budget and schedule. Mr. Spiller led the design team, the construction oversight work, and client coordination for this project.

**City of Hickory, FEMA Flood Mitigation Grants** - Hickory, NC. Stream Designer. The project scope included developing FEMA applications for the Northeast Wastewater Treatment Facility and Snow Creek Pump Station. The design included perimeter flood protection, relocation of sewer infrastructure and stream restoration activities. KCI submitted complete and competitive grant applications that resulted in \$8.9M in funding. Mr. Spiller is the manager for the stream restoration portion of these projects and leads the concept design development for the grant.

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Quality Control / Quality Assurance. Mr. Spiller provided administrative and quality control services for this award winning MDTA stream and wetland mitigation project that removed concrete from a streambed, stabilized streambanks, and created wetlands as mitigation for unavoidable impacts associated with the reconstruction of I-95 in Harford County, MD.



## LEHIGH RIVER FISH PASSAGE IMPROVEMENT FEASIBILITY STUDY

### Lehigh River, PA

KCI worked with the Wildlands Conservancy, the Pennsylvania Fish and Boat Commission (PFBC), American Rivers, and the National Oceanic and Atmospheric Administration to evaluate fish passage alternatives that could open more than 16 miles of the lower Lehigh River to American shad after 180 years. The feasibility study focused on achieving a minimum of 80 percent passage of fish swimming upstream to spawning grounds.

Fish ladders were installed at both locations in the early 1990s, but even with adjustments to improve passage efficiency, both facilities are operating well below expectations, passing only an estimated 30 percent of fish that reach the dams. KCI researched other means including removing each dam in total, removing portions both horizontally and vertically, building a fish rock ramp, or creating inverted rock ramps.

The team considered the advantages and disadvantages of each alternative, identified potential impacts and calculated costs for implementation and maintenance. Each option posed significant challenges, including altering scenic views, affecting the adjacent historic canal systems, potentially disrupting existing land uses, and creating unstable conditions because of the materials and methodologies used in constructing the existing dams. Innovative solutions were identified and investigated to address complex issues like interrupting the water source for the historic Lehigh and Delaware canals and protecting upstream infrastructure. The results of the study provided valuable information including potential impacts, benefits, and costs associated with augmentation or removal of each of these dams, so that an ultimate technical decision about the future of these structures can be made by the dam owners.

# PATLEIGH ROAD STREAM RESTORATION

Baltimore County, MD

KCI provided assessment and concept design for 1,160 LF of the highly visible eroding Sawmill Branch Tributary upstream and downstream of Patleigh Road; and design, permitting, and construction phase services for a 346 LF portion upstream of Patleigh Road. The 346 LF upstream reach was a **steep deeply incised intermittent headwater channel** conveying flows in a stormwater dominated residential watershed within a 50' County stormdrain easement between the Seminole Rd and Patleigh Road culverts. The successful stream restoration provides sustainable storm drain system transitions using a series of boulder step pools, imbricated sill/drop structures, and riprap cascades. A short ephemeral 17 linear foot outfall channel was also stabilized from the existing concrete apron to the boulder cascade. The landscape design was aesthetically pleasing and sized and placed to avoid low overhead wires.

*"Since the stream restoration, the changes in wildlife has been noticeable, particularly the hawks (red shoulder, redtail, and some Coopers). The hawks have been going bonkers hunting from the trees around the stream. One day a hawk flew low over my head with a snake in its claws. With the water now backed up and pooling more at the top near Seminole, in the summer, frogs have been thriving and walkers by comment on how loud it is. I currently have a Northern Rough-Winged Sparrow nest under my deck. That's the first time I've ID'd this type of bird in my yard." - Local Resident*



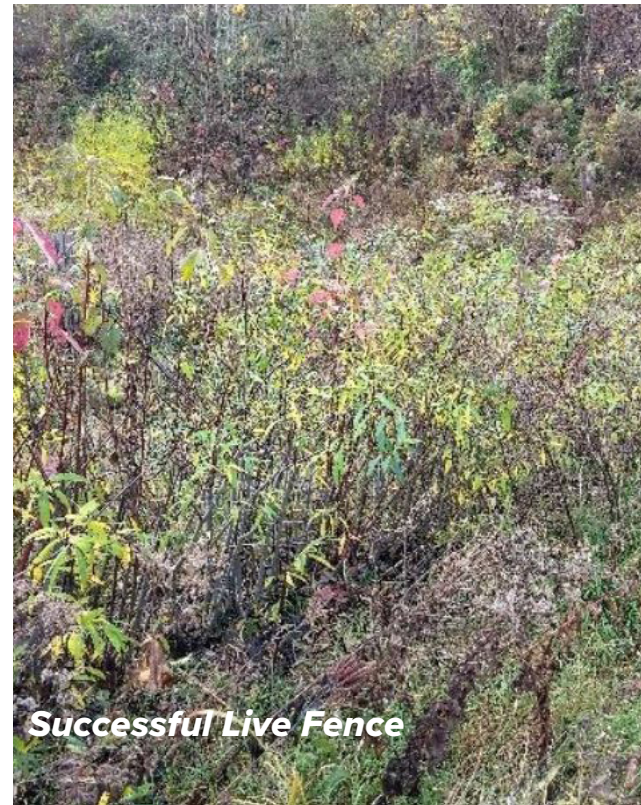
# UPTON STREAM RESTORATION

## Baltimore County, MD

KCI completed the site assessments, design, permitting, and construction support for approximately 2,500 LF of stream channel. Numerous functional assessments were performed by KCI including flow classification, bank height ratio, BEHI, long pro and cross section survey, pebble counts, habitat assessment, and vegetation and invasive plants assessments. The deeply incised, narrow channel was found to be unstable, highly eroded and contained little to no aquatic habitat. KCI also completed watershed delineation, hydrology and hydraulic studies and worked with our subconsultants for topographic survey and Natural Resource inventories for wetland, and forest delineations. KCI developed the proposed restoration design based on the detailed geomorphic assessment and hydrologic and hydraulic modelling. Results were used to determine the most beneficial method to provide functional uplift by restoring the connection to the floodplain and stabilizing banks.

Initial designs **assessed the use of RSC system** based on the typical 100-year return interval, but the width of this system would have had significant impact on the existing trees due to the extent of cut required to tie-in the RSC cross section. Instead, the design utilized a bankfull channel cross section with a **step pool and cascade-based morphology** in the steeper sections of the restoration and riffle-pool morphology in locations of average channel slope less than approximately 1.5%. **Improved floodplain connection** was accomplished using a combination of raising the stream channel and floodplain bench creation. Additional stabilization treatments utilized include riffle grade control, drop structures, stone toe protection, log rolls, roughened riffles, and woody toe protection. Storm drain outfalls were stabilized through various means in this project. Wetland creation was incorporated to offset the impacts on existing wetlands based on the stream design. Final plans, specifications, and cost estimates were developed for bidding the projects. KCI provided bid support to the County.

During construction phase services KCI staff reviewed requests for information and material submittals, provided construction oversight, including direct guidance of key features, checking spot grades, and directing modifications for unforeseen conditions to ensure the integrity of the design intent. Daily and weekly reports were prepared and submitted to the County with photo-documentation of progress. KCI reviewed and certified the As-Built drawings and checklist following completion of the construction and provided an as-built summary memo to the County to document conditions outside of the specified tolerances.





## CARSINS RUN STREAM RESTORATION

Harford County, MD



MDOT ENVIRONMENTAL  
QUALITY WINNER

The project restores a tributary and a portion of the mainstem of Carsins Run generating 1,000 linear feet of stream and 3,000 square feet of wetland mitigation credit to offset unavoidable impacts to wetlands and waterways from the Maryland Transportation Authority (MDTA) Express Toll Lanes (ETL) Northbound Extension Project along I-95 from north of MD 43 in Baltimore County to MD 24 in Harford County (I-95 Section 200 Project). The project integrates stream stabilization, floodplain connectivity, wetland creation, riparian protection / enhancement, and a drop structure to provide sustainable storm drain system transition. Restoration of the Tributary effectively met objectives to: reduce excess sediment delivered downstream through bed and bank stabilization; restore channel geometry to provide long term stability to minimize future maintenance; reduce nutrients by reducing sediment delivered downstream and allowing the channel to access the floodplain more frequently and create or enhance hyporheic exchange; improve habitat by introducing a variety of velocity / flow regimes through realignment, creating riffles and deep pools, and introducing woody material; and create wetlands by raising the water table, leaving slight depressions in abandoned and adjacent portions of the channel planted with native wetland plants. Restoration of the Carsins Run Mainstem effectively met objectives to: improve habitat and water chemistry by removing concrete and introducing riffle grade control and w-weir structures.

Using a **reference step pool reach within the project study area, KCI successfully developed and implemented proposed step pools to mimic the reference condition.** The Mainstem restoration stabilized banks, introduced bed diversity, and replaced a failed stormdrain with a drop structure, while reduced impacts to the channel bed. Public Safety is improved by replacing a failed 21” stormdrain at Randolph Drive and introducing a drop structure.



**Before**



**After**

# SCHEDULE

		<i>Denotes Deliverable</i>				<i>Denotes Meeting</i>		
2023	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC
<b>PHASE 1</b>								
<b>TASK 1: EXISTING CONDITIONS STUDIES</b>								
Agency Coordination (PNDI and PHMC)		■						
Wetland Delineation			■	■	■			
Baseline Invasive Plant Assessment			■					
Reference Reach and Impaired Reach Geomorphic Survey			■					
Geomorphic Evaluation and Report			■	■				
<b>TASK 2: CONCEPT DESIGN</b>								
Concept Design Development				■	■			
Concept Design Memorandum and Plans				■	■			
Review Meetings					■	■	■	
<b>TASK 3: PRELIMINARY DESIGN</b>								
Preliminary Design Development						■	■	
Renderings							■	
Review Meetings							■	
Phase 2 Recommendations							■	
Address comments, answer questions								■

	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
2023-2025																					
Phase 2 Proposal Due	■																				
Board Approval and NTP		■																			
Final Design and Permit Applications		■	■	■	■	■	■														
Obtain Final Permits/Approvals							■	■	■	■	■	■	■								
Prepare Final Bid Documents									■	■	■	■	■	■							
Selective Tree Clearing																■	■				
Project Construction																					■

In-Stream Closure Period



# COST

KCI will provide all labor and materials necessary to complete all the services described in the Scope of Services above. The method of payment for this Contract is NOT TO EXCEED \$46,695 based on actual costs incurred/billable hours per major task shown. Billable hours not to exceed 364 hours.

TASK	LUMP SUM
1. Existing Conditions	\$21,925.00
2. Concept Design	\$16,105.00
3. Preliminary Design	\$8,055.00
4. Direct Costs	\$610.04
<b>TOTAL PHASE 1 FEE</b>	<b>\$46,695.04</b>

<i>Add 3D Perspective Renderings</i>	<i>\$4,500.00 each</i>
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# RATE SCHEDULE

JOB CLASSIFICATION	HOURLY RATE
Senior Project Manager / Senior H&H Engineer	\$200.00
Permitting Manager	\$185.00
Senior Stream Designer	\$165.00
Senior Project Engineer	\$145.00
Stream Design Engineer / Project Engineer	\$115.00
CADD Operator	\$105.00
Environmental Scientist	\$95.00
Natural Resources Specialist	\$85.00
Environmental Technician	\$75.00
Scientist in Training	\$65.00

# PERSON HOUR ESTIMATE BY TASK

Task	Task Description	Sr. Project Manager / Sr. H&H Eng.	Permitting Manager	Stream Designer Engineer	Env. Scientist	Env. Tech.	CADD Operator	Total Hrs
<b>1</b>	<b>EXISTING CONDITIONS STUDIES</b>							
<b>1.2</b>	<b>Agency Coordination</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>10</b>
	<i>PNDI</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>	<i>0</i>	<i>0</i>	<i>6</i>
	<i>PHMC</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>4</i>
<b>1.1</b>	<b>Wetland Delineation</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>10</b>	<b>32</b>	<b>24</b>	<b>70</b>
	<i>Site Visit</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>	<i>16</i>	<i>0</i>	<i>22</i>
	<i>Report</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>4</i>	<i>16</i>	<i>24</i>	<i>48</i>
<b>1.3</b>	<b>Baseline Invasives</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>16</b>
	<i>Site Visit</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>	<i>0</i>	<i>0</i>	<i>6</i>
	<i>Report</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>8</i>	<i>0</i>	<i>0</i>	<i>10</i>
<b>1.4</b>	<b>Geomorphic</b>	<b>15</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>34</b>
	<i>Review Data/Gather Equip</i>	<i>2</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>
	<i>Geomorphic Data Collection</i>	<i>12</i>	<i>0</i>	<i>14</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>28</i>
	<i>RAP Level 2</i>	<i>0.5</i>	<i>0</i>	<i>0.5</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
	<i>Culvert and Storm Drain Assess.</i>	<i>0.5</i>	<i>0</i>	<i>0.5</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<b>1.5</b>	<b>Geomorphic Eval. and Report</b>	<b>10</b>	<b>6</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>56</b>
	<i>Data Input and Analysis</i>	<i>2</i>	<i>0</i>	<i>16</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>18</i>
	<i>Report Development</i>	<i>8</i>	<i>6</i>	<i>24</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>38</i>
<b>2</b>	<b>CONCEPT DESIGN</b>							
<b>2.1</b>	<b>Design Development</b>	<b>6</b>	<b>2</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>
	<i>Prop. Sections, Plan, Prof,Details</i>	<i>4</i>	<i>0</i>	<i>18</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>22</i>
	<i>Design Validation</i>	<i>2</i>	<i>2</i>	<i>14</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>18</i>
<b>2.2</b>	<b>Memo and Plan Components</b>	<b>10</b>	<b>0</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>68</b>
	<i>Design Memo</i>	<i>6</i>	<i>0</i>	<i>18</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>24</i>
	<i>Design Plans</i>	<i>4</i>	<i>0</i>	<i>24</i>	<i>0</i>	<i>0</i>	<i>16</i>	<i>44</i>
<b>2.3</b>	<b>Meetings and Coordination</b>	<b>10</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>
	<i>Meetings and Coordination</i>	<i>10</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>13</i>
<b>3</b>	<b>Preliminary Design</b>							
<b>3.1</b>	<b>Preliminary Design Develop.</b>	<b>1</b>	<b>2</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>
<b>3.2</b>	<b>Renderings</b>	<b>3</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>
<b>3.3</b>	<b>Review Mtgs and Coord.</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>3.4</b>	<b>Phase II Rec./Scope Outline</b>	<b>8</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>
<b>Total Hours</b>		<b>67.0</b>	<b>16.0</b>	<b>173.0</b>	<b>34.0</b>	<b>32.0</b>	<b>40.0</b>	<b>364.0</b>
Direct Expenses								
	900 Miles	@	\$ 0.655	Per Mile			=	\$ 589.50
	19 B&W Printing	@	\$ 0.06	Per Print			=	\$ 1.14
	20 Color Printing (8.5" x 11")	@	\$ 0.69	Per Print			=	\$ 13.80
	40 B&W Printing (11" x 17")	@	\$ 0.14	Per Print			=	\$ 5.60



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## TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801  
Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

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### Memorandum

To: Board of Supervisors  
Centrice Martin, Manager  
From: Aaron Jolin, Stormwater Engineer

Re: MS4 PRP – Slab Cabin Stream Restoration

Date: May 26, 2023

#### Background:

At the regularly scheduled April 18<sup>th</sup>, 2023 Board of Supervisor's meeting, the Board approved staff to solicit preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (Slab Cabin and Beaver Branch). The 2023 budget includes funding for professional design services for environmental, hydraulic stability, and design aspects of the MS4 PRP stream restoration projects (Slab Cabin Run and tributary to Beaver Branch) as well as exhibits in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies, with significant stream restoration experience (HRG, Biohabitats, KCI Technologies, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technologies, Inc.). The stormwater engineer will manage the work of the consultants.

#### Scope of Work:

A request for proposals was solicited April 19<sup>th</sup> 2023. The scope of work included with "Phase 1 Preliminary Design / Environmental Study" is as follows:

- Complete initial PNDI and PHMC submissions. Should further investigation and/or requirements for coordination be required, provide an add service to complete any additional coordination.
- Perform field investigation/study and complete a Wetlands and Waterways Report as required for PA DEP and USACE PASPGP-6 (Joint Permit Authorization)
- Determine stream and reference reach geomorphic conditions and provide restoration design guidance.
- Using the completed (above) studies, coordinate with Township Staff to provide concept level design and analysis. Upon staff review, coordinate concept restoration options with DEP/Staff.

- Prepare a preliminary design restoration option to be used as the basis of design for the final design, have generally approved consensus from permitting agencies and for use in helping to inform residents and the Ferguson Township Board of Supervisors.

Tasks for this project include but are not limited to:

1. Developing/analyzing up to five cross-sections at critical design locations, for review with permitting agencies and Township staff.
2. Completing reference reach evaluation and reports.
3. Completing waterways and wetlands report.
4. Coordinating with Township Staff for consideration of culvert replacement
5. Completing a plan view concept design providing 100-year stability (structures)
6. Coordinating with permitting agencies to resolve (to the extent possible) concerns that the permitting agencies have with disturbing/modifying the existing stream bed.
7. Completing refined plan view and cross sections exhibits for presentation purposes.
8. Attending virtual and onsite meetings with staff, permitting agencies and the Board of Supervisors.
9. Developing preliminary 100 hydraulic stability analysis.
10. Determining preliminary LOD and understanding of whether NPDES permitting may be required (if LOD expands beyond one acre)

Project Schedule:

The following schedule was provided in the request for proposals:

June 6th, 2023	Board approval
June 13th, 2023	Contract signed
June 16th, 2023	Kickoff meeting.
June 30th, 2023	Complete PNDI and PHMC initial submissions/inquiries.
July 31st, 2023	Preliminary field investigations complete.
August 31st, 2023	Submit preliminary wetlands and waterways report.
September 29th, 2023	Staff review of concepts completed.
October 31st, 2023	Concept design options reviewed with DEP, PA Fish and Boat, USACE complete.
November 30th, 2023	Preliminary design/calculations complete and ready to present to BOS, residents, and staff.

Proposal Evaluations:

On May 17, 2023, staff received 3 proposals for the MS4 PRP Stream Restoration Projects. Proposals were reviewed and evaluated based on the following weighted criteria:

1. Detailed scope of work with documented understanding of project area/objectives and issues related to completing work (25 points).
2. Qualifications of individuals assigned to manage and work on the project including experience in performing similar types of projects (25 points).
3. Proposed project schedule (25 points).
4. Cost to complete work including a breakdown of tasks and hours along with rate schedule (25 points).

Recommendation:

Based on the aggregate ranking of proposal criteria (as specified above), **staff recommends KCI Technologies, Inc. be awarded the contract for preliminary design services outlined in the RFP and their scope of services in the amount of \$51,195.04.** The entire amount of **\$51,195.04** is anticipated to be spent in 2023. The scoped work can be completed within the budgeted amount of \$52,500 under fund 20.408.317.

## AGREEMENT and CONTRACT FOR PROFESSIONAL SERVICES

This **CONTRACT** is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the **TOWNSHIP OF FERGUSON**, a home rule municipality, with a principal business office located at 3147 Research Drive, State College, PA hereinafter called

**TOWNSHIP,**

And

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KCI Technologies, Inc.  
hereinafter called the **CONSULTANT**.

The **TOWNSHIP** engages the **CONSULTANT** to perform professional services for a project known and described as: MS4-PRP – Beaver Branch Stream Restoration Project (Phase 1), hereinafter called the “**PROJECT**”.

### SECTION I SERVICES OF THE CONSULTANT

The **CONSULTANT** shall perform the following professional services to **TOWNSHIP** ordinances and standards in accordance with the usual and customary degree of professional care and skill that a registered professional in Pennsylvania would ordinarily exercise under similar conditions. **CONSULTANT** agrees to perform only those services expressly set forth below. **CONSULTANT** has not, nor shall it be presumed to have, agreed to perform any services not expressly specified herein.

- A. The **CONSULTANT** shall perform the detailed Scope of Work shown in Exhibit “A” plus any additional attachments. The names and qualifications of individuals proposed by the **CONSULTANT** in the proposal to work on the **PROJECT** have been submitted to and approved by the **TOWNSHIP** and shall not be changed without prior written approval of the **TOWNSHIP**.
- B. The **CONSULTANT** has prepared and submitted an estimated fee for the **PROJECT**, shown in exhibit “A”.
- C. The **CONSULTANT** shall follow and comply with the **TOWNSHIP** Code of Ordinances and written directions received from the **TOWNSHIP**.

### SECTION II PERIOD OF PERFORMANCE

The **CONSULTANT** shall complete all professional services within the timeframe specified in the **PROJECT** schedule shown in “Exhibit A”; provided, however, consultant shall not be liable for delays beyond its responsible control.

### SECTION III CONSULTANT'S COMPENSATION

- A. The method of payment for this **CONTRACT** is **NOT TO EXCEED**, based on actual costs **\$47,930.00** incurred/billable hours per major task shown in Exhibit "A" and Reimbursable Expenses as described in Exhibit "A". Billable hours not to exceed **\$47,930.00**.
- B. The **TOWNSHIP** shall pay the **CONSULTANT** based upon monthly progress reports and detailed invoices submitted by the **CONSULTANT** in a form acceptable to the **TOWNSHIP**. Invoices shall include a summary of costs to date by work element and report of labor hours worked by individuals.
- C. The **TOWNSHIP** shall make payments to the **CONSULTANT** within thirty (30) days after receipt of the progress report and complete and accurate detailed invoice.
- D. **CONSULTANT** shall be responsible for notifying Project Manager, as described hereafter, when its total invoices are near to or at the **NOT TO EXCEED** amount. **TOWNSHIP** shall not be responsible for fees exceeding the **NOT TO EXCEED** amount unless specifically agreed to by the **TOWNSHIP** in writing.

### SECTION IV THE TOWNSHIP'S RESPONSIBILITIES

- A. The **TOWNSHIP** shall designate a project manager during the term of this agreement. The project manager has the authority to administer this **CONTRACT** and shall monitor compliance with all terms and conditions stated herein. All requests for information from or a decision by the **TOWNSHIP** on any aspect of the work shall be directed to the project manager. The **TOWNSHIP** project manager for this **PROJECT** is Aaron Jolin, Ferguson Township Stormwater Engineer.
- B. The **TOWNSHIP** shall review submittals by the **CONSULTANT** and provide prompt response to questions and rendering of decisions pertaining thereto, to minimize delay in the progress of the **CONSULTANT** work. The **TOWNSHIP** will keep the **CONSULTANT** advised concerning the progress of the **TOWNSHIP** review of work.
- C. The **TOWNSHIP** shall furnish the **CONSULTANT** available public records, design documents, drawings, or surveys for this **PROJECT** and assist the **CONSULTANT** with obtaining such background information that may be helpful to the **CONSULTANT**, however, the **CONSULTANT** shall be responsible for searching the records and requesting specific drawings or information and independently verifying said information.
- D. If, at any time, **TOWNSHIP** or its designee becomes aware of any fault, defect, or discrepancy with respect to the services rendered by **CONSULTANT**, it shall give prompt written notice thereof to **CONSULTANT**. **CONSULTANT** shall thereafter be given a reasonable opportunity to cure such fault, defect, or discrepancy.

## SECTION V INSURANCE

A. The **CONSULTANT** shall secure and maintain at its own expense the following insurance coverages and shall provide evidence of the same in a form satisfactory to **TOWNSHIP** before beginning work on this **PROJECT**:

1. Workers compensation insurance with statutory benefits as required by any state of Pennsylvania or Federal law, including standard "other states" coverage and employer's liability insurance with minimum limits of \$100,000 each accident for bodily injury by disease; and \$500,000 policy limit for bodily injury by disease.
2. Commercial general liability insurance that insures against claims for bodily injury, property damage, and personal and advertising injury arising out of or in connection with **SERVICES** under this **AGREEMENT**, whether such operations be by **CONSULTANT**, its employees or subcontractors or their employees. The minimum limits of liability for this insurance are as follows:
  - \$1,000,000 combined single limit – each occurrence
  - \$2,000,000 combined single limit – general aggregate – per project
  - \$2,000,000 combined single limit – products/completed operations aggregate.This insurance shall include coverage for all the following:
  - i) Liability arising from premises and operations.
  - ii) Liability arising from the actions of independent contractors.
  - iii) Liability for bodily injury and property damage claims assumed by **CONSULTANT** under this **AGREEMENT**; and
  - iv) This insurance shall name **TOWNSHIP** and its appointed and elected officials, directors, officers, and employees as Additional Insured with respect to liability arising out of or in connection with **SERVICES** under this **AGREEMENT**, and the certificate insurance, must so state this.
3. Business auto liability insurance with a minimum combined single limit of \$1,000,000 per accident and including coverage for bodily injury and property damage claims arising out of:
  - i. The ownership, maintenance, or use of any auto; and
  - ii. Liability for bodily injury and property damage claims assumed by **CONSULTANT** under this **AGREEMENT**.
4. Professional liability insurance that insures against errors and omissions in rendering or failure to render **CONSULTANT SERVICES** required under this **AGREEMENT**. A minimum annual aggregate limit of \$2,000,000 is required. Any deductible or retention of \$5,000 or greater shall be disclosed by **CONSULTANT** and is subject to **TOWNSHIP's** written approval. (**CONSULTANT** disclosed the following:

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\_\_\_\_\_) Certificates of insurance shall evidence a retroactive date no later than



the beginning of **CONSULTANT'S SERVICES** under this **AGREEMENT**. **CONSULTANT** shall provide evidence of such coverage, satisfactory to **TOWNSHIP**, prior to the start of work on this **Project**.

- B. **CONSULTANT** shall require its subcontractors to maintain insurance during the term of this **AGREEMENT**, to the same extent required of **CONSULTANT**.
- C. **CONSULTANT** shall not commence **SERVICES** until all the required insurance has been approved by **TOWNSHIP**; nor shall **CONSULTANT** allow any subcontractor to commence work on any subcontract until all insurance required of subcontractor has been approved by **CONSULTANT**. Approval of insurance required of **CONSULTANT** will be granted only after submission to the **TOWNSHIP** of original certificates of insurance signed by authorized representatives of the insurers.
- D. All insurers underwriting **CONSULTANT** or subcontractor's insurance must be allowed to do business in the Commonwealth of Pennsylvania and be reasonably acceptable to **TOWNSHIP**. The insurers must have a rating of "B" or better in the latest evaluation by AM. Best Company, unless **TOWNSHIP** grants specific approval for an exception, such approval shall not be unreasonably withheld or delayed.
- E. Required liability insurance shall be in force throughout the term of the **AGREEMENT** and for two years after this **AGREEMENT** terminates or expires, whichever is earlier. Original certificates of insurance signed by authorized representatives of the insurers evidencing that the required liability insurance is in effect, shall be maintained with **TOWNSHIP** throughout the term of this **AGREEMENT** and for two years after this **AGREEMENT** terminates or expires, whichever is earlier.
- F. All insurance policies required hereunder shall be endorsed to provide that the policy is not subject to cancellation or non-renewal until thirty (30) days prior written notice has been given to **TOWNSHIP**.
- G. No acceptance and/or approval of any insurance by **TOWNSHIP** shall be construed as relieving or excusing **CONSULTANT** from any liability or obligation imposed by the provisions of this **AGREEMENT**.
- H. If **CONSULTANT** does not meet the insurance requirements of this **AGREEMENT**, **CONSULTANT** shall forward a written request to **TOWNSHIP** for a waiver in writing of the insurance requirement(s) not met or approval in writing of alternate insurance coverage or self-insurance arrangements. If **TOWNSHIP** denies the request, **CONSULTANT** must comply with the insurance requirements as specified herein.
- I. If any liability insurance purchased by **CONSULTANT** has been issued on a "claims made" basis, **CONSULTANT** must comply with the following additional conditions. The limits of liability and the extensions to be included remain the same. **CONSULTANT** must either:

- a. Agree to provide certificates of insurance to **TOWNSHIP** evidencing the above coverages for a period of two years after the **AGREEMENT** terminates or expires, whichever is earlier. Such certificates shall evidence a retroactive date no later than the beginning of the **SERVICES** under this **AGREEMENT**, or
- b. Purchase an extended (minimum two years) reporting period endorsement for each such "claims made" policy in force as of the date this **AGREEMENT** terminates or expires, whichever is earlier and evidence the purchase of this extended reporting period endorsement by means of a certificate of insurance or a copy of the endorsement itself. Such certificate or copy of the endorsement shall evidence a retroactive date no later than the beginning of the **SERVICES** under this **AGREEMENT**.

## **SECTION VII CONFLICT OF INTEREST**

- A. The **CONSULTANT** agrees to disclose any financial or economic interest it has with the **PROJECT** property, or any property affected by the **PROJECT**, existing prior to the execution of this **CONTRACT**, which would give rise to a conflict of interest. Further, the **CONSULTANT** agrees to disclose any such financial or economic interest with the **PROJECT** property, or any property affected by the Project, if the **CONSULTANT** gains such interest during the course of this **CONTRACT**. If the **CONSULTANT** gains such financial or economic interest in the **PROJECT** during the course of this **CONTRACT**, this may be grounds for terminating this **CONTRACT**. Any decision to terminate the **CONTRACT** shall be at the sole discretion of the **TOWNSHIP**.
- B. The **CONSULTANT** shall not engage the services on this **CONTRACT** of any present or former **TOWNSHIP** employee who was involved as a decision-maker in the selection or approval processes, or who negotiated and/or approved billings or **CONTRACT** modifications for this **CONTRACT**.

## **SECTION VIII COVENANT AGAINST CONTINGENT FEES**

- A. The **CONSULTANT** affirms that he has not employed or retained any company or person, other than a bona fide employee working for the **CONSULTANT** to solicit or secure this **CONTRACT**, and that he has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of the **CONTRACT**. For breach or violation of this clause, the **TOWNSHIP** may terminate this **CONTRACT** without liability, or in its discretion may deduct from the **CONTRACT** price or consideration, or otherwise recover, the full amount of such fee, commission, percentage brokerage fee, gift, or contingent fee.
- B. If the parties do not solve the matter through mediation, either party may proceed with all legal remedies available at law.

## **SECTION IX INDEMNIFICATION**

- A. **CONSULTANT** will indemnify and hold harmless **FERGUSON TOWNSHIP** its officers and employees from and against any and all liabilities, damages, or expenses (including

reasonable attorneys' fees and other costs recoverable by law) in connection with any personal injury or property damage to the extent caused by the negligence (whether by act, error, or omission), recklessness, or intentionally wrongful acts or omissions by **CONSULTANT**, its officers, directors, agents, employees, and sub consultants.

- B. **FERGUSON TOWNSHIP** will indemnify and hold harmless **CONSULTANT** and sub consultants and each of their officers, directors, shareholders, or employees from and against any and all liabilities, damages, or expenses (including reasonable attorneys' fee and other costs recoverable by law) to the extent caused by negligence (whether by act, error or omission), breach of this **AGREEMENT**, recklessness or intentionally wrongful acts or omissions by **FERGUSON TOWNSHIP** or its agents or employees.

## **SECTION X DISPUTE RESOLUTION**

- A. A dispute escalation process will be utilized to resolve questions of fact during the course of this **CONTRACT**. Both the **TOWNSHIP** and the **CONSULTANT** agree to try to mediate in good faith and resolve disputes.

## **SECTION XI TERMINATION**

- A. The **TOWNSHIP**, at its sole discretion, may terminate this **CONTRACT** for convenience or abandon any portion of the **PROJECT** for which services have not been performed by the **CONSULTANT**, upon fourteen (14) days written notice delivered to the **CONSULTANT** personally or by certified mail and a reasonable opportunity for **CONSULTANT** to cure. Immediately after receiving such notice, the **CONSULTANT** shall discontinue advancing the services under this **CONTRACT** and proceed to close said operations under this **CONTRACT**. In the event of such termination or abandonment, the **CONSULTANT** shall be paid for services performed prior to receipt of said notice of termination including reimbursable expenses then incurred. If the remuneration scheduled hereunder is based upon a fixed fee or ascertainable sum, the portion of such sum payable shall be proportionate to the percentage of services completed by the **CONSULTANT** based upon the Scope of Work set forth in Exhibit A and shall be agreed upon mutually by the **CONSULTANT** and the **TOWNSHIP**. However, in no event shall the fee exceed that set forth in this Agreement.
- B. The **TOWNSHIP** shall make final payment within sixty (60) days after the **CONSULTANT** has delivered the last of the partially completed items and the final fee has been agreed upon.
- C. In the event this agreement is terminated, the **TOWNSHIP** shall have the option of completing the work or entering into an agreement with another party for the completion of the work according to the provisions and agreements herein.
- D. If the **TOWNSHIP** fails to fulfill in a timely manner its obligations under this **AGREEMENT**, the **CONSULTANT** shall have the right to terminate this **AGREEMENT** upon fourteen (14) days written notice delivered to **TOWNSHIP** personally or by certified mail.

- E. Notwithstanding any other provision of this Agreement, neither party shall be liable to the other for any consequential damages incurred due to the fault of the other party, regardless of the nature of the fault or whether it was committed by **TOWNSHIP** or **CONSULTANT**, their employees, agents, consultants, subconsultants or subcontractors. Consequential damages include, but are not limited to, damages for delay, loss of use and loss of profit.
- F. Right to Know. This Agreement is subject to public disclosure under Pennsylvania's Right to Know Law ("RTKL") and any such requests will be handled in accordance with the terms outlined in Addendum "A" attached hereto and incorporated by reference.

## **SECTION XII ADDITIONAL SERVICES**

- A. Additional services, which are outside the scope of basic services contained in this agreement, shall not be performed by the **CONSULTANT** without prior written authorization from the **TOWNSHIP**. Additional services, when authorized by a **CONTRACT** supplement for Professional Services, shall be compensated for by a fee mutually agreed upon between **TOWNSHIP** and the **CONSULTANT**.

## **SECTION XIII SUCCESSORS AND ASSIGNS**

- A. This **CONTRACT** and any claims arising there under shall not be assignable except at the written consent of the parties hereto and it shall extend to and be binding upon the heirs, executor, administrators, successors, and assigns of the parties hereto.

## **SECTION XIV SPECIAL PROVISIONS**

- A. The **CONSULTANT** shall exercise professional care to comply with all applicable Federal, State, and local laws and ordinances in effect at the time the plans are sealed which are applicable to the services required by this Agreement.
- B. The **CONSULTANT** will not discriminate against any person on the basis of race, color, or national origin in the performance of this **CONTRACT**.
- C. The **CONSULTANT** further agrees to insert the foregoing provisions in all subcontracts.
- D. This **CONTRACT** shall be in full force and effect only when it has been executed by the duly authorized **TOWNSHIP** official(s) and the duly authorized agent of the **CONSULTANT**.

**ACCEPTANCE AND AUTHORIZATION TO PROCEED**

**TOWNSHIP OF FERGUSON** authorized **CONSULTANT** to proceed with the work as outlined in the Scope of Work under the terms of this Agreement:

Signed: \_\_\_\_\_

By: Centrice Martin

Title: Township Manager

Date: \_\_\_\_\_

**CONSULTANT** will proceed with the work as outlined in the Scope of Work under the terms of this Agreement:

Corporate Officer Signature: \_\_\_\_\_

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

Title: \_\_\_\_\_



**REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES**

**MS4 PRP - BEAVER BRANCH STREAM RESTORATION (PHASE 1)**

**TOWNSHIP OF FERGUSON**

**MAY 17, 2023**

**KCI TECHNOLOGIES, INC.**

936 Ridgebrook Road  
Sparks, MD 21152



# PROJECT UNDERSTANDING

To support the Ferguson Township's Municipal Separate Storm Sewer System (MS4) Pollution Reduction Plan (PRP), KCI proposes to develop restoration design and permitting for approximately 350 linear feet (LF) Tributary to Beaver Branch downstream of Wyoming Avenue.

The proposed scope and fee herein provide assessment through 35% design. KCI is experienced and fully capable of providing services from this initial phase through final design and permitting. We can provide construction phase and post construction monitoring services as well.

## BACKGROUND

The subject stream segment is an intermittent spring fed headwater stream that flows through a riparian buffer of maintained lawn and agricultural fields with scattered trees. The channel often runs dry during extended period of no precipitation. During runoff events, adjacent residences have experienced flooding. The channel is relatively flat with an average slope of approximately 0.5%. Overhead lines span the stream at Wyoming Avenue. This reach has areas of aggradation, incision, bank erosion, and adjacent sanitary sewer infrastructure, all of which create stability issues. Significant progress by the Township, including regulatory agency coordination, gathering of background information, and cursory preliminary design, is summarized in the April 19, 2023 MS4 PRP – Beaver Branch Stream Restoration (Phase 1) RFP, and included below:



In summary:

- » Downstream Karst features
- » Classified as a Class A Wild Trout water by the PA Fish and Boat Commission and is classified (under Chapter 93) as a high quality (HQ) stream
- » Permitting agencies concerns and requests
  - Expand the channel/floodplain to reduce sheer stress and velocity
  - Spread out flows but consider adjoining properties
  - Ecological species establishment
  - Floodplain stability
  - The entire disturbed area shall be planted with native species and monitored annually for invasives
  - Design stable outfall measures from Wyoming Avenue
  - ESA Clearance for bats. Run the PNDI and get clearance for any potential conflicts
  - Construction details/sequencing to minimize impacts and meet permitting requirements
  - Requires PASPGP-6 permitting with monitoring
  - Complete Historic Clearance from PHMC Section 106

#### Additional Relevant Information/Background:

- » Preliminary Hydrology and Hydraulic Analysis Assumptions (Suggested):
  - Utilize PA StreamStats for preliminary storm event estimates with revised drainage areas based on known impacts (review with the Township).
  - Preliminary hydraulics may consider more simplified methods, which do not have to include a HEC-RAS model - for preliminary design.
- » The Township has contracted with a surveying company (SAS) who will survey any additional data required at the Township's expense. The consultant awarded the job shall have open communication lines with the surveyor for coordination purposes.
- » The Township anticipates providing the survey the day the contract is awarded.

## OBJECTIVES

The primary project goals are to provide **stabilization, additional flood capacity, and restoration buffer plantings to reduce nutrients and sediment loads**, to address the MS4 permit requirements. Additional goals include improving aquatic habitat and providing hydraulic and geomorphic uplift. Project objectives to achieve hydraulic uplift include reducing bank height ratios to provide floodplain reconnection. Objectives for geomorphic uplift include stabilization of eroding bed and banks, reestablishment of stable channel profile and dimensions, improvement of channel bed diversity, and improved riparian vegetation.

## APPROACH

The proposed design will apply a comprehensive approach appropriate to the site, creating long-term stability of the streambed, streambanks, and floodplain, and improve habitat for native species. The cross-sectional design with the “nested channel” approach, creates a smaller channel conveying base flow and sediments, within a broader channel that includes a low active terrace that passes flash flood flows and a floodplain at or near the bankfull stage which will pass infrequent flood events. This design also helps promote hyporheic flow and increases floodplain or terrace residence time.

KCI anticipates a Natural Channel Design Priority 2/3 approach with a “nested channel” to provide more frequent inundation, reduce energy, promote nutrient processing, and avoid/minimize increases of the 100 yr water surface elevation.

To meet the goals and objectives, KCI proposes to perform **Phase 1 preliminary design and environmental study services** including existing conditions studies, conceptual design and validation, and preliminary permitting as outlined in the RFP and as described in the following Scope of Work.



# SCOPE OF SERVICES

## 1. EXISTING CONDITIONS STUDIES

**1.1 Agency Coordination (PNDI & PHMC).** KCI will use the Pennsylvania Natural Diversity Inventory to determine the presence of rare, threatened, and endangered (RTE) species within the project corridor. KCI will coordinate with the regulatory agencies to address any concerns about RTEs associated with the project.

KCI will coordinate with the Pennsylvania Historical Museum Commission (PHMC) through the PA-SHARE system to determine whether any historic or archaeological resources are known within the project site. KCI will provide a clearance letter to be submitted with future permit applications.

Based on our experience, we do not anticipate a bat survey requirement for this small project.

USFWS has been asking only that tree clearing be avoided between May 15 and August 15 to protect nesting bats. There are only a few scattered trees onsite and the design will minimize clearance.

**1.2 Wetland Delineation.** KCI will conduct a site investigation to identify waters of the United States (WOTUS) and jurisdictional wetlands within the study area required for PA DEP and USACE PASPGP-6 (Joint Permit Authorization) in accordance with the “Routine” method outlined in the USACE Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region:

- » Wetland and WOTUS boundaries will be marked with flagging tape and located using GPS.
- » A Wetland Delineation Report will be prepared that can be utilized for waterway permitting requirements in a later phase. Data sheets and site photographs will be appended to the text.

KCI will review the USGS PA StreamStats for base flow and bank full calculations prior to the site visit to enable proper bankfull stage identification and calibration.

**1.3 Baseline Invasive Plant Assessment.** KCI proposes to perform a baseline visual inspection and assessment inside the project area for presence of invasive plant species to fulfill requirements seen in recent permits for similar projects. The baseline invasive plant assessment will document the presence of any invasive plant species within the project limits and estimate the percent cover of any observed invasive plant species. Photographs will be taken to document the vegetative composition of the site during the inspection.

## 1.4 Geomorphic Survey

**1.4.1 Obtain and Review Data.** KCI will obtain and review available data prior to performing site investigations. These include existing hydrology and hydraulic analysis, topographic survey, geologic and soils information, conceptual design and reports, downstream restoration documents, and other pertinent information. .

**1.4.2 Geomorphic Data Collection.** Geomorphic survey of the impaired reach includes the following:

- » Longitudinal Profile Surveys – KCI will complete profile survey for up to 600 linear feet of stream channel in the project area. KCI will document the water surface elevations, possible bankfull and stage indicators, and significant bed facets during the profile surveys.
- » Representative Cross-sections – KCI will survey up to three representative cross-sections.
- » Sediment Samples – Up to three pebble counts will be conducted within the project limits.
- » KCI will evaluate the Near Bank Stress (NBS) and Bank Erosion Hazard Index (BEHI) for up to 600 LF along the impaired reach as described in the Bank Assessment for Non-point source Consequences of Sediment (BANCS) by Rosgen (2006).

KCI will document active channel degradation including bed and bank instability.

**1.4.3 RAP Level 2.** KCI will complete the Pennsylvania Riverine Condition Level 2 Rapid Assessment Protocol, which “considers the condition of the channel/floodplain; riparian zone of influence; riparian vegetation; instream habitat and channel alterations” (DEP, 2016). This evaluation will help document the impaired condition of the stream reach.

**1.4.4 Culvert and Storm Drain Assessment .** KCI will assess the conditions of the upstream culvert and storm drain infrastructure in the study area. KCI will photodocument each structure, review the condition and stability, and determine whether the sizing is appropriate for the roadway classification.

## 1.5 Geomorphic Evaluation and Report

**1.5.1 Data Input and Analysis.** *The Reference Reach Spreadsheet* (Mecklenburg, 2006) uses a Rosgen-based geomorphic analysis where channel cross section dimension, meander pattern, longitudinal slope profile, and channel material data are input to evaluate and calibrate the design discharge based on field observations and measurements taken during the geomorphic assessment and StreamStats discharge estimates. KCI will determine geomorphic bankfull parameters.

The Mecklenburg spreadsheet allows for preliminary hydraulic analysis, including calculation of threshold grain size based on the Shield equation, relative roughness, channel velocity and shear stress, Froude number, and discharge rate.

**1.5.2 Report Development.** KCI will develop a Geomorphic Evaluation Report summarizing the background, methodology, and existing conditions of the impaired reach. The report will include a channel stability analysis describing the impaired reach (photolog, profile, section, pebble count data, BANCs summary); assessment approach; project constraints; and a plan view identifying cross sections and pertinent existing features.



## **Deliverables**

- » PNDI Clearances
- » Wetland Delineation Report
- » Baseline Invasive Species Memorandum
- » Geomorphic Evaluation Report

## **Assumptions/Exclusions:**

- » This scope of work does not include RTE surveys, if surveys are required, KCI will identify and team with qualified surveyors to complete the surveys.
- » This scope of work does not include historic or archaeological surveys, if surveys are required, KCI will identify and team with qualified historians to complete the studies.
- » Survey including details and dimensions of culvert crossings and base map development will be provided by others to KCI as a dwg and pdf.
- » Hydrology based on PA StreamStats.
- » Excludes biological monitoring (fish/benthic macroinvertebrates).
- » Assumes geotechnical evaluation by others and provided to KCI.
- » Deliverables will be transmitted electronically.

## 2. CONCEPT DESIGN

**2.1 Concept Design Development.** KCI will coordinate with Township Staff to develop and provide a concept level design and analysis. KCI understands the design direction to minimize disturbance to residents, while reducing flooding and maximizing floodplain connection through bankfull bench excavation. Grade control and bank stabilization elements will be provided including a combination of rock and bioengineering. Use of in-channel wood will be minimized due to the tendency for the channel to run dry. Alternating rock vanes may be recommended depending on the proposed channel width to depth ratio and plan form.

Assuming a reference reach is not available within the project area, KCI will rely on a process based assessment and use of common design ratios for stable C, E, and B stream types published by USFWS, 2015.

*2.1.1 Design Development.* KCI will develop typical cross sections (e.g. riffle or step and pool) and preliminary horizontal and vertical alignments in AutoCAD. Preliminary proposed geomorphic and hydraulic parameters for the designed bankfull stage will be determined and evaluated using the Mecklenburg spreadsheet.

KCI will propose typical details for stream structures to provide long term stability while minimizing disturbance.

*2.1.2 Design Validation.* KCI will size proposed materials and evaluate stability using estimated shears and velocity for the 10-year (based on PA StreamStats) as evaluated using Bentley Flowmaster or other simplified method. KCI will coordinate with Township Staff to evaluate areas of concern. For preliminary evaluation of the 100-year storm, KCI will utilize the 100-year discharge estimate from StreamStats and Bentley Flowmaster or other simplified method for stream hydraulics.

### 2.2 Concept Design Memorandum and Plans.

*Design Memo.* KCI will prepare a brief design report to build on or supplement the Geomorphic Evaluation Report. The memo will document the proposed concept design including proposed approach, design discharge determination, and preliminary design validation for bankfull, 10-year and 100-year events, with preliminary rock sizing and scour analysis.

*Design Plan Components.* KCI will provide typical details, sections, horizontal alignment, and simplified profile in dwg format and pdf. A preliminary planting schedule will be included.

A preliminary planting schedule will be developed to optimize the native riparian planting to appease both the landowners and regulators.

**2.3 Review Meetings and Coordination.** KCI will attend one field meeting with regulators and Township Staff following submittal of the Concept Design. KCI's Project Manager, Permitting Specialist, and H&H lead will attend up to three (3) one hour virtual meetings with Township Staff and regulators. For all meetings, KCI will coordinate with Township Staff to develop agendas and will prepare and distribute meeting minutes.

### Deliverables

- » Electronic submittal of the Concept Design Report and Concept Design Plans in dwg and pdf formats.
- » Meeting minutes for up to four meetings.

### Assumptions/Exclusions:

- » Proposed surface development, HEC RAS Modeling, construction specifications and bid document preparation, performed in subsequent phases.
- » Property owner permission and coordination by others.
- » Utility coordination performed by others.

» HY-8 analysis to evaluate culvert replacement by Township if performed.

### **3. PRELIMINARY DESIGN**

Following consensus from permitting agencies and approval by the Township, KCI will prepare a preliminary design restoration option. The preliminary design will be used as the basis of design for the final design proposal and will be used to inform residents and the Ferguson Township Board of Supervisors (BOS).

**3.1 Preliminary Design Development.** KCI will refine the Concept Design to incorporate Township and Agency comments.

KCI will also develop preliminary access and staging stockpile locations and other proposed improvements and establish a Limit of Disturbance (LOD) to evaluate permit needs.

**3.2 Renderings.** KCI will provide an illustrative section rendering for use in presentations to residents and the BOS. KCI can provide 3D perspective renderings if desired. An add alternate price is provided for this option.



**3D Perspective Rendering**

**3.3 Review Meetings and Coordination.** KCI's design and permitting team will attend up to three one hour virtual meetings with Township Staff and regulators. For all meetings, KCI will coordinate with Township Staff to develop agendas and will prepare and distribute meeting minutes.

**3.4 Phase 2 Recommendations and Scope Outline.** The Preliminary Design Report will be refined from the Concept Design Report to include an outline of permit requirements based on the evaluations and regulatory coordination and design recommendations. KCI will prepare a scope outline to bring the

KCI can provide a full range of engineering services including structural, geotechnical, utility, and road/culvert/bridge designflow paths.

preliminary design to construction completion within the established August 2025 deadline. While not proposed at this time, KCI is fully capable and available to perform the Phase 2 services efficiently to avoid delays.

The memo will also provide options for development of conceptual plans for revised future road crossing and potential for extending restoration further downstream, if deemed necessary during Phase 1. Phase 2 will include development of a three-dimensional terrain and HEC-RAS modeling and shear stress analyses. KCI will assess the critical shear stress and scour potential of the design sections to determine suitable material for use in the restoration. The erosion and sediment control (ESC) design will include phasing to limit stream work to minimize impacted area (disturbed area) to 50' or less at one time and will utilize bypass pumping.

The Phase 2 design will take into account the potential karst features when reevaluating hydrology and during construction. In Phase 2, KCI can also use HEC 26 Culvert Design for Aquatic Organism Passage if the Township desires.

## REFERENCES

- Mecklenburg, D. 2006. The Reference Reach Spreadsheet-For Channel Survey Data Management. V 4.3L. Ohio Department of Natural Resources.
- Pennsylvania Department of Environmental Protection (DEP), January 2023. Draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual (accessed May 1, 2023 <http://www.depgreenport.state.pa.us/>)
- Pennsylvania Department of Environmental Protection (DEP), 2016. Pennsylvania Riverine Condition Level 2 Rapid Assessment Protocol Version 1.0 (accessed May 1, 2023, <https://files.dep.state.pa.us/publicparticipation/Advisory%20Committees/AdvCommPortalFiles/WRAC/2016/092116/310-2137-003.pdf> )
- US DOT Federal Highway Administration, October 2010. Culvert Design for Aquatic Organism Passage.

## ISSUES RELATED TO COMPLETING THE WORK

The Beaver Branch Restoration presents various challenges that require experience and skill to navigate. **KCI does not foresee any issues with completing the project by August 2025, largely due to the thorough and proactive work performed to date by the Township (i.e. site and preliminary H&H evaluation and regulatory coordination).**

This table identifies potential issues and solutions. KCI is confident that the project can be completed within the proposed schedule without delays.

ISSUE	SOLUTION
<b>REGULATORY COORDINATION</b>	
Wild Trout habitat. Need to minimize disturbance while resulting in a stable design that provides vegetated buffer without over-armoring.	<p>The Township has performed early coordination with regulators and understands what is needed for their approval. KCI will attend multiple meetings with regulators throughout the project to continue to promote 'buy in'.</p> <p>KCI has restored many short confined stream reaches with utility and residential constraints and has proven techniques to accomplish project objectives.</p>
Time of year restrictions to construction	Stay on schedule for design and permitting (see proposed schedule)
Northern Long Eared and Indiana Bat permitting requirements, including potential survey.	Based on our experience, we do not anticipate a survey requirement for this small project. Clearing may need to occur begin prior to April 2025 to avoid the bat nesting period. Trees can be cleared without having ESC approval if stumps are cut and grinding does not occur until stream construction.
<b>LANDOWNER COORDINATION</b>	
Residents will be heavily impacted by the project with anticipated floodplain excavation, tree removal, and construction access.	<p>The Township has had early coordination with landowners to date.</p> <p>KCI can provide renderings to illustrate the work.</p> <p>Hydraulic modeling will evaluate floodplain impacts and determine need for design revisions.</p> <p>KCI will flag trees that should be removed during the field walk.</p> <p>The corridor is primarily maintained lawn and agricultural field. The riparian community will benefit from a robust native planting plan.</p>
<b>SITE CONSTRAINTS</b>	
Utilities	Having the survey in hand early in the assessment and design will allow us to avoid utilities or identify early if coordination with the utility is required. KCI has Utility Engineers who can coordinate temporary relocations if required, though at this time KCI assumes the Township will coordinate with utilities.
Limited LOD	KCI has worked successfully to develop sequence of operations and coordinate with contractors to facilitate construction in constrained working areas. (See Patleigh Road Example)

# QUALIFICATIONS OF THE FIRM

KCI is a full service environmental design, water resources planning, and engineering firm offering a highly qualified and respected team of professionals with proven experience in all aspects of stream restoration design, management, and monitoring services. We are especially strong in our knowledge and formal training in applied fluvial geomorphology, Rosgen stream classification (Levels I-IV), biological / chemical monitoring, H&H analysis, and sediment transport. We have extensive applied and practical experience preparing restoration designs and monitoring stream ecosystems in urban, urbanizing, and / or degraded environments, where we incorporate engineered stability within the context of geomorphologic and biological principles. In recent years, we have expanded our strong NPDES support and compliance capabilities to address associated Bay TMDL needs for our clients.



Our team has established itself as an expert in providing urban stream restoration services to meet TMDL requirements by applying natural channel design. We also have expertise in aquatic organism passage (AOC), and water quality BMP design. With more than 200 registered engineers, KCI's staff possesses the diverse expertise and depth of resources necessary to provide comprehensive technical services. The KCI team has an extensive list of both collective and individual project experience relative to this contract.

KCI is proud of our record of completing projects on time and within budget. KCI has successfully provided services under similar contracts and will draw upon those experiences to act with timeliness and efficiency throughout any project assignment. **KCI has extensive experience in meeting fast-track schedules for environmental projects and is accustomed to working with tight time constraints.**

KCI has the experience and resources to meet the Township's schedule to fulfill MS4 requirements. Specifically, to have final Bid documents prepared by January 2025 with Project Completion by August 30, 2025.

## QUALITY CONTROLS/REPORTING SYSTEMS

While it is every project manager's goal to have each project run smoothly, there are sometimes unforeseen circumstances that arise during the course of the project. It is important in these circumstances to adapt quickly to project conditions in order to meet project success. The depth of experience and broad range of disciplines available at KCI allows us to be able to quickly adjust resources and staffing to respond quickly to these changing project requirements.

KCI's Quality Management System (QMS) received ISO certification and is currently certified to the ISO 9001:2015 standard. The goal of the certification is to provide clients with a higher level of service and to continually find ways to improve. All processes are documented and are reevaluated regularly to identify improvement opportunities.



**Additional Support Capabilities.** The KCI Team has a local staff of over 500 engineers, scientists, and planners in multiple disciplines that can be called on to answer specific questions that could arise during the course of the project, including all specialties of civil and environmental engineering. The KCI Team's environmental planning and design staff includes surveyors, site designers, public involvement specialists, landscape architects, water resource engineers, and environmental scientists.





## SHANNON LUCAS, PE, CC-P

PROJECT MANAGER

21  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

Certified Climate Change Professional  
PE / PA 090903  
PE / DC, MD, & VA  
Rosgen Level I - IV  
MDDNR Qual Prof Forest Stand  
Delineation & Conservation Plans

### EDUCATION

MS / 2006 / Civil Engineering / Johns  
Hopkins University  
BA / 1996 / Mathematics / Clemson  
University

Ms. Lucas is a senior project manager in the Natural Resources Practice at KCI where she oversees all aspects of the assessment, design, and construction implementation of stream restoration projects throughout their duration. Ms. Lucas works to restore watersheds' hydrology and ecological function using proven and developing sustainable design methods and best management practices. Ms. Lucas is experienced in the assessment, classification, design, construction supervision, and monitoring of stream restoration projects, as well as in stormwater BMP assessments and retrofit designs, watershed assessments, and plans. Most of her restoration experience is in urban streams and watersheds. Ms. Lucas is skilled in using AutoCAD and various hydrologic and hydraulic models including: TR-55, TR-20, and HEC-RAS.

### PROJECT EXPERIENCE

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Project Manager. Ms. Lucas provided administrative, technical, and project management services for this award winning MDTA stream and wetland mitigation project. She performed geomorphic and function based assessments, bankfull discharge calibration, and Rapid Bioassessment, and prepared a natural channel design restoration utilizing rock step pools and a W-Weir, and bioengineering techniques such as woody plugs and woody toe. She prepared contract documents, special provisions, engineers cost estimate and design report, and sealed the construction plan set (PS&E) for advertisement. She provided Bid Phase and Construction Phase services including review of Contractor submittals, redline revisions, construction inspection, and as-built survey review. She developed monitoring and maintenance procedures and prepared a baseline monitoring report including an invasive species survey. Ms. Lucas initiated post-construction stream and wetland monitoring and trained MBE subconsultants in geomorphic survey and reviewed asbuilt plans.

**Baltimore County Department of Environmental Protection and Sustainability, Patleigh Road** - Baltimore County, MD. Project Manager. Ms. Lucas led the engineering and design for the steep deeply incised headwater channel in a stormwater dominated residential watershed. The design combines step pools and boulder riffles, with native plantings that are aesthetically pleasing and are sized and placed to avoid low overhead wires. Ms. Lucas computed Bay TMDL and impervious acre credits, estimated scour to establish footer depth, and assessed shears and velocities to size rocks and evaluate proposed conditions to ensure sustainability. Ms. Lucas obtained all local, State, and Federal permits. The project was permitted through the TMDL General Permit. She oversaw construction and provided an asbuilt certification memo.

**Howard County, Sunny Field Stream Restoration** - Howard County, MD. Project Manager. Ms. Lucas applied natural channel design and bioengineering to restore 3,500 LF of urban channel for the County's compliance with the MS4 TMDL and impervious acre (IA) credit requirements. Ms. Lucas prepared Regenerative Stormwater Conveyance (RSC) designs and Protocol 4 computations for two contributing incised outfall channels. She performed BANCS evaluations, sediment sampling, and TMDL credit computations for Protocols 1, 2, and 5, following Expert Panel guidelines and provided computations and data for the County's annual MS4 report and GIS database. Protocol 3 was evaluated but deemed not applicable. Ms. Lucas field surveyed geomorphic sections and performed hydrologic analysis to calibrate bankfull dimensions. She prepared an alternatives analysis and concept design. Ms. Lucas performed hydraulic analysis to assess shears and velocities, size rock material, and estimate potential scour depths. Ms. Lucas managed the ES&C design and Soil Conservation District and Grading permit approval, H&H analysis and floodplain evaluation, RTE coordination, natural resource assessments (waters of the US and wetland following the 1987 Corp Manual and forest stand delineations and reports), preparation of the forest conservation plan and the JPA, including the impact plates, property owner notifications, and avoidance and minimization analysis for approval under section 404 of the Clean Water Act. Ms. Lucas designed to avoid specimen trees, negotiated with regulatory agencies to obtain all necessary permits, prepared graphics and presented to residents at a public meeting.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - Chester County, PA. Environmental Scientist. KCI is performing preliminary engineering and final design for this five-mile corridor funded through the Highway Safety Improvement Program (HSIP). KCI is responsible for highway and drainage design, traffic control design, right-of-way plan development, environmental clearance, utility coordination, and public involvement. Ms. Lucas provided stream relocation design services to meet critical permit requirements for the project. The project required relocation of a perennial stream at the toe of slope of the roadway. Ms. Lucas performed a geomorphic survey, oversaw preparation of Level 2 rapid bioassessment forms, and prepared a natural channel design that allows for instream habitat and natural stream functions.



## JENNIFER BIRD, QP

PERMITTING MANAGER

25  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

MDDNR Qual Prof Forest Stand  
Delineation & Conserv Plans

MDE Erosion and Sediment Control  
Responsible Personnel

### EDUCATION

BS / 1996 / Environmental Science /  
Susquehanna University

Ms. Bird is an environmental scientist with extensive experience conducting ecological resource, water quality, and permitting projects that focus on freshwater environments and adjacent upland habitats for a variety of public and private clients. These projects included, but have not been limited to, extensive field studies, the analysis and interpretation of field and Geographic Information Systems (GIS) data, literature reviews for use in permit preparation, and the preparation of environmental documentation for federal, state, and local agencies. Through her work in environmental permitting, Ms. Bird has been involved in development of environmental compliance and permitting documents for a variety of projects including, large-scale utility installation/infrastructure projects, solid waste management facilities, bridge rehabilitation and construction, combined sewer/stormwater management facilities, and various activities within tidal and freshwater wetlands and adjacent riparian (upland) areas. She is also a Maryland Department of the Environment Consultant Reviewer for the Wetlands and Waterways Program.

### PROJECT EXPERIENCE

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Project Manager. The project restores a tributary and a portion of the mainstem of Carsins Run generating 1,000 linear feet of stream and 3,000 square feet of wetland mitigation credit to offset unavoidable impacts to wetlands and waterways from the Maryland Transportation Authority (MDTA) Express Toll Lanes (ETL) Northbound Extension Project along I-95 from north of MD 43 in Baltimore County to MD 24 in Harford County (I-95 Section 200 Project). Ms. Bird and her team performed wetland and forest stand delineations, developed landscape plans, and conducted the baseline invasive species assessment. Her team identified all invasive species present within the proposed LOD, estimated the overall percent invasive cover, and summarized the findings in a baseline monitoring report.

**Pennsylvania Turnpike Commission Central Office, I-95/I-276 Interchange Needs Study, Preliminary Engineering, and EIS** - Bucks County, PA. Senior Environmental Scientist. Since 2003, KCI has been providing environmental and permitting support to the PTC during design of the I-276/I-95 Interchange project. Environmental support includes the design and construction of separate wetland and stream mitigation sites, development of mitigation plans for two endangered species in the project area, Phase 1 ESA's, cultural resource investigations, Section 106 coordination, and Section 4(f) resource evaluations. KCI was also responsible for coordinating and preparing the USACE/PADEP JPA's for six construction phases in Stage 1 of the project and provided NPDES permit support. Stage 1 has been constructed. Stage 2 of the project is currently ongoing with Section D30 the next segment of the project to go to construction. Ms. Bird performed wetland delineations, developed Level 2 RAP forms, assisted with permit preparation, including environmental assessment text, and is managing a subconsultant performing archeological studies. As part of this effort, KCI also studied natural and socioeconomic resources in the vicinity of the Delaware River Bridge alternative alignments and Ms. Bird is currently assisting with the alternatives analysis and NEPA documentation updates.

**Environmental Permitting, Pennsylvania Turnpike Commission Design Build Fiber Project, Mainline and Northeast Extension.** Statewide, PA. Senior Environmental Scientist. KCI is supplying environmental permitting support for a Design Build fiber installation along 180 miles of the mainline Pennsylvania Turnpike at both eastern and western limits of the state, as well as 110 miles of the Northeast Extension. These projects will support open road tolling facilities along each section of the Turnpike. Ms. Bird, as the environmental permitting lead, developed culvert inventories to catalog all stream crossings for the purposes of preparing a GP-11 submittal to the PA Department of Environmental Protection for approval of utility crossings over streams. Additionally, she oversaw wetland delineations in those segments of the projects proposed for aerial pole installation to assist project designers with avoidance and minimization. Ms. Bird prepared the GP11 packages, including application forms, a project description and purpose, photologs, site location maps, culvert/stream inventories, design plans, and erosion and sediment control plans. Ms. Bird also oversaw preparation and submission of PNDI requests to obtain any information regarding RTE species and coordinated with the regulatory agencies to ensure no impacts to protected resources along the corridor.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - Chester County, PA. Senior Environmental Scientist. KCI is performing preliminary engineering and final design for this five-mile corridor funded through the Highway Safety Improvement Program (HSIP) and is responsible for highway and drainage design, traffic control design, right-of-way plan development, environmental clearance, utility coordination, and public involvement. Ms. Bird performed wetland delineation to identify wetlands and waterways within the project corridor and oversaw a Phase I Bog Turtle Survey to determine presence of rare bog turtles. She attended a pre-application meeting with PADEP and USACE to determine permit and mitigation needs on behalf of KCI and prepared a Joint Permit Application package requesting approval for unavoidable impacts to resources, including an exceptional value watershed.



## JAMES KESTER, PE

SENIOR H&H ENGINEER

34  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

PE / PA 073768

PE / DE, MD, NC, & VA

Rosgen Level I - IV

### EDUCATION

BSCE / 1989 / Civil Engineering / Virginia Polytechnic Institute and State University

Mr. Kester is a senior H&H engineer in KCI's Water Resources Practice with experience in hydrologic and hydraulic (H&H) analysis and design. His responsibilities include closed storm drain and stormwater management design; erosion and sediment control, H&H and floodplain analyses for culvert, bridge, and stream restoration design, water quality assessment and facility design, scour analysis, dam breach analysis, and NPDES pollution prevention plan preparation. He is proficient in TR-55, TR-20, WSPRO, HEC-2, HEC-RAS, HEC-18, and bridge scour studies.

### PROJECT EXPERIENCE

**Pennsylvania Turnpike Commission Central Office, Full-Depth Reconstruction, Milepost A53-A57** - Lehigh County, PA. Water Resources Engineer. KCI is providing design management services for the preliminary and final design of the total reconstruction of four miles of 6-lane roadway including the Lehigh Interchange, approximately 9 bridge structures, 9 culverts, sound barriers, and retaining walls. KCI is assisting Turnpike staff in the management of the prime design consultant. The primary tasks are: verifying quality design submissions that meet established submission dates; verifying the accuracy and completeness of deliverables; and verifying design consistency among the projects. The firm also attends and assists at public meetings, agency meetings, and meetings with elected officials. Mr. Kester reviewed the H&H submissions for the stream crossings proposed for replacement.

**Pennsylvania Department of Transportation, District 10-0, Engineering and Environmental Services Open End, E04292** - Districtwide, PA. Water Resources Engineer. Work orders included Preliminary Engineering for Callery Bridge (SR 3014-251) and Callery Bridge No. 2 (SR 3015-2255); superstructure design for Smicksburg Bridge (SR 4026-453); engineering and construction consultation services for an I-79 sign structure; and SUE for Rathmel Bridge No. 2 (SR 2033); and US 422 over Two Lick Creek EB and WB bridge deck replacement. Mr. Kester reviewed the H&H submissions for the stream crossings proposed for replacement.

**Wildlands Conservancy, Wehr's Dam Removal and Stream Restoration, South Whitehall Township, PA.** Project Engineer. The purpose of the project was the removal of a fish blockage and restoration of the reach both above and below of the dam. Mr. Kester applied the USGS Pennsylvania StreamStats program to develop weighted discharge estimates factoring in two nearby Jordan Creek gaging stations. Jordan Creek is in a FEMA regulated floodplain and the effective hydraulic model was obtained to supplement field survey for HEC-RAS geometry development. Existing and proposed HEC-RAS plans were developed to compare the current condition to the condition with the dam removed and the proposed stream restoration in place. A range of storms were compared, including the FEMA 100-year, for changes to water-surface, velocity, and shear stress that could impact Jordan Creek. The removal of the dam and the proposed stream restoration had the potential to increase velocity beneath a historic bridge, increasing the potential for bridge scour. Therefore, scour was computed to ensure no impact. Mr. Kester was responsible for the hydrology and hydraulics modeling for existing and proposed conditions and performed the bridge scour computations for the downstream historic covered bridge.

**MDOT State Highway Administration Central Office, MD 210 Over Carey Branch Hydrology** - Prince George's County, MD. Project Manager. Mr. Kester was responsible for the development of a Hydrologic Analysis Report based on Hydrology Panel methods, a preliminary (visual) geomorphic assessment according to Chapter 14 of the Manual for Hydrologic and Hydraulic Design, the relocation of a portion of Carey Branch with a stable channel required by the widening of MD 210, and a hydraulic sizing of two proposed crossings and the upstream extension of the MD 210 RCB culvert. KCI completed a concept level HEC-RAS model and the Concept Hydraulic Analysis Report that was provided to the D/B Team.

**Pennsylvania Department of Transportation, District 4-0, SR 3014-370 Bridge Replacement over Nescopeck Creek, E00856** - Luzerne County, PA. H&H Engineer. This project involves environmental studies, preliminary engineering, final design, and construction consultation for the replacement of the existing Parker camelback steel truss bridge over Nescopeck Creek at the junction of SR 3015. During preliminary design, the bridge was determined eligible for listing in the National Register of Historic Places. KCI prepared the Purpose and Need and the Historic Bridge Rehabilitation Analysis Report, provided pertinent site-specific information and determined that rehabilitation would not meet the Purpose and Need. KCI designed the replacement bridge, which is a three-span prestressed concrete spread box beam bridge utilizing full-height abutments with wall piers. Mr. Kester prepared the H&H study and report to support this bridge replacement.



## STEPHEN MITTERER, PE

SENIOR PROJECT ENGINEER

33  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

PE / PA PE078187

### EDUCATION

BS / 2002 / Civil Engineering Technology  
/ Point Park University

AS / 1990 / Specialized Technology in  
Architectural CADD / Triangle Tech

Mr. Mitterer's experience is in transportation engineering with a focus on drainage, stormwater, erosion and sediment control, and environmental permitting. He supervises the preparation of the General and Individual NPDES permits including but not limited to the Post Construction Stormwater Plans and the Erosion and Sediment Pollution Control Plans. His experience includes projects for PennDOT, PA Turnpike Commission, and multiple municipal agencies.

### PROJECT EXPERIENCE

**Pennsylvania Department of Transportation, Bureau of Public Transportation, E04698 Erie West Front Street Extension** - City of Erie, Erie County, PA. Senior Project Engineer. This project is the design of an access road along the Erie Bayfront adjacent to the Bayfront Parkway between Sassafra Street Extension and State Street. Responsible for the drainage, stormwater, erosion control, NPDES permit and the Chapter 105 GP-4 and GP11 permits.

**Erie-Western PA Port Authority, Sassafra Street Connector, E04698** - City of Erie, Erie County, PA. Senior Project Engineer. This project is the design of roadway and multimodal improvements to the Sassafra Street Connector, including new sidewalks and a bicycle path, along the Erie Bayfront adjacent to the Bayfront Parkway. Responsible for the drainage and erosion control design.

**Township of Cranberry, SR 3020-297 Freedom Road East** - Butler County, PA. Senior Project Engineer. This locally led project involved widening of a 4,500-foot section of existing urban arterial to five lanes, the addition of turning lanes, and signal improvements at three intersections. Accommodations for bicyclists and pedestrians were provided with the inclusion of bike lanes and sidewalks. Responsible for the stormwater design and NPDES permit submission.

**Township of Cranberry, SR 3020-298 Freedom Road West** - Butler County, PA. Senior Project Engineer. This locally led project involved the widening of a 6,600 foot corridor from Haine School Road to the Butler County line. It included a 3-lane section and a 5-lane section with a bicycle lane, two signalized intersections, and approximately 60 properties. Responsible for the stormwater design and NPDES permit submission.

**Allegheny County, Bridge Design Group K, County Project No. AA00-1701** - Allegheny County, PA. Senior Project Engineer. This project is LC02-0510 Lick Run Bridge No. 2 - preliminary engineering and final design for replacement of a 36' single-span timber bridge carrying Wallace Road over Lick Run in Jefferson Hills Borough and South Park Township. Responsible for the preparation of the Erosion and Sediment Control Pollution Plans for the Chapter 105 permit.

**Pennsylvania Turnpike Commission Central Office, Design Management Services for Three Total Reconstruction Projects** - Bucks and Lehigh Counties, PA. Senior Project Engineer. Design management services for three total reconstruction projects: MP A44 to A48, MP A48 to A53, and MP A53 to A57. Responsible for design review of the drainage, stormwater, and environmental permits for the PA Turnpike Commission.

**Pennsylvania Department of Transportation, District 6-0, SR 0896-SIP Corridor Safety Improvements, E02362** - New London, Franklin, and London Britain Townships, Chester County, PA. Senior Project Engineer. This project is the design of a five-mile corridor funded through the Highway Safety Improvement Program (HSIP). Responsible for the stormwater design and the NPDES permit preparation.

**HSS Investors, LLC, Hempt Farms Development** - Mechanicsburg, Cumberland County, PA. Senior Project Engineer. This project is the design of a new 451-acre mixed-use development including retail, office, industrial, residential and municipal land uses adjacent to the Carlisle Pike (SR 0011) in Silver Spring Township. Responsible for preliminary stormwater design.



# KATHERINE MYERS-BUCKLER, ENV SP, QP

ENVIRONMENTAL SCIENTIST

16  
Years of Experience

## CERTIFICATIONS & REGISTRATIONS

Envision Sustainability Professional (ENV SP)

Forest Stand Delineations and Forest Conservation Plans

## EDUCATION

MAS / 2013 / Energy and Sustainability / University of Denver

BA / 2007 / Environmental Studies / Gettysburg College

Ms. Myers is an Environmental Scientist with KCI's Natural Resources Practice who specializes in wetland delineations, forest stand delineations, and GIS mapping. Ms. Myers has evaluated natural resources and existing site conditions for a variety of projects including large-scale utility installation/infrastructure projects, stream restoration, transportation projects, combined sewer/stormwater management facilities, and pipeline installation. Her years of experience includes field studies, preparation of project plans in GIS, and the preparation of permit application materials for federal, state, and local agencies.

## PROJECT EXPERIENCE

**Environmental Permitting, Pennsylvania Turnpike Commission Design Build Fiber Project, Mainline and Northeast Extension.** PA. Environmental Scientist. KCI is supplying environmental permitting support for a Design Build fiber installation along 110 miles of the mainline Pennsylvania Turnpike at both eastern and western limits of the state, as well as 180 miles of the Northeast Extension. This project will support open road tolling facilities along both sections of the Turnpike. Ms. Myers developed culvert inventories to catalog all stream crossings for the purposes of preparing a GP-11 submittal to the PA Department of

Environmental Protection for approval of utility crossings over streams. She performed quality assurance reviews on wetland delineation datasheets and assisted in preparing the GP11 packages, including application forms, a project description and purpose, photologs, site location maps, culvert/stream inventories, design plans, and erosion and sediment control plans.

**Wetland Delineation, Pennsylvania Department of Transportation, I-80 Corridor.** Environmental Scientist. KCI provided wetland delineation support for proposed improvements along more than 10 miles of Interstate 80 in Luzerne County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts. She also performed a wetland delineation at an existing wetland mitigation site proposed for expansion.

**Wetland Delineation, Pennsylvania Department of Transportation, US 222/PA 324 Roundabout.** Environmental Scientist. KCI provided wetland delineation support for the proposed roundabout at US 222 and PA 324 in Lancaster County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts.

**Wetland Delineation, Pennsylvania Department of Transportation, Maclays Mill Road Bridge Rehabilitation.** Environmental Scientist. KCI provided wetland delineation support for the proposed bridge rehabilitation of the historical Maclays Mill Road Bridge in Franklin County, PA. Ms. Myers performed wetland delineations along the corridor to assist project designers with avoidance and minimization. As part of the development of the wetland delineation, Ms. Myers collected readily available primary source materials including USGS maps, National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) floodplain data, and the city/county soil survey to determine the presence or absence of regulated natural resources (wetlands and streams) within the project corridor. She collected soil samples, identified hydrology indicators, and recorded dominant plant species within all three strata on Routine Data Point Forms. Ms. Myers was instrumental in developing GIS maps illustrating wetland and waterway boundaries for future permitting efforts, including the Wetland Condition Rapid Assessment.



## ADAM SPILLER, CPESC

QUALITY CONTROL / QUALITY ASSURANCE

19  
Years of Experience

### CERTIFICATIONS & REGISTRATIONS

Rosgen Level I - IV

Certified Professional in Erosion and Sediment Control

### EDUCATION

MEM / 2005 / Ecosystem Science and Management / Duke University

BS / 2002 / Biology / College of William and Mary

Mr. Spiller is an environmental scientist and project manager with experience specializing in stream and wetland design and monitoring. This work includes stream assessment and existing conditions surveys, design constraint evaluations, concept plans, design criteria development, mitigation report preparation, permitting, construction plans and specifications, construction oversight, and baseline data collection and report preparation. Mr. Spiller is experienced in performing stream and wetland assessments and restoration design. His educational background in biology and environmental management aid him in understanding functional implications of stream restoration.

### PROJECT EXPERIENCE

**American Rivers, Beaverdam Creek Dam Removal** - Haywood County, NC. Project Manager. American Rivers requested KCI perform design, permitting, H&H analysis, and construction coordination for the removal of the Beaverdam Creek Dam in the Town of Canton in Haywood County, NC. Mr. Spiller has served as the Project Manager and Design Lead for this project.

**North Carolina Department of Transportation, Black Bull Mitigation Bank** - Cape Fear, NC. Project Manager. KCI has implemented the Black Bull Mitigation Bank, a stream, buffer, and wetland mitigation project in the Cape Fear Basin in Alamance County, North Carolina. KCI is providing site selection, WOUS

delineation and JD, endangered and threatened species evaluation, 401/404 permitting, survey, design, construction, and monitoring as the owner of this bank. Constructed in 2021, the project will be monitored for seven years by KCI. Mr. Spiller helped lead the design team for this project that included the restoration and enhancement of over 6,000 LF of channel and associated wetlands and riparian buffer. The project included the assessment of cattle impaired and channelized streams and continued to the preparation of a mitigation plan. The mitigation plan documented these conditions and provided the justification for the design approach to restoring this site. The design incorporated multiple constraints including existing perennial springs, bedrock outcrops, and steep valley slopes. The project is now in the monitoring phase.

**NCDEQ Div of Mitigation Services, Adkin Branch Stream Restoration Repair** - Kinston, NC. Project Manager. Mr. Spiller conducted the site evaluation and assessment, remedial design, and construction management for the repair of the Adkin Branch Stream Restoration Project in a residential part of Kinston, NC. Since original construction and design by a different company, the stream mitigation site had experienced several large storm events, which led to areas of severe erosion and instability. The site was due to close out, but these unstable portions of the stream required repairs to prevent a loss of credits at the site. DMS tasked KCI with completing this project on a fast track schedule. During the assessment process, DMS requested that another repair area be added to the scope. This was done with a small contract amendment and did not negatively affect the project schedule. The entire project was successfully designed and constructed on budget and schedule. Mr. Spiller led the design team, the construction oversight work, and client coordination for this project.

**City of Hickory, FEMA Flood Mitigation Grants** - Hickory, NC. Stream Designer. The project scope included developing FEMA applications for the Northeast Wastewater Treatment Facility and Snow Creek Pump Station. The design included perimeter flood protection, relocation of sewer infrastructure and stream restoration activities. KCI submitted complete and competitive grant applications that resulted in \$8.9M in funding. Mr. Spiller is the manager for the stream restoration portion of these projects and leads the concept design development for the grant.

**Maryland Transportation Authority, Carsins Run** - Harford County, MD. Quality Control / Quality Assurance. Mr. Spiller provided administrative and quality control services for this award winning MDTA stream and wetland mitigation project that removed concrete from a streambed, stabilized streambanks, and created wetlands as mitigation for unavoidable impacts associated with the reconstruction of I-95 in Harford County, MD.



## LEHIGH RIVER FISH PASSAGE IMPROVEMENT FEASIBILITY STUDY

### Lehigh River, PA

KCI worked with the Wildlands Conservancy, the Pennsylvania Fish and Boat Commission (PFBC), American Rivers, and the National Oceanic and Atmospheric Administration to evaluate fish passage alternatives that could open more than 16 miles of the lower Lehigh River to American shad after 180 years. The feasibility study focused on achieving a minimum of 80 percent passage of fish swimming upstream to spawning grounds.

Fish ladders were installed at both locations in the early 1990s, but even with adjustments to improve passage efficiency, both facilities are operating well below expectations, passing only an estimated 30 percent of fish that reach the dams. KCI researched other means including removing each dam in total, removing portions both horizontally and vertically, building a fish rock ramp, or creating inverted rock ramps.

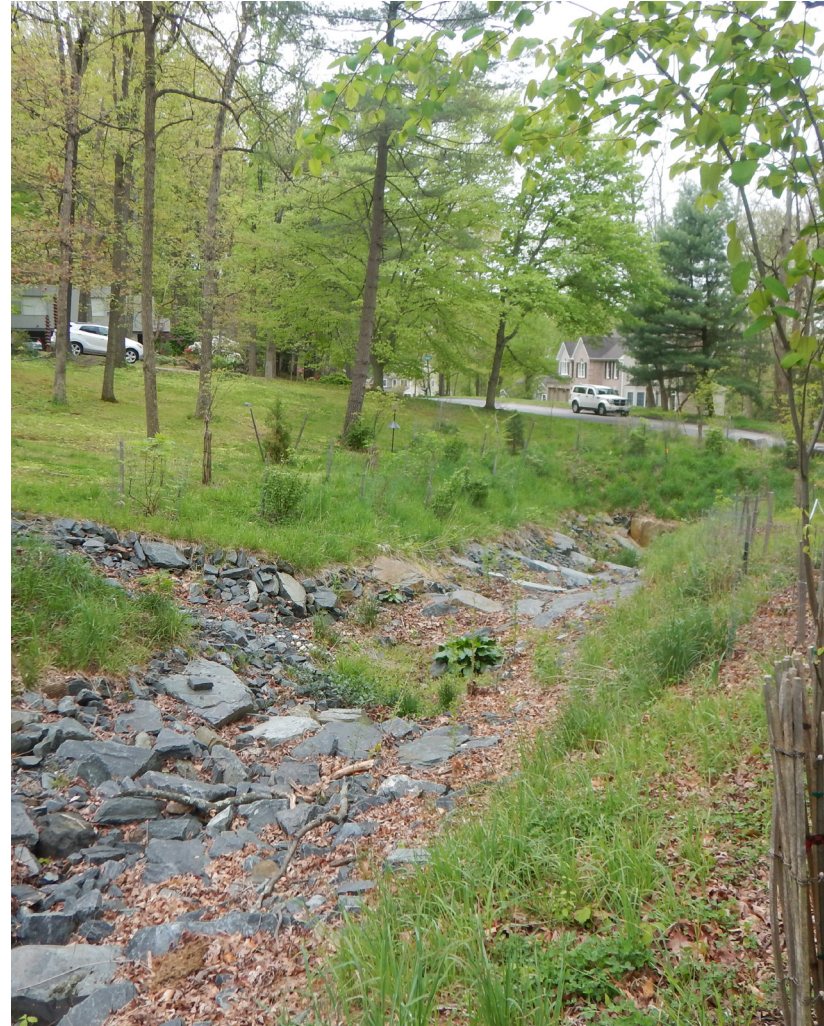
The team considered the advantages and disadvantages of each alternative, identified potential impacts and calculated costs for implementation and maintenance. Each option posed significant challenges, including altering scenic views, affecting the adjacent historic canal systems, potentially disrupting existing land uses, and creating unstable conditions because of the materials and methodologies used in constructing the existing dams. Innovative solutions were identified and investigated to address complex issues like interrupting the water source for the historic Lehigh and Delaware canals and protecting upstream infrastructure. The results of the study provided valuable information including potential impacts, benefits, and costs associated with augmentation or removal of each of these dams, so that an ultimate technical decision about the future of these structures can be made by the dam owners.

# PATLEIGH ROAD STREAM RESTORATION

Baltimore County, MD

KCI provided assessment and concept design for 1,160 LF of the highly visible eroding Sawmill Branch Tributary upstream and downstream of Patleigh Road; and design, permitting, and construction phase services for a 346 LF portion upstream of Patleigh Road. The 346 LF upstream reach was a **steep deeply incised intermittent headwater channel** conveying flows in a stormwater dominated residential watershed within a 50' County stormdrain easement between the Seminole Rd and Patleigh Road culverts. The successful stream restoration provides sustainable storm drain system transitions using a series of boulder step pools, imbricated sill/drop structures, and riprap cascades. A short ephemeral 17 linear foot outfall channel was also stabilized from the existing concrete apron to the boulder cascade. The landscape design was aesthetically pleasing and sized and placed to avoid low overhead wires.

*"Since the stream restoration, the changes in wildlife has been noticeable, particularly the hawks (red shoulder, redtail, and some Coopers). The hawks have been going bonkers hunting from the trees around the stream. One day a hawk flew low over my head with a snake in its claws. With the water now backed up and pooling more at the top near Seminole, in the summer, frogs have been thriving and walkers by comment on how loud it is. I currently have a Northern Rough-Winged Sparrow nest under my deck. That's the first time I've ID'd this type of bird in my yard." - Local Resident*





# UPTON STREAM RESTORATION

## Baltimore County, MD

KCI completed the site assessments, design, permitting, and construction support for approximately 2,500 LF of stream channel. Numerous functional assessments were performed by KCI including flow classification, bank height ratio, BEHI, long pro and cross section survey, pebble counts, habitat assessment, and vegetation and invasive plants assessments. The deeply incised, narrow channel was found to be unstable, highly eroded and contained little to no aquatic habitat. KCI also completed watershed delineation, hydrology and hydraulic studies and worked with our subconsultants for topographic survey and Natural Resource inventories for wetland, and forest delineations. KCI developed the proposed restoration design based on the detailed geomorphic assessment and hydrologic and hydraulic modelling. Results were used to determine the most beneficial method to provide functional uplift by restoring the connection to the floodplain and stabilizing banks.

Initial designs **assessed the use of RSC system** based on the typical 100-year return interval, but the width of this system would have had significant impact on the existing trees due to the extent of cut required to tie-in the RSC cross section. Instead, the design utilized a bankfull channel cross section with a **step pool and cascade-based morphology** in the steeper sections of the restoration and riffle-pool morphology in locations of average channel slope less than approximately 1.5%. **Improved floodplain connection** was accomplished using a combination of raising the stream channel and floodplain bench creation. Additional stabilization treatments utilized include riffle grade control, drop structures, stone toe protection, log rolls, roughened riffles, and woody toe protection. Storm drain outfalls were stabilized through various means in this project. Wetland creation was incorporated to offset the impacts on existing wetlands based on the stream design. Final plans, specifications, and cost estimates were developed for bidding the projects. KCI provided bid support to the County.

During construction phase services KCI staff reviewed requests for information and material submittals, provided construction oversight, including direct guidance of key features, checking spot grades, and directing modifications for unforeseen conditions to ensure the integrity of the design intent. Daily and weekly reports were prepared and submitted to the County with photo-documentation of progress. KCI reviewed and certified the As-Built drawings and checklist following completion of the construction and provided an as-built summary memo to the County to document conditions outside of the specified tolerances.





## CARSINS RUN STREAM RESTORATION

Harford County, MD



MDOT ENVIRONMENTAL  
QUALITY WINNER

The project restores a tributary and a portion of the mainstem of Carsins Run generating 1,000 linear feet of stream and 3,000 square feet of wetland mitigation credit to offset unavoidable impacts to wetlands and waterways from the Maryland Transportation Authority (MDTA) Express Toll Lanes (ETL) Northbound Extension Project along I-95 from north of MD 43 in Baltimore County to MD 24 in Harford County (I-95 Section 200 Project). The project integrates stream stabilization, floodplain connectivity, wetland creation, riparian protection / enhancement, and a drop structure to provide sustainable storm drain system transition. Restoration of the Tributary effectively met objectives to: reduce excess sediment delivered downstream through bed and bank stabilization; restore channel geometry to provide long term stability to minimize future maintenance; reduce nutrients by reducing sediment delivered downstream and allowing the channel to access the floodplain more frequently and create or enhance hyporheic exchange; improve habitat by introducing a variety of velocity / flow regimes through realignment, creating riffles and deep pools, and introducing woody material; and create wetlands by raising the water table, leaving slight depressions in abandoned and adjacent portions of the channel planted with native wetland plants. Restoration of the Carsins Run Mainstem effectively met objectives to: improve habitat and water chemistry by removing concrete and introducing riffle grade control and w-weir structures.

Using a **reference step pool reach within the project study area, KCI successfully developed and implemented proposed step pools to mimic the reference condition.** The Mainstem restoration stabilized banks, introduced bed diversity, and replaced a failed stormdrain with a drop structure, while reduced impacts to the channel bed. Public Safety is improved by replacing a failed 21" stormdrain at Randolph Drive and introducing a drop structure.



**Before**



**After**

# SCHEDULE

		<i>Denotes Deliverable</i>				<i>Denotes Meeting</i>			
2023	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	
<b>PHASE 1</b>									
<b>TASK 1: EXISTING CONDITIONS STUDIES</b>									
Agency Coordination (PNDI and PHMC)									
Wetland Delineation									
Baseline Invasive Plant Assessment									
Reference Reach and Impaired Reach Geomorphic Survey									
Geomorphic Evaluation and Report									
<b>TASK 2: CONCEPT DESIGN</b>									
Concept Design Development									
Concept Design Memorandum and Plans									
Review Meetings									
<b>TASK 3: PRELIMINARY DESIGN</b>									
Preliminary Design Development									
Renderings									
Review Meetings									
Phase 2 Recommendations									
Address comments, answer questions									

	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
2023-2025																					
Phase 2 Proposal Due																					
Board Approval and NTP																					
Final Design and Permit Applications																					
Obtain Final Permits/Approvals																					
Prepare Final Bid Documents																					
Project Construction																					

In-Stream Closure Period

# COST

KCI will provide all labor and materials necessary to complete all the services described in the Scope of Services above. The method of payment for this Contract is NOT TO EXCEED \$\_43,430 based on actual costs incurred/billable hours per major task shown. Billable hours not to exceed 334 hours.

TASK	LUMP SUM
1. Existing Conditions	\$19,120.00
2. Concept Design	\$15,645.00
3. Preliminary Design	\$8,055.00
4. Direct Costs	\$610.00
<b>TOTAL PHASE 1 FEE</b>	<b>\$43,430.00</b>
<i>Add 3D Perspective Renderings</i>	<i>\$4,500.00 each</i>

# RATE SCHEDULE

JOB CLASSIFICATION	HOURLY RATE
Senior Project Manager / Senior H&H Engineer	\$200.00
Permitting Manager	\$185.00
Senior Stream Designer	\$165.00
Senior Project Engineer	\$145.00
Stream Design Engineer / Project Engineer	\$115.00
CADD Operator	\$105.00
Environmental Scientist	\$95.00
Natural Resources Specialist	\$85.00
Environmental Technician	\$75.00
Scientist in Training	\$65.00

# PERSON HOUR ESTIMATE BY TASK

Task	Task Description	Sr. Project Manager / Sr. H&H Eng.	Permitting Manager	Stream Designer Engineer	Env. Scientist	Env. Tech.	CADD Operator	Total Hrs
<b>1</b>	<b>EXISTING CONDITIONS STUDIES</b>							
<b>1.2</b>	<b>Agency Coordination</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>
	<i>PNDI</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>4</i>
	<i>PHMC</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>4</i>
<b>1.1</b>	<b>Wetland Delineation</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>10</b>	<b>28</b>	<b>20</b>	<b>62</b>
	<i>Site Visit</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>	<i>16</i>	<i>0</i>	<i>22</i>
	<i>Report</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>4</i>	<i>12</i>	<i>20</i>	<i>40</i>
<b>1.3</b>	<b>Baseline Invasives</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>16</b>
	<i>Site Visit</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6</i>	<i>0</i>	<i>0</i>	<i>6</i>
	<i>Report</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>8</i>	<i>0</i>	<i>0</i>	<i>10</i>
<b>1.4</b>	<b>Geomorphic</b>	<b>15</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>31</b>
	<i>Review Data/Gather Equip</i>	<i>2</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>
	<i>Geomorphic Data Collection</i>	<i>12</i>	<i>0</i>	<i>13</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>25</i>
	<i>RAP Level 2</i>	<i>0.5</i>	<i>0</i>	<i>0.5</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
	<i>Culvert and Storm Drain Assessment</i>	<i>0.5</i>	<i>0</i>	<i>0.5</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1</i>
<b>1.5</b>	<b>Geomorphic Evaluation and Report</b>	<b>8</b>	<b>6</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>42</b>
	<i>Data Input and Analysis</i>	<i>2</i>	<i>0</i>	<i>12</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>14</i>
	<i>Report Development</i>	<i>6</i>	<i>6</i>	<i>16</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>28</i>
<b>2</b>	<b>CONCEPT DESIGN</b>							
<b>2.1</b>	<b>Design Development</b>	<b>6</b>	<b>2</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>38</b>
	<i>Proposed Sections, Plan, Prof, Details</i>	<i>4</i>	<i>0</i>	<i>16</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>20</i>
	<i>Design Validation</i>	<i>2</i>	<i>2</i>	<i>14</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>18</i>
<b>2.2</b>	<b>Memo and Plan Components</b>	<b>10</b>	<b>0</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>66</b>
	<i>Design Memo</i>	<i>6</i>	<i>0</i>	<i>16</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>22</i>
	<i>Design Plans</i>	<i>4</i>	<i>0</i>	<i>24</i>	<i>0</i>	<i>0</i>	<i>16</i>	<i>44</i>
<b>2.3</b>	<b>Meetings and Coordination</b>	<b>10</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>
	<i>Meetings and Coordination</i>	<i>10</i>	<i>0</i>	<i>3</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>13</i>
<b>3</b>	<b>Preliminary Design</b>							
<b>3.1</b>	<b>Preliminary Design Development</b>	<b>1</b>	<b>2</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>
<b>3.2</b>	<b>Renderings</b>	<b>3</b>	<b>0</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>
<b>3.3</b>	<b>Review Meetings and Coordination</b>	<b>4</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>
<b>3.4</b>	<b>Phase II Rec. and Scope Outline</b>	<b>8</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>
<b>Total Hours</b>		<b>65.0</b>	<b>16.0</b>	<b>156.0</b>	<b>32.0</b>	<b>28.0</b>	<b>36.0</b>	<b>333.0</b>
Direct Expenses								
	900 Miles	@	\$ 0.655	Per Mile		=	\$	589.50
	19 B&W Printing	@	\$ 0.06	Per Print		=	\$	1.14
	20 Color Printing (8.5" x 11")	@	\$ 0.69	Per Print		=	\$	13.80
	40 B&W Printing (11" x 17")	@	\$ 0.14	Per Print		=	\$	5.60



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## TOWNSHIP OF FERGUSON

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### Memorandum

To: Board of Supervisors  
Centrice Martin, Manager  
From: Aaron Jolin, Stormwater Engineer

Re: MS4 PRP – Beaver Branch Stream Restoration

Date: May 26, 2023

#### Background:

At the regularly scheduled April 18<sup>th</sup>, 2023 Board of Supervisor's meeting, the Board approved staff to solicit preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (Slab Cabin and Beaver Branch). The 2023 budget includes funding for professional design services for environmental, hydraulic stability, and design aspects of the MS4 PRP stream restoration projects (Slab Cabin Run and tributary to Beaver Branch) as well as exhibits in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies, with significant stream restoration experience (HRG, Biohabitats, KCI Technologies, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technologies, Inc.). The stormwater engineer will manage the work of the consultants.

#### Scope of Work:

A request for proposals was solicited April 19<sup>th</sup> 2023. The scope of work included with "Phase 1 Preliminary Design / Environmental Study" is as follows:

- Complete initial PNDI and PHMC submissions. Should further investigation and/or requirements for coordination be required, provide an add service to complete any additional coordination.
- Perform field investigation/study and complete a Wetlands and Waterways Report as required for PA DEP and USACE PASPGP-6 (Joint Permit Authorization)
- Determine stream geomorphic conditions and provide restoration design guidance.
- Using the completed (above) studies, coordinate with Township Staff to provide concept level design and analysis. Upon staff review, coordinate concept restoration options with DEP/Staff.

- Prepare a preliminary design restoration option to be used as the basis of design for the final design, have generally approved consensus from permitting agencies and for use in helping to inform residents and the Ferguson Township Board of Supervisors.

Tasks for this project include but are not limited to:

1. Developing/analyzing up to five cross-sections at critical design locations, for review with permitting agencies and Township staff.
2. Completing reach evaluation and reports.
3. Completing waterways and wetlands report.
4. Coordinating with Township Staff for consideration of culvert replacement
5. Completing a plan view concept design providing 100-year stability (structures)
6. Coordinating with permitting agencies to resolve (to the extent possible) concerns that the permitting agencies have with disturbing/modifying the existing stream bed.
7. Completing refined plan view and cross sections exhibits for presentation purposes.
8. Attending virtual and onsite meetings with staff, permitting agencies and the Board of Supervisors.
9. Developing preliminary 100 hydraulic stability analysis.
10. Determining preliminary LOD and understanding of whether NPDES permitting may be required (if LOD expands beyond one acre)

Project Schedule:

The following schedule was provided in the request for proposals:

June 6th, 2023	Board approval
June 13th, 2023	Contract signed
June 16th, 2023	Kickoff meeting.
June 30th, 2023	Complete PNDI and PHMC initial submissions/inquiries.
July 31st, 2023	Preliminary field investigations complete.
August 31st, 2023	Submit preliminary wetlands and waterways report.
September 29th, 2023	Staff review of concepts completed.
October 31st, 2023	Concept design options reviewed with DEP, PA Fish and Boat, USACE complete.
November 30th, 2023	Preliminary design/calculations complete and ready to present to BOS, residents, and staff.

Proposal Evaluations:

On May 17, 2023, staff received 3 proposals for the MS4 PRP Stream Restoration Projects. Proposals were reviewed and evaluated based on the following weighted criteria:

1. Detailed scope of work with documented understanding of project area/objectives and issues related to completing work (25 points).
2. Qualifications of individuals assigned to manage and work on the project including experience in performing similar types of projects (25 points).
3. Proposed project schedule (25 points).
4. Cost to complete work including a breakdown of tasks and hours along with rate schedule (25 points).

Recommendation:

Based on the aggregate ranking of proposal criteria (as specified above), **staff recommends KCI Technologies, Inc. be awarded the contract for preliminary design services outlined in the RFP and their scope of services in the amount of \$47,930.00.** The entire amount of **\$47,930.00** is anticipated to be spent in 2023. The scoped work can be completed within the budgeted amount of \$52,500 under fund 20.408.317.



## RESOLUTION \_\_\_\_\_

### AGREEMENT

THIS AGREEMENT is made and entered into this 14th day of April, 2023 by and between The Pennsylvania State University, along with its Regional Records Management Consortium members, Borough of State College, Township of Ferguson, and the Township of Patton (hereinafter referred to as the "Client"), and PRI Management Group, 150 Alhambra Circle, Suite 1270, Coral Gables, FL 33134 (hereinafter referred to as the "Contractor").

### RECITALS

WHEREAS, the Client will be replacing its records management system, and seeks to engage procurement, project management, and implementation support services; and,

WHEREAS, the Contractor has experience in law enforcement, Information Technology ("IT"), and consulting services; and,

WHEREAS, the Client desires to engage the Contractor to render certain services in connection therewith, and the Contractor is willing to provide such services.

NOW THEREFORE, in consideration of the premises and mutual obligations herein, the parties hereto for mutually agree as follows:

1. **Scope of Services.** The Contractor shall perform the following services (hereinafter referred to as the "Services") in a satisfactory and proper manner, as determined by the Client:
  - A. The Contractor will provide Consulting Services related to replacement of the Client's records management system. The Contractor will provide:
    1. Project Management to include:
      - a. Overall project governance and planning;
      - b. Develop project charter;
      - c. Develop detailed task, milestones, and deadline time frames for each step of the RMS procurement;
      - d. Manage and monitor project to ensure project tasks, objectives and milestones are accurate and delivered on time;
      - e. Provide overall project timeline;
      - f. Build appropriate project team(s) consisting of both Consultant and Client staff;
      - g. Facilitates project team(s) and vendor meetings/calls;
    2. Needs assessment activities to include:
      - a. Provide a functional requirement assessment.
      - b. Provide technology and hardware inventory and assessment.
      - c. Review Client workflows.

- d. Identify current processes and potential new processes to improve workflows.
      - e. Develop system specifications.
    3. Procurement Services to include:
      - a. Consultant will work with the Client to draft and publish a Request for Proposals package, including related documents.
      - b. Scheduling product reviews and evaluations including but not limited to the following: hands on demos, scripted scenario-based demos, user labs, onsite visits with vendor's customers, develop and distribute customer and internal staff surveys.
      - c. Develop scoring criteria and rating system.
      - d. Contract review and negotiations.
      - e. Vendor products and services oversight.
      - f. Validate legal and policy compliance of vendor solutions.
      - g. Review and validation of selected vendors data security policies.
    4. Implementation Oversight to include:
      - a. Coordinate with current Client records management system vendor to oversee Client data migration, conversion, and/or storage solutions are successfully completed and accepted.
      - b. Assures selected vendor provides a system that is fully integrated with the State Police Commonwealth Law Enforcement Assistance Network (CLEAN).
      - c. System integrations and Interfaces oversight and confirmation.
      - d. Migration to NIBRS training and assistance.
      - e. Non-system-specific training in report writing, NIBRS and CLERY compliance.
      - f. Validation of CLERY compliance reporting and statistics tracking.
      - g. System testing, training, and cutover management.
      - h. Installation and deployment coordination.
    5. Closeout support:
      - a. Review deployed solution and system acceptance to confirm vendor contract compliance.
      - b. Archive and provide all project documentation to the Client at the closing of the project.
2. **Time of Performance.** Services of the Contractor shall commence upon an agreeable time in 2023 and shall be undertaken and completed in such sequence as to assure their expeditious completion according to scope and purposes of this Agreement, provided however, that in any event, all of the Services required hereunder shall be completed by December 31, 2025.
3. **Compensation and Method of Payment.**
  - A. **Compensation.** For performing the Services specified in Section 1 hereof, the

Client agrees to pay the Contractor the amount of **\$152,400.00**. Travel and living expenses including standard airfare, hotel, rental car, and per diem costs as determined by standard U.S. Government General Services Administration per diem rates, will be billed separately, and shall not exceed **\$15,000**.

Scope & Spec Section	Task	Cost	Estimated project hours
3.1.3	Project Planning & Management	\$32,250.00	215
3.1.4	Needs Assessment	\$31,500.00	210
3.1.5	Procurement	\$52,500.00	350
3.1.6	Implementation	\$33,750.00	225
3.1.7	Closeout Support	\$2,400.00	16
	Travel	\$15,000.00	N/A
	Please list any additional expenses	N/A	
<b>Total</b>		<b>\$167,400.00</b>	<b>1016.</b>

**B. Method of Payment.** The compensation for services rendered shall be payable in equal monthly installments, upon receipt by the Client of an invoice from the Contractor which details services rendered for each month, on the condition that the Contractor has accomplished the Services to the satisfaction of the Client.

**C. Appropriations.** Notwithstanding any provision in this Agreement to the contrary, the terms of this Agreement are contingent upon the Client making the appropriations necessary for the performance of this Agreement.

If sufficient appropriations and authorizations are not made by the Client, this Agreement may be terminated at the end of the Client's then current Fiscal Year upon written notice given by the Client to the Contractor. Such event shall not constitute an event of default. All payment obligations of the Client and all of its interest in this Agreement will cease upon the date of termination. The Client's decision as to whether sufficient appropriations are available shall be accepted by Contractor and shall be final.

**D.** All costs associated with this Agreement, including but not limited to costs for solicitation of a consultant, working with the consultant to draft the RFP for RMS, and any charges associated with additions or changes to the initial scope of this Agreement, or the Consultant RFP shall be shared as follows:

- PENN STATE UNIVERSITY = 50%
- BOROUGH OF STATE COLLEGE = 25%
- TOWNSHIP OF FERGUSON = 12.5%
- TOWNSHIP OF PATTON = 12.5%

If any Party of the Regional Records Management Consortium terminates its participation in this Agreement, that Party will remain responsible to the remaining Parties for its percentage of all costs incurred in the ongoing performance of this Agreement thereafter by the remaining Parties.

4. **Independent Contractor.** Neither the Contractor nor its employees are considered to be employees of the Client, for any purpose whatsoever. The Contractor is considered as an independent contractor at all times in the performance of the Services described in Section 1.

The Contractor further agrees that neither it nor its employees are entitled to any benefits from the Client under the provisions of the Workers' Compensation Act, or to any of the benefits granted to employees of the Client as now enacted or hereafter amended.

5. **Personnel.**

- A. The Contractor represents that it has, or will secure at its own expense, all personnel required in performing all of the Services required under this Agreement. Such personnel shall not be employees of or have any contractual relationships with the Client.
- B. All the Services required hereunder will be performed by the Contractor, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such Services.
- C. None of the Services covered by this Agreement shall be subcontracted without the prior written approval of the Client. Any Services subcontracted hereunder shall be specified by written contract and shall be subject to each provision of this Agreement.

6. **Indemnity.** The Contractor agrees to defend, indemnify and hold harmless the Client and its officials, agents and employees from and against any and all claims, actions, suits or proceedings of any kind brought against said parties because of any injury or damage received or sustained by any person, persons or property arising out of or resulting from the Services performed by the Contractor under this Agreement, or by reason of any asserted act or omission, neglect, or misconduct of the Contractor or Contractor's agents or employees, or any subcontractor or its agents or employees. The indemnity required hereunder shall not be limited by reason of the specification of any particular insurance coverage in this Agreement.

7. **Insurance.** The Contractor shall procure and maintain at its expense until final payment by the Client for Services covered by this Agreement, insurance in the kinds and amounts hereinafter provided with insurance companies authorized to do business in the State of Florida, covering all operations under this Agreement, whether performed by it or its

agents. Before commencing the Services and on the renewal of all coverages, the Contractor shall furnish to the Client a certificate or certificates in form satisfactory to the Client showing that it has complied with this Section. Various types of required insurance may be written in one or more policies. With respect to all coverages required other than professional liability or workers' compensation, the Client (this shall include all four parties) shall be named an additional insured. All coverages afforded shall be primary & non-contributory with respect to operations provided. Kinds and amounts of insurance required are as follows:

A. **Commercial General Liability and Professional Liability Insurance.** A commercial general and professional liability insurance policy with combined limits of liability for bodily injury or property damage as follows:

\$1,000,000	Per Occurrence
\$1,000,000	Policy Aggregate
\$1,000,000	Products Liability/Completed Operations
\$1,000,000	Personal and Advertising Injury

Said policy of insurance must include coverage for all operations performed for the Client by the Contractor, and contractual liability coverage shall specifically insure the hold harmless provisions of this Agreement. If written on a claim-made basis, contractor shall maintain the coverage for a period of 1 year following completion or termination of this agreement.

B. **Automobile Liability Insurance.** An automobile liability policy with liability limits in amounts not less than \$1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one occurrence. Said policy of insurance must include coverage for the use of all owned, non-owned, and hired automobiles.

C. **Workers' Compensation Insurance.** Workers' Compensation Insurance for Contractor's employees in accordance with the provisions of the Workers Compensation Act of the State of Florida. **Employers' Liability** insurance shall be provided with limits of not less than \$500,000 for each subcategory of coverage.

D. **Increased Limits.** If, during the term of this Agreement, the Client requires the Contractor to increase the maximum limits of any insurance required herein, an appropriate adjustment in the Contractor's compensation will be made.

8. **Discrimination Prohibited.** In performing the Services required hereunder, the Contractor shall not discriminate against any person on the basis of race, color, religion, gender, sexual preference, sexual orientation, national origin, or ancestry, age, physical handicap, or disability as defined in the Americans With Disabilities Act of 1990, as now enacted or hereafter amended.

9. **ADA Compliance.** In performing the Services required hereunder, the Contractor agrees to meet all the requirements of the Americans With Disabilities Act of 1990, and all applicable rules and regulations (the 'ADA'), which are imposed directly on the Contractor, or which would be imposed on the Client as a public entity. The Contractor agrees to be responsible for knowing all applicable requirements of the ADA and to defend, indemnify and hold harmless the Client, its officials, agents and employees from and against any and all claims, actions, suits or proceedings of any kind brought against said parties as a result of any acts or omissions of the Contractor or its agents in violation of the ADA.
10. **Conflict of Interest.** No officer, agent or employee of the Contractor will participate in any decision relating to this Agreement which affects that person's financial interest, the financial interest of his or her spouse or minor child or the financial interest of any business in which he or she has a direct or indirect financial interest.
11. **Interest of Contractor.** The Contractor agrees that it presently does not have and shall acquire no direct or indirect interest which conflicts in any manner or degree with the performance of the terms of this Agreement. The Contractor will not employ any person who has any such conflict of interest to assist the Contractor in performing the Services.
12. **No Collusion.** The Contractor represents that this Agreement is entered into by the Contractor without collusion on the part of the Contractor with any person or firm, without fraud and in good faith. The Contractor also represents that no gratuities, in the form of entertainment, gifts or otherwise, were, or during the term of this Agreement, will be offered or given by the Contractor or any agent or representative of the Contractor to any officer or employee of the Client with a view towards securing this Agreement or for securing more favorable treatment with respect to making any determinations with respect to performing this Agreement.
13. **Debarment, Suspension, Ineligibility and Exclusion Compliance.** The Contractor certifies that it has not been debarred, suspended, or otherwise found ineligible to receive funds by any agency of the federal government, or any local public body of the State, or any state of the United States. The Contractor agrees that should any notice of debarment, suspension, ineligibility, or exclusion be received by the Contractor, the Contractor will notify the Client immediately.
14. **Reports and Information.** At such times and in such forms as the Client may require, there shall be furnished to the Client such statements, records, reports, data, and information, as the Client may request pertaining to matters covered by this Agreement. Unless otherwise authorized by the Client, the Contractor will not release any information concerning the work product including any reports or other documents prepared pursuant to this Agreement until the final product is submitted to the Client.
15. **Establishment and Maintenance of Records.** Records shall be maintained by the Contractor in accordance with applicable law and requirements prescribed by the Client with respect to all matters covered by this Agreement. Except as otherwise authorized by the Client, such records shall be maintained for a period of three (3) years after receipt of

final payment under this Agreement.

16. **Audits and Inspections.** At any time during normal business hours and as often as the Client may deem necessary, there shall be made available to the Client for examination all of the Contractor's records with respect to all matters covered by this Agreement.

The Contractor shall permit the Client to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement.

17. **Ownership, Publication, Reproduction and Use of Material.** No material produced in whole or in part under this Agreement shall be subject to copyright in the United States or in any other country. The Client shall have unrestricted authority to publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data or other materials prepared under this Agreement.

19. **Compliance With Laws.** In performing the Services required hereunder, the Contractor shall comply with all applicable laws, ordinances, and codes of the federal, State, and local governments.

20. **Changes.** The Client may, from time to time, request changes in the Services to be performed hereunder. Such changes, including any increase or decrease in the amount of the Contractor's compensation, which are mutually agreed upon by and between the Client and the Contractor, shall be incorporated in written amendments to this Agreement.

21. **Assignability.** The Contractor shall not assign any interest in this Agreement and shall not transfer any interest in this Agreement without the prior written consent of the Client thereto.

22. **Termination for Cause.** If, through any cause, the Contractor shall fail to fulfill in a timely and proper manner its obligations under this Agreement or if the Contractor shall violate any of the covenants, agreements, or stipulations of this Agreement, the Client shall thereupon have the right to terminate this Agreement by giving written notice to the Contractor of such termination and specifying the effective date thereof at least five (5) days before the effective date of such termination.

In such event, all finished or unfinished documents, data, maps, studies, surveys, drawings, models, photographs, and reports prepared by the Contractor under this Agreement shall, at the option of the Client, become its property, and the Contractor shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

Notwithstanding the above, the Contractor shall not be relieved of liability to the Client for damages sustained by the Client by virtue of any breach of this Agreement by the Contractor, and the Client may withhold any payments to the Contractor for the purposes of set-off until such time as the exact amount of damages due the Client from the Contractor

is determined.

23. **Termination for Convenience of Client.** Both parties may terminate this Agreement at any time by giving at least fifteen (15) days' notice in writing to the other party. If the Contractor is terminated by the Client as provided herein, the Contractor will be paid an amount which bears the same ratio to the total compensation as the Services actually performed bear to the total Services of the Contractor covered by this Agreement, less payments of compensation previously made.

If this Agreement is terminated due to the fault of the Contractor, the preceding Section hereof relative to termination shall apply.

24. **Construction and Severability.** If any part of this Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Agreement so long as the remainder of the Agreement is reasonably capable of completion.

26. **Entire Agreement.** This Agreement along with Client's accompanying purchase order contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

27. **Applicable Law and Venue.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Pennsylvania without regard to its conflicts of law principles, and the laws, rules, and regulations of the Client. Any controversy, claim, or dispute arising out of or relating to this Agreement, or a breach hereof shall be adjudicated in the Court of Common Pleas for Centre County, Pennsylvania, or the United States District Court for the Middle District of Pennsylvania.

28. **Approval Required.** This Agreement shall not become binding upon the Client until approved by the highest approval authority of the Client required under this Agreement.

29. **Notices:** All notices provided hereunder shall be sent by Certified Mail, return receipt requested, and shall be sent to the following address:

**If to Contractor:**

Ed Claughton, CEO  
150 Alhambra Circle, Suite 1270  
Coral Gables, FL 33134

**If to Regional Records Management Consortium:**

The Pennsylvania State University  
The Office of Central Procurement  
101 Procurement Services Building  
University Park, PA 16802



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**IN WITNESS WHEREOF**, the Client and the Contractor have executed this Agreement as of the date first above written.

**The Pennsylvania State University**

Approved By:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CONTRACTOR:** PRI Management Group

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Borough of State College**

Approved By:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Township of Ferguson**

Approved By:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Township of Patton**

Approved By:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CENTRE REGION  
GROWTH BOUNDARY AND SEWER SERVICE AREA  
(RGB and SSA) IMPLEMENTATION AGREEMENT**

~~This An amended and restated IMPLEMENTATION AGREEMENT establishes a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area (RGB and SSA) and provides the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezonings and zoning text amendments outside of the existing Regional Growth Boundary and Sewer Service Area prior to municipal action. This Agreement is created by and among the is enacted by ordinance by following: College Township, Ferguson Township, Halfmoon Township, Harris Township, Patton Township, and State College Borough, all of Centre County, Pennsylvania, also referred to herein as the Centre Region "municipalities" and the Centre Region.~~

**SECTION 1: AUTHORITY AND EFFECTIVE DATE, AND PURPOSE OF ADOPTION**

~~A. 1.1 Authority -This Agreement is adopted pursuant to the authority set forth in the Intergovernmental Cooperation Act of December 19, 1966, 53 Pa.C.S.A and Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.~~

~~B. This Agreement is authorized by, and conforms to, Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.~~

~~C. 1.2 Effective Date This amended and restated Agreement shall be effective upon approval adoption, by ordinance by the individual Centre Region municipalities governing bodies of all of the six municipalities participating in this Agreement.~~

**1.3 Purpose -This Agreement is adopted to:**

- ~~A. Adopt an amended and restated process that the Centre Region municipalities can use to review and take action upon a Development of Regional Impact (DRI) application to expand the RGB and SSA boundary.~~
- ~~B. Adopt an amended and restated process that the Centre Region municipalities can use to review and provide advisory comments to individual municipalities on major rezonings outside the RGB and SSA when the density exceeds one Equivalent Dwelling Unit (EDU) per acre.~~

**SECTION 2: APPLICABILITY AND EXCEPTIONS**

**2.1 Applicability**

The following actions shall require a Development of Regional Impact application:

1. A request to expand the RGB and SSA
2. A request to rezone property outside the RGB and SSA to a density greater than one EDU per acre
3. ...

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## 2.2 Exceptions

1. The Department of Environmental Protection (DEP) declares in writing that there is a threat to public health and there is no other alternative to protect public health other than to connect to public sewer. In these instances, the provision of public sewer outside the RGB and SSA is allowed only to serve the existing number of EDUs at time of failure. Any additional capacity would require a future Development of Regional Impact application.
2. Rezoning of parcels to accommodate a use that would not require public sewer.
3. Rezoning to a residential use that does not exceed one dwelling per acre (need to discuss community on-lot septic systems)?

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## SECTION #3. DEFINITIONS

The following words or terms used in this Agreement will have the following meanings:

Regional Growth Boundary - The Regional Growth Boundary is the boundary within which a higher density and intensity of development exists to efficiently and economically support urban services including public sewer, public water, public transportation, fire, police, and schools. The RGB is consistent with as noted in the Centre Region Comprehensive Plan.

Sewer Service Area - The Sewer Service Area is the location where public sewer service is provided or planned as identified in the Centre Region Act 537 Sewage Facilities Plan. The Sewer Service Area is delineated in the latest approved Centre Region Act 537 Sewage Facilities Plan.

Alternative Public Wastewater Treatment - Alternative public wastewater treatment is any process designed to produce an effluent of higher quality than normally achieved through primary and secondary treatment processes and does not utilize soils as the primary method for remediation (membrane bioreactor, for example).

Density - In terms of land use, density is defined as the number of dwelling units or equivalent nonresidential square footage per acre of land. For the purpose of this Agreement density is defined in terms of the number of EDUs as established in the UAJA Rate Resolution.

Developments of Regional Impact - Any land development that, because of its character, magnitude, or location will have substantial impact upon the health, safety, or welfare of citizens in more than one Centre Region municipality. The Region will assess the impact on public services including, but not limited to, public sewer, public water, public transportation, fire, police, and schools in determining what qualifies as a Development of Regional Impact.

Equivalent Dwelling Unit (EDU) - A unit of measurement that estimates an average use of wastewater facilities. Roughly the average amount of wastewater generated by atypical family in one day.

Major rezoning: A major rezoning is a rezoning outside the RGB and SSA that increases density by more than one EDU per acre.

SECTION III: BACKGROUND The Background section will be deleted and updated, expanded, and moved to an Appendix that can be amended without opening up this agreement. Now included in the "Regional

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**Growth Boundary and Sewer Service Area at a Glance” document.**

The Centre Region municipalities rely on two fundamental planning tools to guide decisions related to future growth and development in the community. These documents are the Centre Region Comprehensive Plan, and the Centre Region Act 537 Sewage Facilities Plan. The Centre Region Comprehensive Plan, updated by the municipalities in 2000, established a Regional Growth Boundary within which most future growth is anticipated to occur. The Regional Growth Boundary was reaffirmed with an update to the Centre Region Comprehensive Plan in 2013. The Sewer Service Area, which was established in the 1990 Centre Region Act 537 Sewage Facilities Plan and approved by the Pennsylvania Department of Environmental Protection as the Official Sewage Facilities Plan for the Centre Region, was updated in 2006. During the 2006 update to the Centre Region Act 537 Sewage Facilities Plan, the Sewer Service Area was aligned to approximate the Regional Growth Boundary.

Another component of the update was an evaluation of the existing Sewer Service Area and the potential need for expansion to accommodate forecasted future growth. Because the Centre Region municipalities share wastewater treatment capacity at the University Area Joint Authority's Spring Creek Pollution Control Facility, as identified in the Centre Region Act 537 Sewage Facilities Plan, any decision to expand the public sewer service area must be endorsed by all six governing bodies.

During the summer of 2005, owners of 26 properties requested inclusion in the Regional Growth Boundary and Sewer Service Area, of which, only five were unanimously supported and therefore included in the Regional Growth Boundary and Sewer Service Area. This level of scrutiny demonstrated the commitment of the municipalities to a regional growth management program and support for well planned growth.

Based on the comments and discussion that occurred relative to the 26 properties, it was determined that a new strategy for considering future expansion requests should be implemented. The new process would be more systematic, whereby the municipalities would be able to evaluate requests for expansion on their merits, including their impact on existing infrastructure and ability to accommodate future growth, contribute to the quality of life, and provide economic development opportunities.

The six Centre Region municipalities initially adopted this Agreement by individual ordinance. Since its adoption in December 2006/January 2007, there have been four requests to expand the Regional Growth Boundary and Sewer Service Area. Three of the requests were unanimously approved by a unit vote of the six municipalities. The fourth request, which was denied by a 5-1 unit vote, was appealed to the County Court of Common Pleas on the grounds that the decision was "arbitrary and capricious." The issue was settled out of court, resulting in public sewer service being extended to the subject property with conditions. Based on the discussion and issues that were raised during this request to expand the Regional Growth Boundary and Sewer Service Area, the COG General Forum requested that changes or amendments be made to this Agreement.

**SECTION IV: PURPOSE— Purpose has been included at the beginning of the Agreement. Some text will be updated and included in the Background section in an Appendix that can be amended without opening up this agreement**

The purpose of this Implementation Agreement is to establish a process for considering future requests to expand the Regional Growth Boundary and Sewer Service Area. In addition, this Agreement will outline

~~a process for reviewing major rezonings and zoning text amendments outside of the existing Regional Growth Boundary and Sewer Service Area. The 2006 Centre Region Act 537 Sewage Facilities Plan documents that major rezonings within the Regional Growth Boundary and Sewer Service Area can have a significant impact on the Centre Region's wastewater collection and treatment system. The Centre Region Comprehensive Plan, however, recommends focusing the majority of growth within the Regional Growth Boundary and Sewer Service Area. This guiding principle of the Centre Region Comprehensive Plan should continue to be followed as a primary growth management tool; therefore, zoning text or map changes for properties within the Regional Growth Boundary and Sewer Service Area will not be subject to this Agreement.~~

~~This Implementation Agreement encourages discussion among the Centre Region elected officials early in the planning process. Rather than deferring discussion of these issues to periodic updates of the Centre Region Act 537 Sewage Facilities Plan, this proposed process provides for regional discussion before local decisions are made on regionally significant land use issues. These discussions provide an important opportunity to eliminate misunderstandings among municipalities and to air concerns regarding a municipal proposal to expand the Regional Growth Boundary and Sewer Service Area or complete a major rezoning or zoning text amendment outside of the Regional Growth Boundary and Sewer Service Area. The process creates a mechanism for the exchange of ideas/solutions to eliminate or mitigate these concerns.~~

#### **SECTION 4: THE PROCESS – GENERAL FORUM ACTION REQUIRED**

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following process for considering requests to expand the Regional Growth Boundary and Sewer Service Area or to rezone or complete zoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that permit development density greater than one equivalent dwelling unit per acre.

1. The following proposals are hereby presumed to be Developments of Regional Impact:
  - a. Any request to expand the Regional Growth Boundary and Sewer Service Area or to extend public sewer infrastructure to areas outside of the existing Sewer Service Area.
  - b. Any proposal to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre.
  
2. Due to the impact that Developments of Regional Impact can have on the community's wastewater collection, conveyance, and treatment system and overall infrastructure network, the municipalities agree that these proposals warrant increased regional discussion and deliberation. As a result, applicants shall complete the following review process prior to a request to expand the Regional Growth Boundary and Sewer Service Area being granted by the General Forum:
  - a. All ~~requests- applications for a Development of Regional Impact~~ to expand the Regional Growth Boundary and Sewer Service Area, ~~including the Development of Regional Impact application~~, shall first be reviewed by the host municipality to determine if they have merit and warrant discussion at the regional level. To ensure that adequate information is provided for the host municipality to consider the proposal, the signatories to this Agreement agree to adopt a regionally consistent

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application to request expansions of the Regional Growth Boundary and Sewer Service area, including applications for Developments of Regional Impact. This standardized application ~~will, at a minimum,~~ requires that the applicant to submit the following information to the host municipality for review:

i. The applicant must address the following questions in the application to expand the Regional Growth Boundary and Sewer Service Area:

1. Are there locations inside the Regional Growth Boundary that could support the proposed development? If not, explain why.
2. Does the University Area Joint Authority have capacity to serve existing development inside the Regional Growth Boundary and the proposed expansion? Please provide a letter from the University Area Joint Authority documenting capacity.
3. Have on-lot septic systems or other methods to provide sewer service to the property been explored? Why are these not viable methods to dispose of waste?
4. Are there any potential adverse public impacts of the proposed expansion and how will they be mitigated, based upon the items in Section V, Subsections ii. through vi?
5. Is the expansion contiguous with the existing Regional Growth Boundary?
6. Do changes in local or regional population or land use forecasts warrant an expansion? Explain how these changes necessitate the expansion.
7. Are there adjustments or changes in the specific location or direction of growth and development that warrant an expansion? Explain how these changes necessitate the expansion.
8. Are there changes resulting from goals, objectives, and policies in the Comprehensive Plan or local planning issues that warrant an expansion? Explain how these changes necessitate the expansion.

ii. Effect of the Development of Regional Impact on:

1. Existing sewer collection, conveyance, and treatment system
2. Public water infrastructure
3. Transportation network (including bicycle and pedestrian facilities)
4. Public transportation system
5. Emergency services (for example, fire, police, and ambulance service)
6. Environmental features (such as soils, wetlands, streams, the aquifer, sinkholes, or similar environmental concerns)
7. School facilities
8. Adjacent land uses

iii. In addition to the above noted information, the host municipality, at its discretion may also require information relative to fiscal impacts or specific details on transportation impacts, environmental impacts, or similar studies.

iv. Economic analysis of the impact of the proposal on other areas of the community

v. Quality of life issues and the value the proposal would add to the community

vi. The consistency of the proposal with the Centre Region Comprehensive Plan

- b. The Development of Regional Impact application will be forwarded to the Centre Regional Planning Agency to be reviewed for completeness based on the items listed above. The Centre Regional Planning Agency will have 20 business days to review the Development of Regional Impact application and forward comments back to the applicant outlining the information that needs to be revised or added to ensure a complete application, if necessary. The applicant will make any necessary changes and resubmit the application to the Centre Regional Planning Agency for its review and recommendation, including specific reasons and findings of fact. The Centre Regional Planning Agency will have 15 business days to review the completed application and develop its recommendation to be forwarded to the host municipality with the completed Development of Regional Impact application.
- c. The host municipality shall not review the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application unless the information required has been reviewed by the Centre Regional Planning Agency for completeness. Following a review of this information, the host municipality will determine if the proposal has merit and warrants regional discussion. If the host municipality determines that the proposal warrants regional discussion, the Development of Regional Impact application shall be forwarded for regional discussion before final action to forward the proposal is taken by the host municipality. The host municipality shall include specific findings of fact used to establish its support of the request to expand the Regional Growth Boundary and Sewer Service Area based upon the Development of Regional Impact application.
- i. If the request to expand the Regional Growth Boundary and Sewer Service Area is initiated by a municipality, the municipality shall be responsible for preparing the information outlined in section 2.a.
- ii. If the host municipality forwards the request to expand the Regional Growth Boundary and Sewer Service Area for regional review, the process shall begin with the Centre Regional Planning Commission. Upon receipt of a completed application for a request to expand the Regional Growth Boundary and Sewer Service Area, including a completed Development of Regional Impact application from the host municipality (including findings, in support of the application), the Centre Regional Planning Commission shall review the proposal and provide a recommendation to the General Forum of the Centre Region Council of Governments within 60 days of receipt of the completed application.
- iii. Requests to expand the Regional Growth Boundary and Sewer Service Area and completed Development of Regional Impact applications shall be reviewed by the Centre Regional Planning Commission, beginning at the first available meeting that coincides with the regular agenda mailing following receipt from the host municipality.
- iv. The Centre Regional Planning Commission recommendation on the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application, along with the completed application (including findings from the host municipality and Centre Regional Planning Agency), shall be provided to the COG General Forum for review.



The COG General Forum shall conduct two meetings to review the request to expand the Regional Growth Boundary and Sewer Service Area. At the first COG General Forum meeting, a member of the host municipality's governing body shall be designated to present information on the application and indicate why the host municipality supports the proposal. If deemed appropriate by the COG General Forum, the applicant may be asked to provide information on the application. The goals of this presentation are as follows:

1. To encourage communication among the Region's elected officials on Developments of Regional Impact early in the review process.
2. To solicit comments and suggestions from the General Forum that may result in the identification of solutions to planning issues which can be addressed by the host municipality.
3. To determine the level of support from the other Centre Region municipalities for the proposal.

d. Following the presentation by the host municipality (and the applicant if appropriate), a representative of the Centre Regional Planning Commission will present its recommendation and provide any applicable information related to the discussion that occurred. Municipalities may consider conducting individual governing body meetings between the first and second COG General Forum meeting to study the request in more detail and form a municipal position regarding the request prior to the second COG General Forum meeting.

e. At the second meeting, the General Forum will discuss the results of the first COG General Forum meeting and any municipal governing body meetings and may hold an informal straw vote to determine each municipality's position on the request. If the discussion indicates that there are not at least five votes in support of an expansion to the Regional Growth Boundary and Sewer Service Area, then the municipalities indicating dissent will be asked to provide an explanation of their position. Following this discussion, the General Forum will determine whether to proceed to:

- i. Refer the proposal to an ad hoc committee or COG standing committee for further discussion;
- ii. Request the applicant or the host municipality to provide additional information to the General Forum. Such additional information may include special studies such as detailed land use, fiscal, transportation or environmental impact analyses; or
- iii. Vote on the request.

The General Forum shall only approve a request to expand the Regional Growth Boundary and Sewer Service Area by an affirmative unit vote of at least five municipalities, upon finding that the request has satisfied the criteria in Section V.2.a of this Agreement.

f. At the conclusion of the General Forum discussion and following any additional steps and discussion as noted in the preceding step, a unit vote will be held.

i. Requests to expand the Regional Growth Boundary and Sewer Service Area require a minimum of five affirmative unit votes of the municipalities, including the host municipality, for approval. The unit vote will allow each municipality to provide the host municipality an indication of its support for the proposal to expand the Regional Growth Boundary and Sewer Service Area.

Upon approval to expand the Regional Growth Boundary and Sewer Service Area, the COG General Forum will adopt a resolution approving the expansion as a revision to the Centre Region Act 537 and Comprehensive Plans, and the host municipality may proceed to submit the proposal and required planning module to the Pennsylvania Department of Environmental Protection for approval.

By signing this Agreement, each Centre Region municipality agrees not to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre until completing the process as described in Section V of this Agreement.

ii. If a request to expand the Regional Growth Boundary and Sewer Service Area does not receive a minimum of five affirmative votes, said request may be resubmitted for reconsideration after the General Forum concerns are addressed.

iii. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in development density of less than one equivalent dwelling unit per acre do not require General Forum action. The COG General Forum would be informed of the change; however, no action or discussion would be required by the COG General Forum. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in a development density of greater than one dwelling unit per acre require General Forum action, unless otherwise permitted in Section VI "The Process - General Forum Action Not Required" to expand the Regional Growth Boundary and Sewer Service Area. Regardless, the authority for zoning decisions will remain with the host municipality.

### ~~3. Developments of Regional Impact – Limited Review Process~~

~~Any applicant may submit a request for a Development of Regional Impact – Limited Review Process for an expansion of the Regional Growth Boundary and Sewer Service Area wherein the proposed project literally qualifies as a Development of Regional Impact, but wherein the location, character, and magnitude of the development prevent it from qualifying as a Development of Regional Impact as defined in Section II of this Agreement. If requested by the applicant, the Centre Regional Planning Agency and the host municipality shall jointly determine if the request is, or is not, eligible for the Limited Review Process. The Centre Regional Planning Agency shall forward a letter with the results to the applicant and to all of the Centre Region municipalities within five working days of the determination. The burden, however, shall be on the applicant to show that the project has limited impacts. Projects granted a review under the Development of Regional Impact – Limited Review Process are subject to meeting all other conditions for requests to expand the Regional Growth Boundary and Sewer Service Area, including COG General Forum approval, as may be required in Section V or VI of this Agreement.~~

### **SECTION ~~V~~5: THE PROCESS - GENERAL FORUM ACTION NOT REQUIRED**

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following:

1. Each municipality that has land outside of the Regional Growth Boundary and Sewer Service Area is authorized to expand the Regional Growth Boundary and Sewer Service Area by a maximum of 50 Equivalent Dwelling Units, not to exceed 12 acres, for a period of five years from the

execution of this [amended](#) Agreement. Individual non-residential projects are limited to a maximum square footage that would be expected to generate fewer than 100 vehicle trips during the peak hour, or fewer than 750 vehicle trips in an average day.

2. The governing body of the host municipality will consider comments from the Centre Regional Planning Agency and the Centre Regional Planning Commission in the municipal review process.

3. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance must achieve a minimum development density greater than one equivalent dwelling unit per acre.

4. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance shall be evaluated in the same manner as requests under Section V "The Process - General Forum Action Required," with the exception that they will not require COG General Forum approval.

5. The request to expand the Regional Growth Boundary and Sewer Service Area must be contiguous to the existing Regional Growth Boundary and Sewer Service Area. This provision does not preclude exceptions to expand the Sewer Service Area as may otherwise be authorized under Section VIII "Exceptions".

6. This Section of the Ordinance will expire five years from the final date of adoption and will require a unit vote in the affirmative of at least five municipalities to be reauthorized.

The CRPA shall annually provide the General Forum with a summary of all requests to expand the Regional Growth Boundary and Sewer Service Area, including an accounting of the number of EDUs approved in each municipality and a map depicting the location of any changes to the Regional Growth Boundary and Sewer Service Area in the preceding year.

#### **SECTION VIII: PROJECT SPECIFIC DEVELOPMENT AGREEMENTS**

A host municipality is required to enter into a project specific development agreement with a property owner or developer that is requesting an expansion to the Regional Growth Boundary and Sewer Service Area. A project specific development agreement is used to ensure the land development occurs as proposed and is required to be included as a condition of the Resolution authorizing the request to expand the Regional Growth Boundary and Sewer Service Area. It is solely the responsibility of an individual municipality to ensure a development agreement is being executed properly and to approve or deny changes to that agreement. The Centre Region does not have a role in the enforcement or verification of a municipally enacted development agreement.

Amendments [to the development agreement](#) that are de minimus changes or technical corrections, as determined by participants, may be approved administratively by the host municipality. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum. The host municipality shall forward any de minimus changes or technical corrections to the COG Executive Director within five days of approval by the host municipality for inclusion as an informational item at the next available COG General Forum meeting.

Major amendments and rescissions must be ratified by all participants to the original development agreement. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum, with the exception that the host municipality will notify the General Forum of any major changes. In the case of rescission of a development agreement, or if the governing body of the host municipality determines a major amendment is not consistent with the intent of the expansion as approved by the COG General Forum, a new request to expand the Regional Growth Boundary and Sewer Service Area must be filed and approved by the General Forum as required in this Agreement.

The municipalities agree that development agreements will be used to specify that the property owner or developer of the project for which the Regional Growth Boundary and Sewer Service Area application was approved shall obtain a building permit within five years of COG General Forum approval of the resolution expanding the Regional Growth Boundary and Sewer Service Area. If the property owner or developer of the project has not obtained a building permit within the five-year period, the host municipality shall take action to rescind the development agreement and the Regional Growth Boundary and Sewer Service Area shall be restored to their location prior to the request.

#### **SECTION VIII: EXCEPTIONS**

~~It is the intent of this Agreement to maintain consistency between the Regional Growth Boundary and the Sewer Service Area in order to effectively and efficiently implement the Centre Region's growth management principles and practices. In some cases, however, it may be necessary to provide public sewer service without extending other public services (such as refuse, brush collection, and transit) to address a specific issue related to health, safety, or public welfare. If a failure has occurred, no on-lot sewage disposal option is available, AND the Pennsylvania Department of Environmental Protection identifies public sewer as the only alternative for providing sewage disposal, the Sewer Service Area may be extended independent of the Regional Growth Boundary. In these situations, the Centre Region Act 537 Sewage Facilities Plan would be amended to indicate the specific situation and any requirements imposed on the property for the provision of public sewer service.~~

~~Similarly, public sewer service exists in some areas outside of the existing Regional Growth Boundary and Sewer Service Area. These areas would continue to be served by public sewer; however, the Signatories to this Agreement would also agree to amend the Centre Region Act 537 Sewage Facilities Plan to include these areas in the Sewer Service Area but not extend the Regional Growth Boundary, as these areas may not be suited or adequately zoned for increased development activity. The Centre Region Act 537 Sewage Facilities Plan would be amended to include these areas in the Sewer Service Area, and specific information would be included to indicate the nature and reason for including these properties in the Sewer Service Area only. The Regional Growth Boundary and Sewer Service Area shall remain consistent in all other situations.~~

#### **SECTION IX: FUTURE DEVELOPMENTS OUTSIDE OF THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA**

The Centre Region municipalities agree that developments outside of the Regional Growth Boundary and Sewer Service Area served by on-lot sewage disposal systems should be managed under the existing CRCA Sewage Management Program. ~~are a regional concern.~~ The proper operation and maintenance of on-lot systems will ensure the health of these systems, prevent the need for costly public sewer line extensions, and discourage the need for the outward expansion of the

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Regional Growth Boundary and Sewer Service Area. In addition, the Chesapeake Bay Tributary Strategy further emphasizes the need for ensuring the proper operation and maintenance of on-lot sewage disposal systems.

The Centre Region municipalities agree to the following measures for future developments located outside of the Regional Growth Boundary and Sewer Service Area:

1. Sewage management programs will be required for all future developments that propose less than 15 ~~EDUs dwelling units~~ outside of the Regional Growth Boundary and Sewer Service Area.
2. Developments located outside of the Regional Growth Boundary and Sewer Service Area that propose a cumulative total of 15 or more ~~Equivalent Dwelling Units EDUs~~, and where any individual lot is less than two acres, shall utilize a community on-lot sewage disposal system (as defined by the Pennsylvania Department of Environmental Protection) designed and maintained according to the standards of the University Area Joint Authority. The University Area Joint Authority, however, will not be required to perform day-to-day operations on such facilities. For phased developments, this requirement will apply to developments that reach a cumulative total of 15 ~~Equivalent Dwelling Units EDUs~~.
3. Alternative public wastewater treatment systems (with the exception of UAJA) as defined herein, are prohibited for the term of this Agreement in the Centre Region. The Centre Region Act 537 Sewage Facilities Plan identifies on-lot sewage disposal systems as the only method for wastewater treatment outside of the Regional Growth Boundary and Sewer Service Area. If public sewer service is requested, the University Area Joint Authority has been identified as the provider for public sewer services in the Centre Region.

On-lot developments located outside of the Regional Growth Boundary and Sewer Service Area will not be reviewed by the Centre Regional Planning Commission or COG General Forum. However, by enacting this Agreement, the Municipalities agree to incorporate the requirements described above into their municipal sewage management ordinances.

#### **SECTION ~~X8~~: REQUIRED REVIEW AND AMENDMENT PROCESS**

##### 1. Required Review

~~By signing this Agreement, t~~The municipalities agree to review and evaluate the effectiveness of the provisions contained herein within five years from the effective date and to amend this Agreement more frequently, if necessary, ~~if recommended by the COG Land Use and Community Infrastructure Committee and approved by a unit vote of the COG General Forum, and as determined by the municipalities.~~

~~The municipalities agree to amend any municipal ordinances to conform to this Agreement within the timeframe established by the Pennsylvania Municipalities Planning Code (MPC).~~

##### 2. Amendment Process

###### a. *Determination of minor and major amendments:*

All requests for amendments to the Regional Growth Boundary and Sewer Service Area Implementation Agreement shall be submitted through a Centre Region municipality or the Centre Regional Planning

Commission, including those requests originated by an individual or entity seeking an amendment. The municipality or Centre Regional Planning Commission will forward the request to the COG Executive Director, who will schedule the item on the next available COG Public Services and Environmental Land Use and Community Infrastructure Committee agenda.

The COG Public Services and Environmental Land Use and Community Infrastructure Committee, by a majority vote of members present, will determine if an amendment is major or minor. If the COG Public Services and Environmental Land Use and Community Infrastructure Committee cannot agree on a designation, the COG Public Services and Environmental Land Use and Community Infrastructure Committee must forward the proposed amendment to the next available COG Executive Committee meeting for consideration on a COG General Forum agenda. The COG General Forum will then determine if the amendment is major or minor by majority vote of the individual members present.

*b. Major amendments:*

After designating the request as a major amendment, the COG Public Services and Environmental Land Use and Community Infrastructure Committee (or COG General Forum if necessary) shall refer the major amendment to the COG Executive Director for Centre Regional Planning Agency review and Centre Regional Planning Commission recommendation, and to the Centre Region municipalities for their information. The Centre Regional Planning Agency will present a recommendation for consideration at a future COG Public Services and Environmental Land Use and Community Infrastructure Committee meeting. The COG Public Services and Environmental Land Use and Community Infrastructure Committee shall

recommend approval, denial, or continuance on the amendment by a majority vote of the members present, no more than 90 days from receipt of the major amendment. The COG Public Services and Environmental Land Use and Community Infrastructure Committee recommendation will be forwarded to the COG Executive Committee for consideration on a General Forum agenda. The COG General Forum shall take action to modify, approve, deny, or continue the amendment by an affirmative unanimous unit vote of the municipalities. The COG Executive Director shall forward the amendment and the results of such action to all of the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

*c. Minor amendments:*

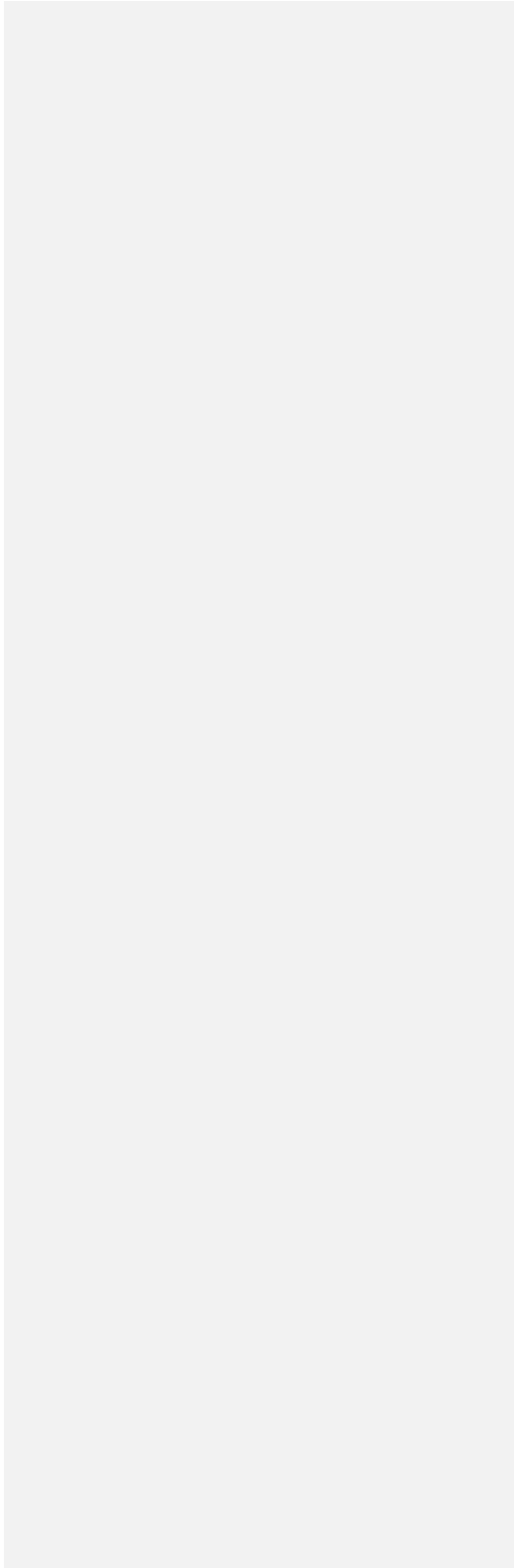
After designating the request as a minor amendment, the COG Public Services and Environmental Land Use and Community Infrastructure Committee (or COG General Forum as necessary) shall refer the minor amendment to the COG Executive Director for Centre Regional Planning Agency review. The Centre Regional Planning Agency will present a recommendation for consideration at the next scheduled COG Public Services and Environmental Land Use and Community Infrastructure Committee meeting. The COG Public Services and Environmental Land Use and Community Infrastructure Committee shall review the request and take action to modify, approve, deny, or continue the amendment by a majority vote of the members present, no more than 90 days from receipt of the minor amendment. The COG Executive Director shall forward the amendment and the results of such action to all ~~of~~ the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

**SECTION ~~49~~: TERM AND EFFECTIVE DATE**

|

The effective date of this Agreement shall be upon enactment by ordinance of this Agreement by the six Centre Region municipalities:

DRAFT



**CENTRE REGION  
GROWTH BOUNDARY AND SEWER SERVICE AREA  
(RGB and SSA) IMPLEMENTATION AGREEMENT**

An amended and restated IMPLEMENTATION AGREEMENT is enacted by ordinance by College Township, Ferguson Township, Halfmoon Township, Harris Township, Patton Township, and State College Borough, all of Centre County, Pennsylvania, also referred to herein as the Centre Region municipalities.

**SECTION 1: AUTHORITY, EFFECTIVE DATE, AND PURPOSE**

- 1.1 Authority - This Agreement is adopted pursuant to the authority set forth in the Intergovernmental Cooperation Act of December 19, 1966, 53 Pa.C.S.A and Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.
- 1.2 Effective Date - This amended and restated Agreement shall be effective upon adoption, by ordinance by the individual Centre Region municipalities.
- 1.3 Purpose -This Agreement is adopted to:
  - A. Adopt an amended and restated process that the Centre Region municipalities can use to review and take action upon a Development of Regional Impact (DRI) application to expand the RGB and SSA boundary.
  - B. Adopt an amended and restated process that the Centre Region municipalities can use to review and provide advisory comments to individual municipalities on major rezonings outside the RGB and SSA when the density exceeds one Equivalent Dwelling Unit (EDU) per acre.

**SECTION 2: APPLICABILITY AND EXCEPTIONS**

2.1 Applicability

The following actions shall require a Development of Regional Impact application:

1. A request to expand the RGB and SSA
2. A request to rezone property outside the RGB and SSA to a density greater than one EDU per acre

2.2 Exceptions

1. The Department of Environmental Protection (DEP) declares in writing that there is a threat to public health and there is no other alternative to protect public health other than to connect to public sewer. In these instances, the provision of public sewer outside the RGB and SSA is allowed only to serve the existing number of EDUs at time of failure. Any additional capacity would require a future Development of Regional Impact application.



2. Rezoning of parcels to accommodate a use that would not require public sewer.
3. Rezoning to a residential use that does not exceed one dwelling per acre (need to discuss community on-lot septic systems)?

### SECTION 3. DEFINITIONS

The following words or terms used in this Agreement will have the following meanings:

Regional Growth Boundary - The Regional Growth Boundary is the boundary within which higher density and intensity of development exists to efficiently and economically support urban services including public sewer, public water, public transportation, fire, police, and schools. The RGB is consistent with the Centre Region Comprehensive Plan.

Sewer Service Area - The Sewer Service Area is the location where public sewer service is provided or planned as identified in the Centre Region Act 537 Sewage Facilities Plan. The Sewer Service Area is delineated in the latest approved Centre Region Act 537 Sewage Facilities Plan.

Alternative Public Wastewater Treatment - Alternative public wastewater treatment is any process designed to produce an effluent of higher quality than normally achieved through primary and secondary treatment processes and does not utilize soils as the primary method for remediation (membrane bioreactor, for example).

Density - For the purpose of this Agreement density is defined in terms of the number of EDUs as established in the UAJA Rate Resolution.

Developments of Regional Impact - Any land development that, because of its character, magnitude, or location will have substantial impact upon the health, safety, or welfare of citizens in more than one Centre Region municipality. The Region will assess the impact on public services including, but not limited to, public sewer, public water, public transportation, fire, police, and schools in determining what qualifies as a Development of Regional Impact.

Equivalent Dwelling Unit (EDU) - A unit of measurement that estimates an average use of wastewater facilities. Roughly the average amount of wastewater generated by atypical family in one day.

Major rezoning: A major rezoning is a rezoning outside the RGB and SSA that increases density by more than one EDU per acre.

### SECTION 4: THE PROCESS – GENERAL FORUM ACTION REQUIRED

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following process for considering requests to expand the Regional Growth Boundary and Sewer Service Area or to rezone or complete zoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that permit development density greater than one equivalent dwelling unit per acre.

1. The following proposals are hereby presumed to be Developments of Regional Impact:

- a. Any request to expand the Regional Growth Boundary and Sewer Service Area or to extend public sewer infrastructure to areas outside of the existing Sewer Service Area.
  - b. Any proposal to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre.
2. Due to the impact that Developments of Regional Impact can have on the community's wastewater collection, conveyance, and treatment system and overall infrastructure network, the municipalities agree that these proposals warrant increased regional discussion and deliberation. As a result, applicants shall complete the following review process prior to a request to expand the Regional Growth Boundary and Sewer Service Area being granted by the General Forum:
- a. All applications for a Development of Regional Impact to expand the Regional Growth Boundary and Sewer Service Area, shall first be reviewed by the host municipality to determine if they have merit and warrant discussion at the regional level. To ensure that adequate information is provided for the host municipality to consider the proposal, the signatories to this Agreement agree to adopt a regionally consistent application to request expansions of the Regional Growth Boundary and Sewer Service area, including applications for Developments of Regional Impact. This standardized application requires that the applicant to submit the following information to the host municipality for review:
    - i. The applicant must address the following questions in the application to expand the Regional Growth Boundary and Sewer Service Area:
      1. Are there locations inside the Regional Growth Boundary that could support the proposed development? If not, explain why.
      2. Does the University Area Joint Authority have capacity to serve existing development inside the Regional Growth Boundary and the proposed expansion? Please provide a letter from the University Area Joint Authority documenting capacity.
      3. Have on-lot septic systems or other methods to provide sewer service to the property been explored? Why are these not viable methods to dispose of waste?
      4. Are there any potential adverse public impacts of the proposed expansion and how will they be mitigated, based upon the items in Section V, Subsections ii. through vi?
      5. Is the expansion contiguous with the existing Regional Growth Boundary?
      6. Do changes in local or regional population or land use forecasts warrant an expansion? Explain how these changes necessitate the expansion.
      7. Are there adjustments or changes in the specific location or direction of growth and development that warrant an expansion? Explain how these changes necessitate the expansion.
      8. Are there changes resulting from goals, objectives, and policies in the Comprehensive Plan or local planning issues that warrant an expansion? Explain how these changes necessitate the expansion.

- ii. Effect of the Development of Regional Impact on:
  - 1. Existing sewer collection, conveyance, and treatment system
  - 2. Public water infrastructure
  - 3. Transportation network (including bicycle and pedestrian facilities)
  - 4. Public transportation system
  - 5. Emergency services (for example, fire, police, and ambulance service)
  - 6. Environmental features (such as soils, wetlands, streams, the aquifer, sinkholes, or similar environmental concerns)
  - 7. School facilities
  - 8. Adjacent land uses

iii. In addition to the above noted information, the host municipality, at its discretion may also require information relative to fiscal impacts or specific details on transportation impacts, environmental impacts, or similar studies.

iv. Economic analysis of the impact of the proposal on other areas of the community

v. Quality of life issues and the value the proposal would add to the community

vi. The consistency of the proposal with the Centre Region Comprehensive Plan

b. The Development of Regional Impact application will be forwarded to the Centre Regional Planning Agency to be reviewed for completeness based on the items listed above. The Centre Regional Planning Agency will have 20 business days to review the Development of Regional Impact application and forward comments back to the applicant outlining the information that needs to be revised or added to ensure a complete application, if necessary. The applicant will make any necessary changes and resubmit the application to the Centre Regional Planning Agency for its review and recommendation, including specific reasons and findings of fact. The Centre Regional Planning Agency will have 15 business days to review the completed application and develop its recommendation to be forwarded to the host municipality with the completed Development of Regional Impact application.

c. The host municipality shall not review the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application unless the information required has been reviewed by the Centre Regional Planning Agency for completeness. Following a review of this information, the host municipality will determine if the proposal has merit and warrants regional discussion. If the host municipality determines that the proposal warrants regional discussion, the Development of Regional Impact application shall be forwarded for regional discussion before final action to forward the proposal is taken by the host municipality. The host municipality shall include specific findings of fact used to establish its support of the request to expand the Regional Growth Boundary and Sewer Service Area based upon the Development of Regional Impact application.

i. If the request to expand the Regional Growth Boundary and Sewer Service Area is initiated by a municipality, the municipality shall be responsible for preparing the information outlined in section 2.a.

ii. If the host municipality forwards the request to expand the Regional Growth Boundary and Sewer Service Area for regional review, the process shall begin

with the Centre Regional Planning Commission. Upon receipt of a completed application for a request to expand the Regional Growth Boundary and Sewer Service Area, including a completed Development of Regional Impact application from the host municipality (including findings, in support of the application), the Centre Regional Planning Commission shall review the proposal and provide a recommendation to the General Forum of the Centre Region Council of Governments within 60 days of receipt of the completed application.

iii. Requests to expand the Regional Growth Boundary and Sewer Service Area and completed Development of Regional Impact applications shall be reviewed by the Centre Regional Planning Commission, beginning at the first available meeting that coincides with the regular agenda mailing following receipt from the host municipality.

iv. The Centre Regional Planning Commission recommendation on the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application, along with the completed application (including findings from the host municipality and Centre Regional Planning Agency), shall be provided to the COG General Forum for review.

The COG General Forum shall conduct two meetings to review the request to expand the Regional Growth Boundary and Sewer Service Area. At the first COG General Forum meeting, a member of the host municipality's governing body shall be designated to present information on the application and indicate why the host municipality supports the proposal. If deemed appropriate by the COG General Forum, the applicant may be asked to provide information on the application. The goals of this presentation are as follows:

1. To encourage communication among the Region's elected officials on Developments of Regional Impact early in the review process.
2. To solicit comments and suggestions from the General Forum that may result in the identification of solutions to planning issues which can be addressed by the host municipality.
3. To determine the level of support from the other Centre Region municipalities for the proposal.

d. Following the presentation by the host municipality (and the applicant if appropriate), a representative of the Centre Regional Planning Commission will present its recommendation and provide any applicable information related to the discussion that occurred. Municipalities may consider conducting individual governing body meetings between the first and second COG General Forum meeting to study the request in more detail and form a municipal position regarding the request prior to the second COG General Forum meeting.

e. At the second meeting, the General Forum will discuss the results of the first COG General Forum meeting and any municipal governing body meetings and may hold an informal straw vote to determine each municipality's position on the request. If the discussion indicates that there are not at least five votes in support of an expansion to the Regional Growth Boundary and Sewer Service Area, then the municipalities indicating dissent will

be asked to provide an explanation of their position. Following this discussion, the General Forum will determine whether to proceed to:

- i. Refer the proposal to an ad hoc committee or COG standing committee for further discussion.
- ii. Request the applicant or the host municipality to provide additional information to the General Forum. Such additional information may include special studies such as detailed land use, fiscal, transportation or environmental impact analyses; or
- iii. Vote on the request.

The General Forum shall only approve a request to expand the Regional Growth Boundary and Sewer Service Area by an affirmative unit vote of at least five municipalities, upon finding that the request has satisfied the criteria in Section V.2.a of this Agreement.

f. At the conclusion of the General Forum discussion and following any additional steps and discussion as noted in the preceding step, a unit vote will be held.

i. Requests to expand the Regional Growth Boundary and Sewer Service Area require a minimum of five affirmative unit votes of the municipalities, including the host municipality, for approval. The unit vote will allow each municipality to provide the host municipality an indication of its support for the proposal to expand the Regional Growth Boundary and Sewer Service Area.

Upon approval to expand the Regional Growth Boundary and Sewer Service Area, the COG General Forum will adopt a resolution approving the expansion as a revision to the Centre Region Act 537 and Comprehensive Plans, and the host municipality may proceed to submit the proposal and required planning module to the Pennsylvania Department of Environmental Protection for approval.

By signing this Agreement, each Centre Region municipality agrees not to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre until completing the process as described in Section V of this Agreement.

ii. If a request to expand the Regional Growth Boundary and Sewer Service Area does not receive a minimum of five affirmative votes, said request may be resubmitted for reconsideration after the General Forum concerns are addressed.

iii. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in development density of less than one equivalent dwelling unit per acre do not require General Forum action. The COG General Forum would be informed of the change; however, no action or discussion would be required by the COG General Forum. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in a development density of greater than one dwelling unit per acre require General Forum action, unless otherwise permitted in Section VI "The Process - General Forum Action Not Required" to expand the Regional Growth Boundary and Sewer Service Area. Regardless, the authority for zoning decisions will remain with the host municipality.

## **SECTION 5: THE PROCESS - GENERAL FORUM ACTION NOT REQUIRED**

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following:

1. Each municipality that has land outside of the Regional Growth Boundary and Sewer Service Area is authorized to expand the Regional Growth Boundary and Sewer Service Area by a maximum of 50 Equivalent Dwelling Units, not to exceed 12 acres, for a period of five years from the execution of this amended Agreement. Individual non-residential projects are limited to a maximum square footage that would be expected to generate fewer than 100 vehicle trips during the peak hour, or fewer than 750 vehicle trips in an average day.
2. The governing body of the host municipality will consider comments from the Centre Regional Planning Agency and the Centre Regional Planning Commission in the municipal review process.
3. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance must achieve a minimum development density greater than one equivalent dwelling unit per acre.
4. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance shall be evaluated in the same manner as requests under Section V "The Process - General Forum Action Required," with the exception that they will not require COG General Forum approval.
5. The request to expand the Regional Growth Boundary and Sewer Service Area must be contiguous to the existing Regional Growth Boundary and Sewer Service Area. This provision does not preclude exceptions to expand the Sewer Service Area as may otherwise be authorized under Section VIII "Exceptions".
6. This Section of the Ordinance will expire five years from the final date of adoption and will require a unit vote in the affirmative of at least five municipalities to be reauthorized.

The CRPA shall annually provide the General Forum with a summary of all requests to expand the Regional Growth Boundary and Sewer Service Area, including an accounting of the number of EDUs approved in each municipality and a map depicting the location of any changes to the Regional Growth Boundary and Sewer Service Area in the preceding year.

## **SECTION 6: PROJECT SPECIFIC DEVELOPMENT AGREEMENTS**

A host municipality is required to enter into a project specific development agreement with a property owner or developer that is requesting an expansion to the Regional Growth Boundary and Sewer Service Area. A project specific development agreement is used to ensure the land development occurs as proposed and is required to be included as a condition of the Resolution authorizing the request to expand the Regional Growth Boundary and Sewer Service Area. It is solely the responsibility of an individual municipality to ensure a development agreement is being executed properly and to approve or deny changes to that agreement. The Centre Region does not have a role in the enforcement or verification of a municipally enacted development agreement.

Amendments to the development agreement that are de minimus changes or technical corrections, as determined by participants, may be approved administratively by the host municipality. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum. The host municipality shall forward any de minimus changes or technical corrections to the COG Executive Director within five days of approval by the host municipality for inclusion as an informational item at the next available COG General Forum meeting.

Major amendments and rescissions must be ratified by all participants to the original development agreement. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum, with the exception that the host municipality will notify the General Forum of any major changes. In the case of rescission of a development agreement, or if the governing body of the host municipality determines a major amendment is not consistent with the intent of the expansion as approved by the COG General Forum, a new request to expand the Regional Growth Boundary and Sewer Service Area must be filed and approved by the General Forum as required in this Agreement.

The municipalities agree that development agreements will be used to specify that the property owner or developer of the project for which the Regional Growth Boundary and Sewer Service Area application was approved shall obtain a building permit within five years of COG General Forum approval of the resolution expanding the Regional Growth Boundary and Sewer Service Area. If the property owner or developer of the project has not obtained a building permit within the five-year period, the host municipality shall take action to rescind the development agreement and the Regional Growth Boundary and Sewer Service Area shall be restored to their location prior to the request.

## **SECTION 7: FUTURE DEVELOPMENTS OUTSIDE OF THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA**

The Centre Region municipalities agree that developments outside of the Regional Growth Boundary and Sewer Service Area served by on-lot sewage disposal systems should be managed under the existing CRCA Sewage Management Program. The proper operation and maintenance of on-lot systems will ensure the health of these systems, prevent the need for costly public sewer line extensions, and discourage the need for the outward expansion of the Regional Growth Boundary and Sewer Service Area. In addition, the Chesapeake Bay Tributary Strategy further emphasizes the need for ensuring the proper operation and maintenance of on-lot sewage disposal systems.

The Centre Region municipalities agree to the following measures for future developments located outside of the Regional Growth Boundary and Sewer Service Area:

1. Sewage management programs will be required for all future developments that propose less than 15 EDUs outside of the Regional Growth Boundary and Sewer Service Area.
2. Developments located outside of the Regional Growth Boundary and Sewer Service Area that propose a cumulative total of 15 or more EDUs, and where any individual lot is less than two acres, shall utilize a community on-lot sewage disposal system (as defined by the Pennsylvania Department of Environmental Protection) designed and maintained according to the

standards of the University Area Joint Authority. The University Area Joint Authority, however, will not be required to perform day-to-day operations on such facilities. For phased developments, this requirement will apply to developments that reach a cumulative total of 15 EDUs.

3. Alternative public wastewater treatment systems (with the exception of UAJA) as defined herein, are prohibited for the term of this Agreement in the Centre Region. The Centre Region Act 537 Sewage Facilities Plan identifies on-lot sewage disposal systems as the only method for wastewater treatment outside of the Regional Growth Boundary and Sewer Service Area. If public sewer service is requested, the University Area Joint Authority has been identified as the provider for public sewer services in the Centre Region.

On-lot developments located outside of the Regional Growth Boundary and Sewer Service Area will not be reviewed by the Centre Regional Planning Commission or COG General Forum. However, by enacting this Agreement, the Municipalities agree to incorporate the requirements described above into their municipal sewage management ordinances.

## **SECTION 8: REQUIRED REVIEW AND AMENDMENT PROCESS**

### **1. Required Review**

The municipalities agree to review and evaluate the effectiveness of the provisions contained herein within five years from the effective date and to amend this Agreement more frequently, if necessary, if recommended by the COG Land Use and Community Infrastructure Committee and approved by a unit vote of the COG General Forum.

The municipalities agree to amend any municipal ordinances to conform to this Agreement within the timeframe established by the Pennsylvania Municipalities Planning Code (MPC).

### **2. Amendment Process**

#### *a. Determination of minor and major amendments:*

All requests for amendments to the Regional Growth Boundary and Sewer Service Area Implementation Agreement shall be submitted through a Centre Region municipality or the Centre Regional Planning Commission, including those requests originated by an individual or entity seeking an amendment. The municipality or Centre Regional Planning Commission will forward the request to the COG Executive Director, who will schedule the item on the next available COG Land Use and Community Infrastructure Committee agenda.

The COG Land Use and Community Infrastructure Committee, by a majority vote of members present, will determine if an amendment is major or minor. If the COG Land Use and Community Infrastructure Committee cannot agree on a designation, the COG Land Use and Community Infrastructure Committee must forward the proposed amendment to the next available COG Executive Committee meeting for consideration on a COG General Forum agenda. The COG General Forum will then determine if the amendment is major or minor by majority vote of the individual members present.

#### *b. Major amendments:*

After designating the request as a major amendment, the COG Land Use and Community Infrastructure Committee (or COG General Forum if necessary) shall refer the major amendment to the COG Executive



Director for Centre Regional Planning Agency review and Centre Regional Planning Commission recommendation, and to the Centre Region municipalities for their information. The Centre Regional Planning Agency will present a recommendation for consideration at a future COG Land Use and Community Infrastructure Committee meeting. The COG Land Use and Community Infrastructure Committee shall recommend approval, denial, or continuance on the amendment by a majority vote of the members present, no more than 90 days from receipt of the major amendment. The COG Land Use and Community Infrastructure Committee recommendation will be forwarded to the COG Executive Committee for consideration on a General Forum agenda. The COG General Forum shall take action to modify, approve, deny, or continue the amendment by an affirmative unanimous unit vote of the municipalities. The COG Executive Director shall forward the amendment and the results of such action to all of the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

*c. Minor amendments:*

After designating the request as a minor amendment, the COG Land Use and Community Infrastructure Committee (or COG General Forum as necessary) shall refer the minor amendment to the COG Executive Director for Centre Regional Planning Agency review. The Centre Regional Planning Agency will present a recommendation for consideration at the next scheduled COG Land Use and Community Infrastructure Committee meeting. The COG Land Use and Community Infrastructure Committee shall review the request and take action to modify, approve, deny, or continue the amendment by a majority vote of the members present, no more than 90 days from receipt of the minor amendment. The COG Executive Director shall forward the amendment and the results of such action to all the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

**SECTION 9: TERM AND EFFECTIVE DATE**

The effective date of this Agreement shall be upon enactment by ordinance of this Agreement by the six Centre Region municipalities:



# REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA IMPLEMENTATION AGREEMENT

## BIG PICTURE

- Direct higher intensity development to certain areas.
- Improve the ability to preserve farmland.
- Preserve rural communities.
- Utilize existing infrastructure.
- Align growth with sewer availability and sustain adequate capacity at UAJA.
- Protect sourcewater and other environmental resources.
- This requires a REGIONAL agreement to implement from the six Centre Region municipalities

## WHERE ARE WE TODAY?

- Most new building permits are issued inside the RGB and SSA.
- Development capacity inside the RGB and SSA is adequate to serve growth.
- Permitted average monthly hydraulic capacity at UAJA is 10.62 MGD. Average monthly flow in 2022 was 5.31 MGD.
- Projected flows in 2027 is estimated at 5.67 MGD.
- Sourcewater continues to be protected from incompatible development.
- Farmland and open areas have been preserved.
- The RGB and SSA Implementation Agreement has helped municipalities implement regional goals. Particularly areas that want to grow and areas that want to maintain their rural character.

## ASSESSMENT OF EXISTING AGREEMENT

- The process to expand the RGB and SSA is meant to be rigorous.
- The process does not require a Development of Regional Impact inside the RGB and SSA. Makes it easier to grow where the Region wants growth.
- It can be a complicated process that is not often utilized.
- Continues to maintain a contiguous RGB and SSA boundary.
- The process requires that all six municipalities vote on requested expansions of the RGB and SSA.

## WHAT HAS STAYED THE SAME?

- The initial request to expand the RGB and SSA boundary is a local decision.
- Five municipalities need to approve a request to expand the RGB and SSA.
- Moved exceptions to the front of the Agreement
- The background section was deleted and incorporated into the *RGB and SSA at a Glance* document. A link to the document will be included as reference at the end of the Agreement.
- Deleted the “Limited Review Process” and reauthorized the option for municipalities to approved minor requests to expand the RGB and SSA without going to the COG General Forum.

## WHAT ARE THE PROPOSED CHANGES?

- No substantial changes.
- Cleaned up authority and effective date.
- Moved exceptions to the front of the Agreement.
- The background section was deleted and incorporated into the *RGB and SSA at a Glance* document. A link to the document will be included as reference at the end of the Agreement.
- Deleted the “Limited Review Process” and reauthorized the option for municipalities to approved minor requests to expand the RGB and SSA without going to the COG General Forum.

# THANK YOU

- Questions
- Comments
- Clarifications
- Next steps
  - Address municipal comments with the LUCI Committee and CRPC in late summer or early fall.
  - Forward to COG General Forum for final action.





# THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA AT A GLANCE

August 2022



**CRPA**  
Centre Regional  
Planning Agency



## THE **REGIONAL GROWTH BOUNDARY** AND **SEWER SERVICE AREA** TODAY

In simple terms, the RGB and SSA is a boundary the Centre Region municipalities mutually agree upon to direct more urban development inside the line where there is infrastructure to serve development. Less intensive uses that do not require urban infrastructure, particularly public sewer, are located outside of the line. The RGB and SSA was formalized in 2000, but the growth management concept behind it has been utilized for more than 46 years. Over time, the initial growth concept and the formal RGB and SSA have contributed substantially to the physical growth of the Centre Region and how it looks today.

The Regional Growth Boundary and Sewer Service Area (RGB and SSA) was formally established over 20 years ago and marked the first time the Centre Region municipalities jointly approved a line on a map that required a property owner to go through a formal process to request expansion of the line. The process, when initially established, required unanimous approval of all municipalities to expand the RGB and SSA. Today five of the six Centre Region municipalities need to approve requests. The RGB and SSA is not amended frequently and was last amended in 2014, so today it does not tend to be a highly visible policy to residents in the Region. In fact, most people in the Region do not realize that there is an RGB and SSA, although it wields tremendous influence over how and where the Region grows.

So, what does it really mean to have implemented a long-term regional policy like the RGB and SSA over the past 46 years? It means:

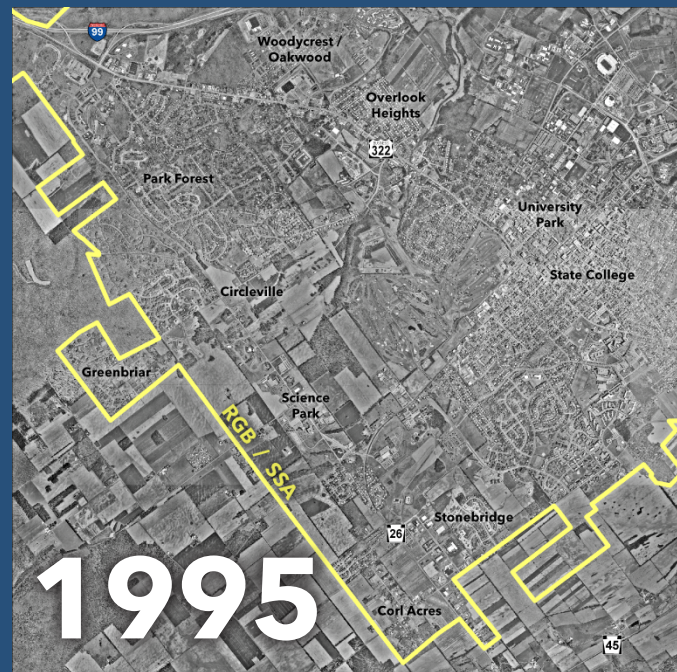
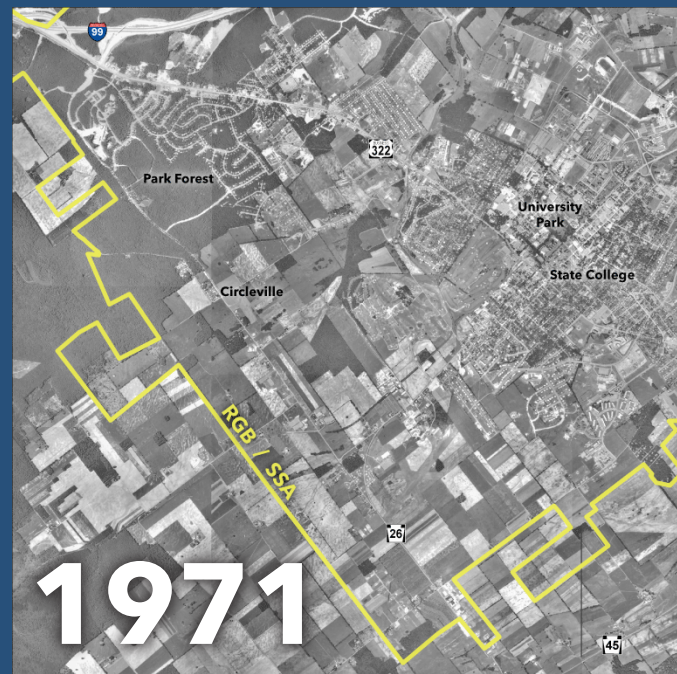
- Having a policy and process that guides how municipalities make decisions about where, how, and when to grow.
- Supporting a variety of housing types and neighborhoods. For example, residents can commute from nearly any rural area outside the RGB and SSA to work on the PSU campus, or downtown State College in 20 minutes or less.
- Having a development pattern inside the RGB and SSA that supports transportation alternatives such as CATA, multi-use trails, and other means to connect neighborhoods to work, schools, and parks.
- Helping to preserve the agriculture heritage of the Region, along with the municipalities, farmers, and other conservation organizations.
- Giving all municipalities a voice in protecting shared resources from adverse impacts of development. For example, many potable water wells are in two or three municipalities, but potable water resources are vital to all residents in the Region.
- Efficiently using existing infrastructure instead of building new roads, water and sewer lines, and other infrastructure to serve new development.

# BACKGROUND AND HISTORY

The Regional Growth Boundary and Sewer Service Area (RGB and SSA) has evolved over more than 46 years since the initial adoption of a Primary Growth Area in the 1976 Comprehensive Plan. The concept was initially a regional-level policy, adopted by municipal resolution to guide where the Centre Region municipalities wanted to direct growth as part of the Centre Region Comprehensive Plan. For many years there was no delineated boundary for growth, just a concept illustrated on a map, and written policies stating where the region should grow. The SSA is established within the Centre Region's Act 537 Sewage Facilities Plan and was first incorporated into the 1990 Comprehensive Plan, generally including the same area as the RGB. Today there is a one delineated line for both the RGB and SSA so that urban growth and service can be planned jointly. By consolidating these two geographic areas, the Centre Region municipalities are able to encourage growth in areas where public wastewater will be required for development and readily available.

The Primary Growth Area (1976), Future Growth Areas (1990), and the initial Regional Growth Boundary (2000) were maps with associated policies supporting a vision for growth in the Centre Region Comprehensive Plans. The Centre Region municipalities approve Centre Region Comprehensive Plans by adopting municipal resolutions. Resolutions are generally defined as a statement of policy by the governing body that a specific action be taken. For example, the specific action of a municipal resolution adopting a comprehensive plan would be for the municipality to plan for their municipality consistent with the goals, policies, actions, maps, and content in the comprehensive plan. This is particularly important for the Centre Region where a multi-municipal approach to planning has been utilized since the early 1960s to accomplish many goals that transcend municipal boundaries, including source water protection, open space preservation, farmland conservation, transportation, and other issues.

The Regional Growth Boundary and Sewer Service Area Implementation Agreement establishes a regional process to consider proposals to expand the RGB and SSA and provides the COG General Forum an advisory role in the review of major rezonings and text amendments outside the existing RGB and SSA. The Centre Region municipalities adopted the RGB and SSA Implementation Agreement by ordinance. Ordinances for the initial Implementation Agreement were signed in 2006. New ordinances were adopted in 2013 when the Implementation Agreement was updated. The Implementation Agreement was also reviewed in 2018 however, no changes were made so it was not necessary to adopt new ordinances.



# TIMELINE OF THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA

## 1976 to 1999 - Precursor to the Regional Growth Boundary

1976

The 1976 Comprehensive Plan identified a Primary Growth Area that designated a portion of the Centre Region with sufficient land for accommodating anticipated development with the least negative impact to the physical environment and the most efficient expansion of public services possible.

1990

The concept of a Primary Growth Area continued with some refinements in 1990. The 1990 Comprehensive Plan includes a map designating Future Growth Areas as a growth concept in the Region. This concept was like the Primary Growth Area in the 1976 Plan, but it expanded along transportation corridors and included historic villages such as Stormstown, Pine Grove Mills, Boalsburg, and Lemont, for example.

The 1990 Comprehensive Plan also contained a map showing Planned Sewer Service Areas. The area planned for public sewer service included the urbanized area and Pine Grove Mills, and some expansion areas adjacent to the urbanized area.

The Planned Sewer Service Areas map from the 1990 Comprehensive Plan was utilized to establish the Sewer Service Area for the University Area Joint Authority (UAJA).

## 2000 to 2013 - The Regional Growth Boundary is established, combined with the Sewer Service Area, and the RGB and SSA Implementation Agreement is approved

The 2000 Centre Region Comprehensive Plan further refined the Future Growth Areas map by establishing a specific RGB. The plan established policies to direct the majority of future growth into areas inside the RGB so that new development could be efficiently served by public utilities, services, and transit.

Between 2000 and 2005, there were extensive discussions regarding wastewater treatment constraints at the UAJA Facility and how additional capacity could be added to the Facility. Since that time, the UAJA has installed improvements that increased capacity in the beneficial reuse system and can now produce up to 3.0 million gallons of beneficial reuse water daily. The UAJA has also made several operational improvements that have increased treatment capacity.

The RGB and SSA were delineated as one boundary line in the 2005 Act 537 Sewage Facilities Plan Update to ensure coordination between regional land use planning efforts and sewage treatment and beneficial reuse capacity at the UAJA treatment plant. The RGB and SSA is the boundary within which public sewer will be provided in the future by the UAJA and where most of the new development will be focused.

- Patton Township received an application to rezone property outside the RGB and SSA from Geisinger to build a medical facility in Patton Township. There was, however, not a formal process in place to determine how to expand the RGB. The COG General Forum formed an Ad Hoc Committee to determine how to review the rezoning request.
- The process was also opened to property owners outside the RGB and SSA and a total of 26 requests were submitted to expand the RGB and SSA. Five requests were approved after an extensive review process.
- The COG General Forum requested that the Centre Regional Planning Agency (CRPA) develop a formal process for the regional review and approval of proposed RGB and SSA expansions. This was completed in 2006 with the development of an Implementation Agreement. The process was adopted by municipal ordinance as the process going forward.

## **2013 to 2022 – The RGB and SSA is reaffirmed in the 2013 Comprehensive Plan and the RGB and SSA Implementation Agreement is refined and re-adopted.**

- The 2013 Comprehensive Plan retains the RGB and SSA as a primary tool to manage growth in the Centre Region.

**2013**

- First update of the RGB and SSA Implementation Agreement since initial adoption. A five-year review cycle was added to the Agreement.

**2018**

- COG Transportation and Land Use Committee (now the Land Use and Community Infrastructure Committee) reviewed the 2013 Agreement and did not recommend any changes.

## **Next update to the RGB and SSA**

**2023**

- Initiation of a Centre Region Comprehensive Plan Update.
- Next five-year review of the RGB and SSA Implementation Agreement is required.



## OTHER INFORMATION

### How is the RGB and SSA supported by the municipalities?

The RGB and SSA is a policy adopted by the municipalities to guide growth in the Region. The municipalities implement the purposes of the RGB and SSA through their zoning regulations. For example, areas outside of the RGB are generally zoned for forest, agriculture, residential densities of no more than one dwelling unit per acre and other uses that support a rural environment. Inside the RGB and SSA, municipalities zone at higher residential densities, and more intense commercial and non-residential uses. This results in a regional development pattern where most growth is directed into the RGB and SSA with some growth outside.

### How is wastewater treatment and reuse accommodated?

The University Area Joint Authority (UAJA) operates a wastewater plant known as the Spring Creek Pollution Control Facility. It was constructed in 1969 and is permitted to treat up to 10.62 million gallons per day. The Facility currently serves all Centre Region municipalities except Halfmoon Township. Halfmoon Township, by virtue of being in the Act 537 Sewage Facilities Plan, does have a stake in the Facility and could request sewer service in the future. Flows to the Facility in 2021 averaged 5.31 million gallons per day, or half of the permitted treatment capacity. The Pennsylvania Department of Environmental Protection (DEP) limits discharge from the Facility to Spring Creek to 6.0 million gallons per day. At this time, the UAJA has a beneficial reuse water treatment system in place that can produce up to 3.0 million gallons per day of reclaimed water that can be discharged or reused in other locations to reduce flow into Spring Creek. Per the most recent annual report (2021) from the UAJA to the DEP, the current facility is sufficient to prevent overload conditions.

Penn State owns and operates a wastewater treatment plant known as the Water Reclamation Facility (WRF), which provides sanitary sewer service to the University Park campus. A small portion of the College Heights neighborhood in State College Borough is treated at the WRF because the topography allows sewage transmission through a gravity line which flows downhill to the WRF. The WRF is designed to treat up to 3.0 million gallons per day. The Penn State WRF has zero discharge into a stream, which is unusual in Pennsylvania. Since 1983, Penn State has been recycling all of its treated effluent through a land application system known as the Living Filter.

Wastewater treatment outside the RGB and SSA is generally accommodated through individual on-lot septic systems. The DEP required the Centre Region to establish a sewage management program in the Act 537 Plan so that on-lot systems could be inspected and pumped on a regular basis. The Centre Region Code Administration and municipal Sewage Enforcement Officers implement the sewage management program for municipalities that have individual on-lot septic systems.

## Is there sufficient land inside the RGB and SSA to accommodate anticipated growth?

The CRPA updates the Regional Development Capacity (REDCAP) Report every five years to estimate the amount of developable land inside the RGB and SSA. The 2017 REDCAP indicated that adequate residential and nonresidential development potential exists within the RGB and SSA to support growth beyond the 20-year planning horizon.

The REDCAP is in the process of being updated for 2022. This report is used to estimate the inventory of vacant land and potential redevelopment areas, ensuring that the Region can accommodate residential and nonresidential growth for the next 20 years. At all times, the Region should have a sufficient inventory of land inside the RGB and SSA to accommodate at least 20 years of forecast growth.

## DEFINITIONS AND MORE INFORMATION

**Centre Region Comprehensive Plan** - A plan for the physical growth of the Centre Region.

**Regional Growth Boundary** – The Regional Growth Boundary is the boundary within which higher density development exists to support urban services including public sewer, public water, public transportation, fire, police, and schools efficiently and economically as noted in the Centre Region Comprehensive Plan.

**Sewer Service Area** – The Sewer Service Area is the location where public sewer service is provided or planned as identified in the Centre Region Act 537 Sewage Facilities Plan.

**Sewage Management Plan** - This plan requires that individual on-lot septic systems be inspected and septic tanks pumped on a regular basis outside the sewer service area.

**Regional Growth Boundary and Sewer Service Area Implementation Agreement** - Established a regional process to consider proposals to expand the RGB and SSA and provide the COG General Forum an advisory role in the review of major rezonings and text amendments outside the existing RGB and SSA. The Centre Region municipalities adopted the RGB and SSA Implementation Agreement by ordinance.

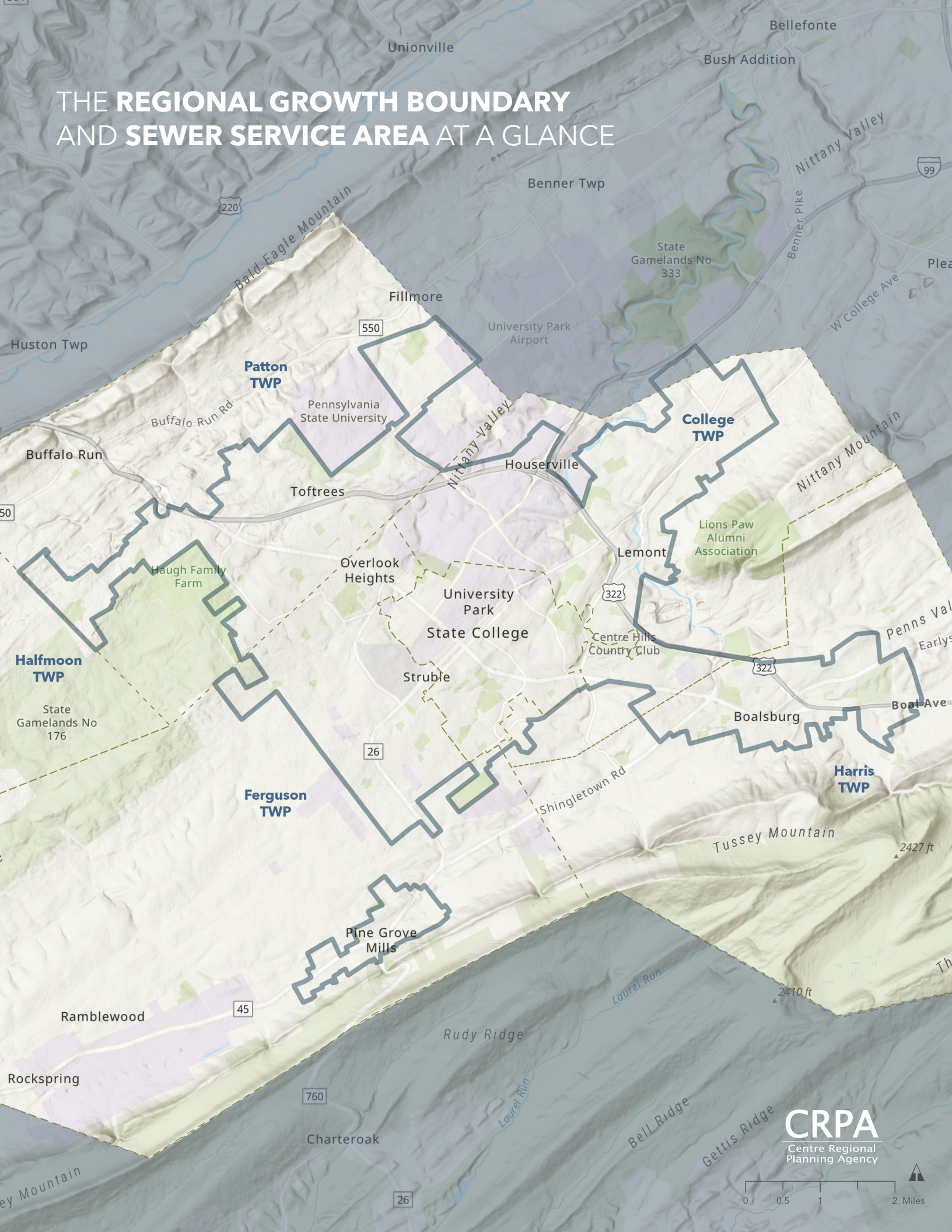
**Act 537 Sewage Facilities Plan** – Pennsylvania’s Act 537 requires that municipalities develop and implement a comprehensive sewage facilities plan that addresses present and future sewage disposal needs. The six Centre Region municipalities maintain one Act 537 Plan to accommodate this requirement for the entire region.

**COG General Forum** - Is comprised of the 32 elected officials from College, Ferguson, Halfmoon, Harris, and Patton Townships, and the Borough of State College. The COG fosters cooperative efforts to resolve regional problems, determine policies, and to formulate plans and programs to meet regional needs.

### Where to get more information:

[www.crcog.net](http://www.crcog.net)  
Centre Region Comprehensive Plan  
Centre Region Climate Action and Adaptation Plan  
Centre Region Act 537 Sewage Facilities Management Plan  
Centre Region Land Consumption Study – 2020  
Regional Development Capacity (REDCAP) Report  
Sustainability of Agriculture in the Centre Region  
Wastewater and Beneficial Reuse Story Map  
RGB and SSA Implementation Agreement

# THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA AT A GLANCE





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES AS FOLLOWS: (1) SETTING A MAXIMUM SPEED LIMIT OF 35 MILES PER HOUR FOR EASTBOUND BLUE COURSE DRIVE BETWEEN WESTWIND DRIVE AND CIRCLEVILLE ROAD.**

The Board of Supervisors of the Township of Ferguson hereby ordains:

**Section 1.** Chapter 15, Motor Vehicles, Part 2, Traffic Regulations, Section 201, Maximum Speed Limits, is hereby amended to establish the following speed limits on the following streets:

Chapter 15, Part 201 – Maximum Speed Limits

<u>Add/Delete</u>	<u>Street</u>	<u>Between</u>	<u>Speed Limit</u>
Delete	Blue Course Drive	West College Avenue and Circleville Road/Teaberry Lane	45 mph
Add	North/Eastbound Blue Course Drive	West College Avenue and Westwind Drive	45 mph
Add	North/Eastbound Blue Course Drive	Westwind Drive and Circleville Road/Teaberry Lane	35 mph
Add	South/Westbound Blue Course Drive	Circleville Road/Teaberry Lane and West College Avenue	45 mph

Ordained and Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Ferguson Township  
Board of Supervisors

\_\_\_\_\_  
By: Lisa Strickland, Chair

ATTEST:

\_\_\_\_\_  
Centrice Martin, Secretary



Department of  
**PLANNING AND ZONING**

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Interoffice Memorandum

**TO:** Board of Supervisors

**FROM:** Jenna Wargo, AICP  
Director of Planning & Zoning

**DATE:** May 31, 2023

**SUBJECT:** Chapter 27, Zoning Ordinance Revisions

As the result of an 18-month public input process with residents of Pine Grove Mills, in November 2019, the Board of Supervisors adopted the Pine Grove Mills Small Area Plan. Community residents actively participated in the preparation of the Small Area Plan to help plan for the future of the community. During the planning process, residents wrote an aspirational visions statement and prepared seven emerging themes that align goals, actions, and priorities for implementation of the Small Area Plan. These seven themes are the foundation upon the specific implementation actions and outcomes that will keep Pine Grove Mills an engaging community and renew interest in the community as a place to work, live, and play.

In 2020, the Board of Supervisors established the Pine Grove Mills Small Area Plan Advisory Committee (PGMSAP AC) to provide recommendations on the implementation of the Small Area Plan.

Action 16.1.4. of the Small Area Plan includes amending the zoning ordinance to allow for compatible uses for existing structures and promoting flexible standards to promote redevelopment of lots in Pine Grove Mills. The Village Zoning District provides for more uses and decreased setbacks in comparison to Single-Family Residential (R1) Zoning District and the intent of the proposed amendments will provide for the opportunity for redevelopment of smaller lots and flexibility within the Township's regulations.

Areas of concern as identified by the Pine Grove Mills Small Area Plan Advisory Committee (PGMSAP AC) include:

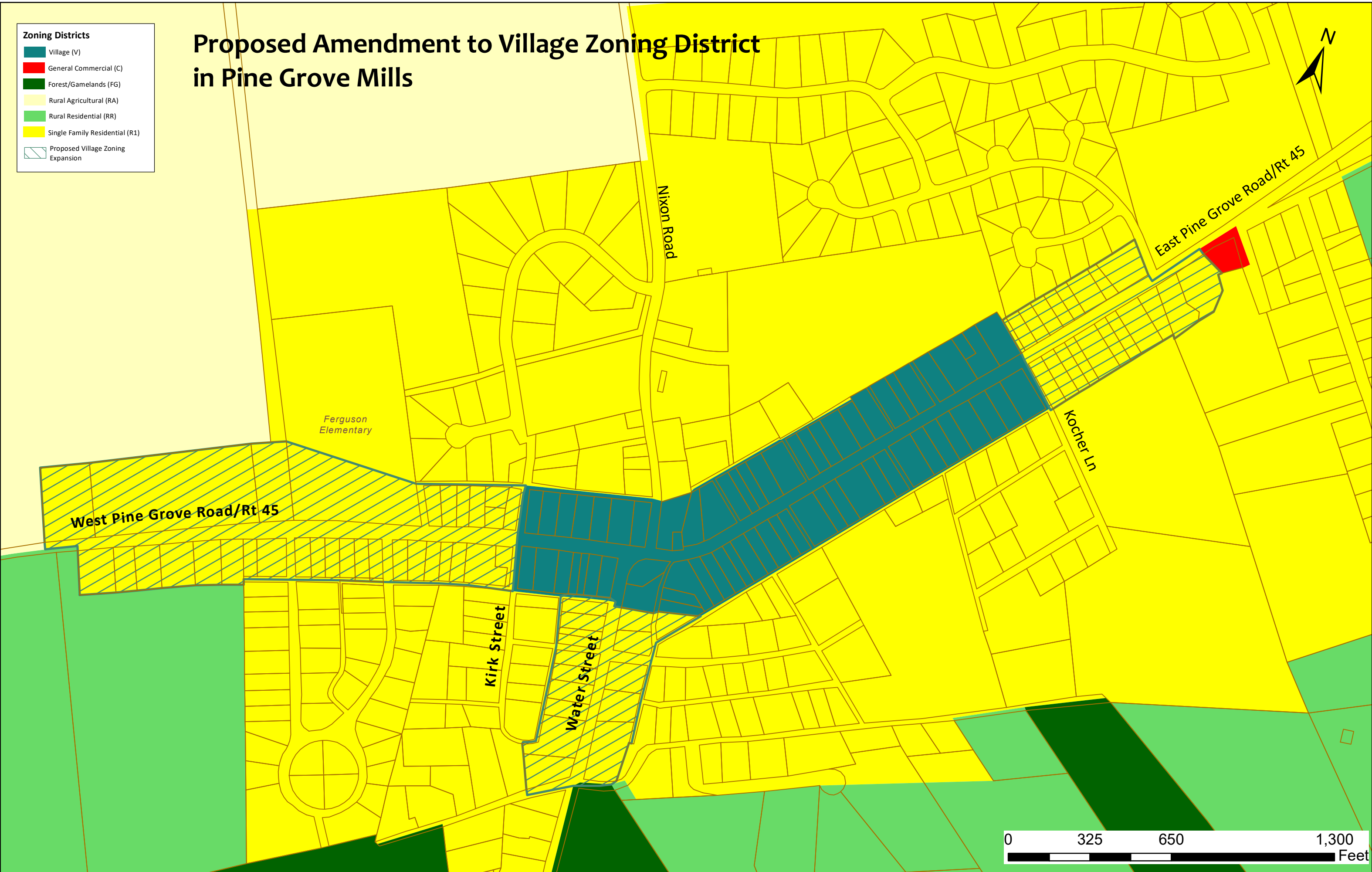
- §27-205.11. Village (V) District Quick (Lot Sizes and Uses)
- §27-207.1.A.—Accessory Uses
- §22-516—Landscaping/Buffer Requirements
- §22-5C01.E.—Provisions to Reduce Required Off-Street Parking Spaces

Staff is recommending to refer these areas of concern to Planning Commission for drafting regulations to aid in implementation of the Small Area Plan.

# Proposed Amendment to Village Zoning District in Pine Grove Mills

**Zoning Districts**

- Village (V)
- General Commercial (C)
- Forest/Gamelands (FG)
- Rural Agricultural (RA)
- Rural Residential (RR)
- Single Family Residential (R1)
- Proposed Village Zoning Expansion



West Pine Grove Road/Rt 45

Ferguson Elementary

Nixon Road

East Pine Grove Road/Rt 45

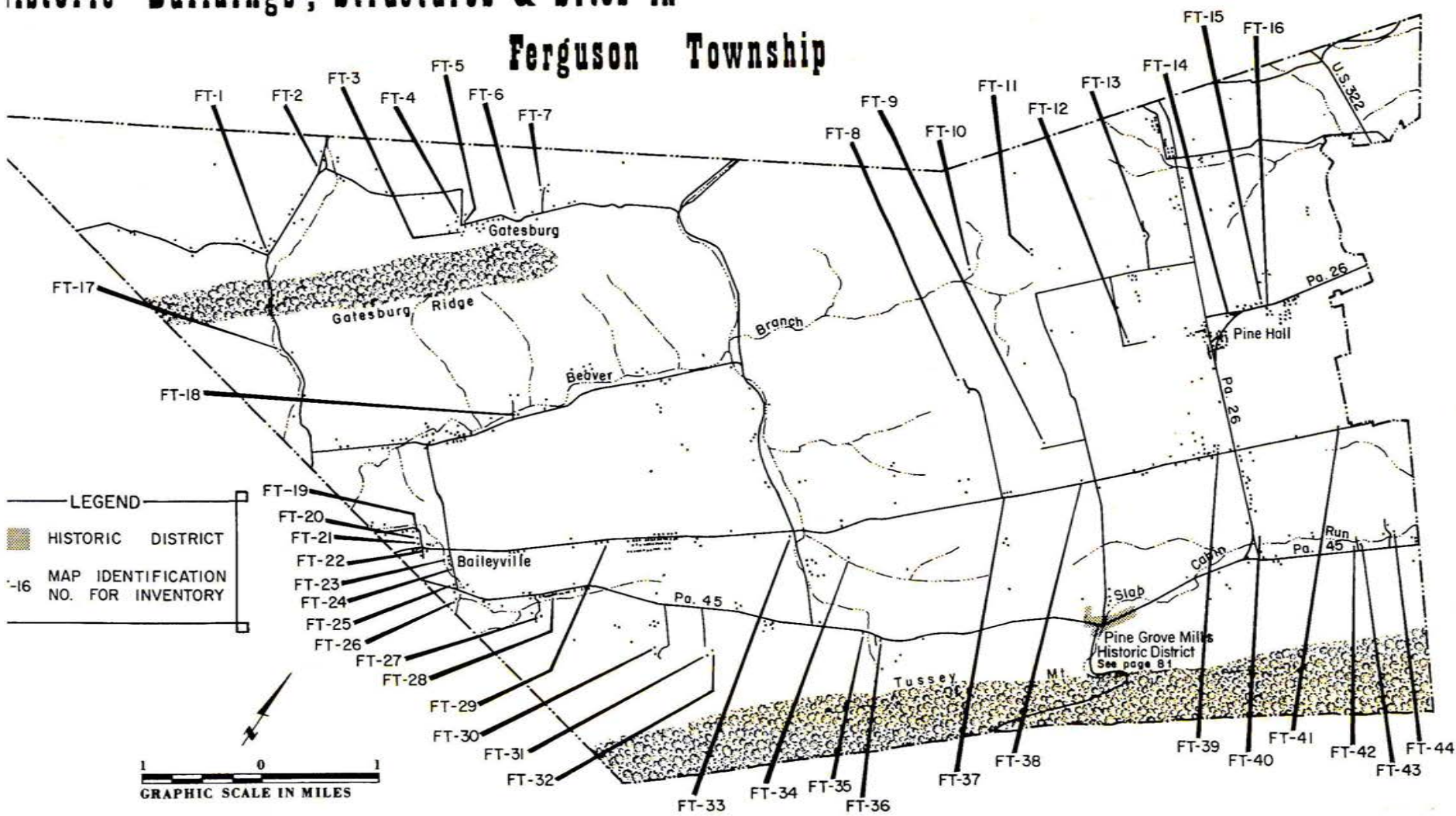
Kocher Ln

Kirk Street



Water Street



# Historic Buildings, Structures & Sites in Ferguson Township



LEGEND

 HISTORIC DISTRICT  
 MAP IDENTIFICATION NO. FOR INVENTORY

1 0 1  
GRAPHIC SCALE IN MILES

## FERGUSON TOWNSHIP

MAP NO.	AGE	BAYS	STORIES	STRUCTURE/ FORM	CURRENT STYLE	FACADE MATERIAL	CURRENT USE	HISTORIC NAME
<i>NATIONAL SIGNIFICANCE</i>								
FT- 6	c 1825	3	2½	M/CDv	G S	Ag	Res	J. Krider
FT-10	c 1850	5	2½	M/Pa4	G S	Ag	Res	Humes & McAllister
FT-11	c 1820	3	2	L/CDv	Co F	Log	Res	Humes & McAllister
FT-21	c 1860	4	1	F	Go r	B/B	Res	Bailey, Pres. Ch.
FT-25	c 1810	3	2½	M/I	G S	Ag	Res	Bailey-Evergreen
FT-27	c 1830	5	2½	M/Pa4	F Bk	Ag	Res	J.J. Goheen
FT-29*	1858	5	2½	F	Gk r	Clap	Res	Bucher Ayers
FT-30	c 1800	4	2½	M/I	G S/St	Res	Res	James Watts
FT-41	c 1851	5	2½	M/Pa4	Gk r	Bk	Ag	Homan Estate
FT-44	c 1830	5	2½	M/Pa4	G S	Ag	Res	O. Campbell
<i>STATE IMPORTANCE</i>								
FT- 3	c 1810	2	1	L/Ca	Co F	Log	Res	J. Allenberger
	c 1850	4	1½	P/P-C I	Co F	Asp	Res	
FT- 4	c 1830	4	2½	L/F/C4v	G	Asb	Ag	M. Rider
FT- 5	1913	3	1	F	Go r	Bk	Ch	Gatesburg Luth. Ch.
FT-14	c 1870	3	1	F	vV	Clap	GrH	Washington Grange
FT-19	c 1830	2	1½	L/Ca	Co F	Si	Res	
FT-22	c 1860	3	2	F	vV	Bev	PO	U.S. Post Office
FT-23	c 1880	6	2	F	vV	Asb	Res	Amos Clemson
FT-24	1895	-	2	F	vV	Al	GrH	Baileyville Gr.
FT-26	c 1800-20	-	2	P	Co F	B/B	Res	Bailey
FT-37	c 1830	3	2½	M/I	G S	Res	Res	Whitehall Hotel
FT-39	c 1800	2	1½	L/Ca	Co F	Asb	Com	J. Grimes
FT-40	c 1795	4	2½	M/P-C I	G S	Res	Res	C. Snyder
<i>LOCAL IMPORTANCE</i>								
FT- 1	c 1880	3	1½	F	vV	Clap	Res	Marengo School
FT- 2	c 1850	4	1	F	vV	Clap	Ch	Ross Church
FT- 7	c 1825	4	2	M/CD	G S	Ag	Res	Gates
FT- 8	c 1820	3	1½	L/HP	Co F	Log	-	S. Harpster
FT- 9	c 1830	3	2	L/CDv	Co F	Clap	Res	J. Brett
FT-12	1861	5	2½	M/Pa4	Gk r	Bk	Ag	D. Fye
FT-13	c 1860	4	2½	M/C4v	vV	Bk	Ag	J.S. McCormick
FT-15	c 1885	3	1	F/M	Go r	Bk	Ch	St. Peters Ref. Ch.
FT-16	1904	5	1	F	Go r	Bk	Ch	Pine Hall Luth. Ch.
FT-17	c 1870	3	2½	F/Iv	vV	Clap	Ag	M. Smith

## INVENTORY OF BUILDINGS, STRUCTURES, AND SITI

MAP NO.	AGE	BAYS	STORIES	STRUCTURE/ FORM	CURRENT STYLE	FACADE MATERIAL	CURRENT USE	HISTORIC NAME
FT-18	c 1850	5	1	F	vV	Asb	Res	Musser School
FT-20	c 1870	5	2½	F/Pa4	vV	Clap	Res	-
FT-28	c 1860-80	3	1	F	vV	Bev	Res	School-Rock Spr. Cemetery
FT-31	c 1820-40	-	-	-	-	-	-	-
FT-32	c 1820	6	2½	M	G	Bk	Ag	S. McWilliams, Sr
FT-33	1850	3	1	F	Go r	Al	Ch	Meek's Church
FT-34	1820-40	5	2½	P/Pa4	F	Asb	Ag	Cpt. G. Meek
FT-35	c 1820	4	2½	P/P-C I	G	Clap	Ag	J. Kepler
FT-36	c 1820-40	4	2½	M/P-C I	G	St	Res	A.C. Kepler
FT-38	c 1840	5	2½	M/Pa4	G	Bk	Ag	John Weaver
FT-42	c 1840	5	2½	M/Pa4	G	Bk	Ag	S. Hess
FT-43	c 1840	5	2½	F/Pa4	F	Clap	Ag	S. Hess-Musser

\*Listed on the National Register of Historic Places



35. Homan Estate, FT-41.

The desirability of the village as a place to live is marred chiefly by the high traffic volumes and resulting noise along Pine Grove Road. Road widening projects of the past removed most of the street trees, leaving a corridor bare and stark in appearance. Generally, however, street maintenance is good and traffic circulation patterns adequate. Alleys provide access to the rear of most properties in the district.

Some sections of sidewalks are in need of repair. Overhead utility lines, which stretch along most of Pine Grove Road, are easily visible because of the absence of street trees and, consequently, detract further from the appearance of the district.

## PINE GROVE MILLS

Lying at the base of Tussey Mountain, Pine Grove Mills is a predominantly residential community interspersed with a few businesses and public facilities. The historic area, located principally along Routes 26 and 45, is surrounded by modern suburban housing developments. Slab Cabin Run meanders through the village.

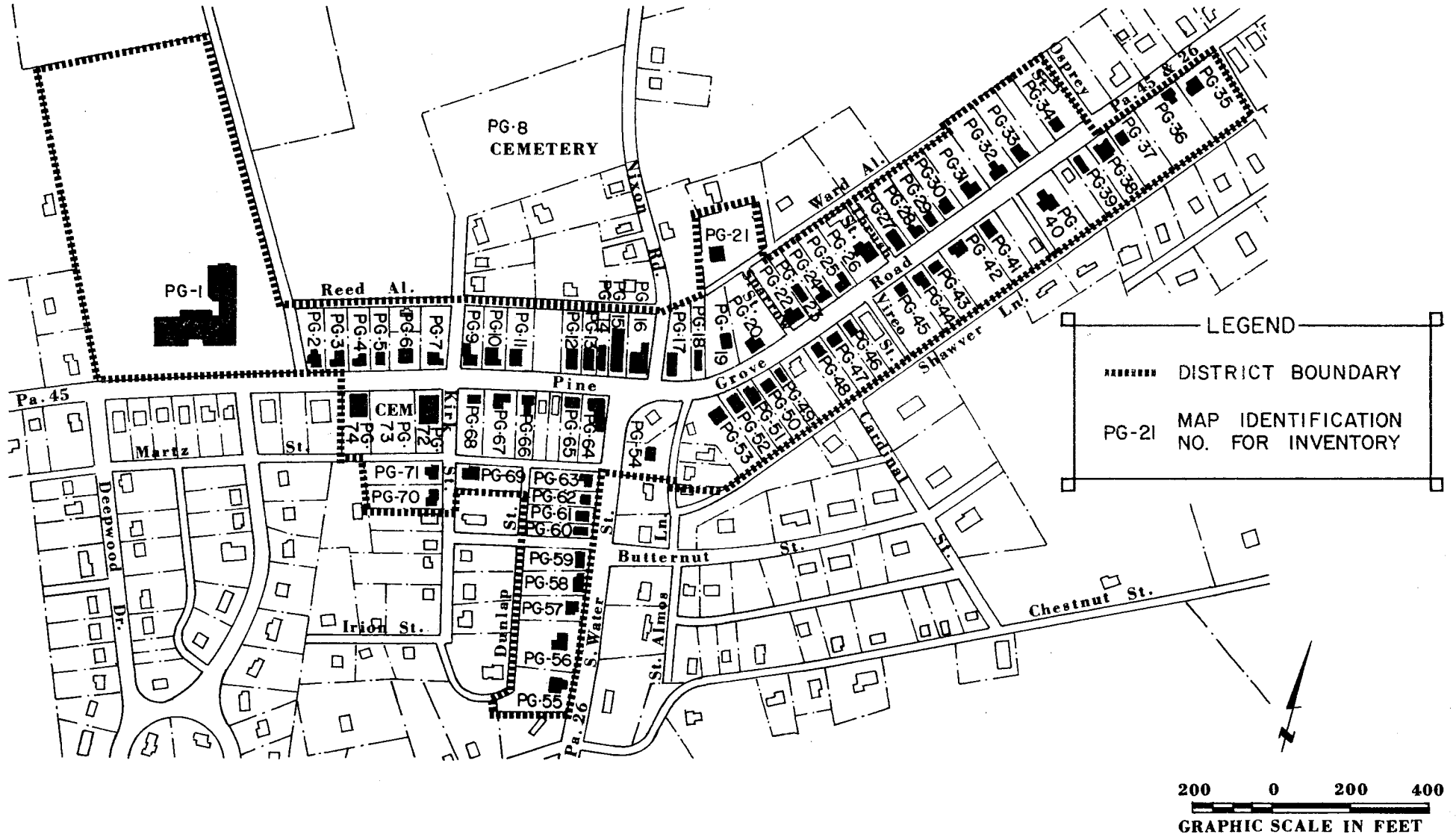
There are only a few modern structural intrusions found within the historic district designated on the map. The fairly consistent architecture is predominantly Victorian with heavy Gothic Revival influences. Major structures include the Ferguson Township School (1), three churches (6, 72, 74), the Civic Center (18), and the William Ward house (40). With the exception of the Civic Center, all are in good condition.

Most of the buildings in the district are structurally sound and of modest scale, ranging from one to two and one-half stories in height. Folk housing forms are common. However, very little restoration work has taken place, and many buildings have been unsympathetically renovated. Often, the original detailing has been removed and the facade material replaced or covered with materials incompatible with the historic style of the building. Educational programs emphasizing the design of early structures could provide valuable assistance in the future to property owners.



55. Carter House , PGM - 2 .

# Pine Grove Mills Historic District



PINE GROVE MILLS HISTORIC DISTRICT

MAP NO.	AGE	BAYS	STORIES	STRUCTURE/ FORM	CURRENT STYLE	FACADE MATERIAL	CURRENT USE	HISTORIC NAME
PG- 1	c 1950	15	1	F	Co r	Bk S	Ferg. Twp. School	
PG- 2	c 1860	5	2	P/I	v Go	Clap Res	Mrs. Carter	
PG- 3	c 1850	3	2	F/I	v	Clap Res	T. Hess	
PG- 4	c 1860	3	2½	F/I	v Go	W Res	M. Hess	
PG- 5	c 1890	3	2	F	v	Clap Res	-	
PG- 6	c 1845	3	2	F	Gk r	Clap Res	Meth. Evan. Church	
PG- 7	c 1832	3	2	F/UW	v QA	Clap Res	J.B. Ard	
PG- 8	c 1890	-	-	-	-	-	Community Cemetery	
PG- 9	c 1860	5	2½	F/I	v Go	Clap Res	J. Shiffer	
PG-10	c 1860	3	2	F	v It	Al Res	J.L. Musser	
PG-11	c 1850	4	2	F/P-C I	v	Al Res	Luth. Parsonage	
PG-12	c 1900	2	2½	F	v	Bk Res	-	
PG-13	c 1880	4	2	F	v	Al Res	-	
PG-14	c 1920	4	2	F	v Com	V Com	-	
PG-15	c 1910	4	1	F	V Com	Conc Com	-	
PG-16	c 1900	4	3	F	v Go	Al Res	-	
PG-17	c 1920-40	5	2	F	v	Bk Res	-	
PG-18	c 1900	-	3	F	v Go	Clap P	Odd Fellows Hall	
PG-19	c 1870	3	2	F/I	v	Asb Res	S. Fetty	
PG-20	c 1870	4	2½	F/UW	v	Al Res	J. Ward	
PG-21	c 1850	3	2	F/I	v	Asp Res	E. Dale	
PG-22	c 1850	5	2½	F/I	v Go	Al Res	M.G. Gray	
PG-23	c 1910	2	2½	F	Cu	Asp Res	-	
PG-24	c 1860	3	2½	F/I	v Go	Asp Res	-	
PG-25	c 1890	3	2	F/I	v F	Al Res	-	
PG-26	c 1860	5	2	F	F	Al Res	-	
PG-27	c 1870	4	2	F	Go r	Bev Res	-	
PG-28	c 1880	3	2	F/I	v	Al Res	-	
PG-29	c 1880	3	2	F/I	v F	Asb Res	-	
PG-30	c 1880	3	2	F/I	v F	Clap Res	-	
PG-31	c 1900	4	2½	F/UW	v	Al Res	-	
PG-32	c 1890	3	2	P/I	v It	Al/Asp Res	-	
PG-33	c 1915	2	2½	F/UW	v	Al/Asp Res	-	
PG-34	c 1910	2	2½	F	Cu	Al Res	-	
PG-35	c 1870	3	2½	F/I	v It	Bev Res	J. Hess	
PG-36	c 1850	3	2	F/I	v It	Asp Res	D. Neal	
PG-37	c 1850	3	2½	F/I	v F	Bev Res	-	
PG-38	c 1890	3	2½	F/UW	v	V Res	-	
PG-39	c 1890	2	2	F/UW	v It	Asp Res	-	
PG-40	c 1902	5	3	F	QA	Clap Res	Wm. Ward	
PG-41	c 1870	3	2½	F/I	v F	Asb Res	A. Sample	
PG-42	c 1850	3	2½	P/I	v It	Clap Res	G.J. Heberling	

INVENTORY OF BUILDINGS, STRUCTURES, AND SITE

MAP NO.	AGE	BAYS	STORIES	STRUCTURE/ FORM	CURRENT STYLE	FACADE MATERIAL	CURRENT USE	HISTORIC NAME
PG-43	c 1850	3	2	P/I	v	Al Res	J. Dunlop	
PG-44	c 1900	2	2	F	DC r	W Res	-	
PG-45	c 1830	3	2	F/I	v	Al Res	J. Dennis	
PG-46	c 1840	3	2	F/I	v	Clap Res	R. Hammer	
PG-47	c 1840	3	2	F/I	v	Al Res	A.W. Ralston	
PG-48	c 1840	3	2	F/I	v Go	- Res	J. Zimmerman	
PG-49	c 1840	3	1	F/GE	v	W Res	George Bullock	
PG-50	c 1840	3	2½	F/I	v Go	W Res	-	
PG-51	c 1840	3	2	F/I	v F	W Res	A. Sample	
PG-52	c 1860	3	2	F	v It	V Res	George Mosser	
PG-53	c 1950	2	1	v	Asb	PO Post	Office	
PG-54	c 1880	3	2	F	v	Clap Res	-	
PG-55	c 1800	2	2	L	Co F	Log Res	Ard Bros.	
PG-56	c 1840	3	2	F/I	v	Clap Res	A. Sample	
PG-57	c 1840	3	2	F/EG	v	Clap Res	James C. Murphy	
PG-58	c 1860	4	2	F/EG	v	V/Perm Res	George Ard	
PG-59	c 1860	10	2	P/R	v	Asp Res	Dr. J.R. Smith	
PG-60	c 1900	2	2	F/UW	v	Bk Res	-	
PG-61	c 1900	3	2½	F/UW	v	Bk Res	-	
PG-62	c 1820	5	2½	M/Pa4	G	St/S Res	J.B. Ard	
PG-63	c 1870	4	2	F	v F	Al Res	Mrs. Burchfield	
PG-64	c 1850	5	2½	F/I	v	Clap Res	A. Sample Store	
PG-65	c 1870	4	2½	F/I	v Go	Clap Res	L. Lourimore	
PG-66	c 1850	4	2	P/P-C I	v	Bev Res	J.B. Ard	
PG-67	c 1860	5	2½	F/C1 I	v Go	Bev Res	Mrs. E. Pifer	
PG-68	c 1860	5	2½	F/C1 I	v Go	Al Res	Presbyterian Pars	
PG-69	c 1900	2	2	F/GE	v	Al Res	-	
PG-70	c 1880	3	2	F/I	v	Al Res	-	
PG-71	c 1880	3	2	F/R	v Go	Al Res	-	
PG-72	1860	3	2	M	v	Bk Ch	Lutheran Church	
PG-73	1832	-	-	-	-	-	Cemetery	
PG-74	1857	3	2	M	Gk r	Bk Ch	Presbyterian Ch.	





56. St. Paul's Lutheran Church, PGM-72.

Maintenance is required along some portions of the sidewalks lining Pine Grove Road, and extensive rehabilitation is needed for the future usefulness of the Civic Center. The recent decision of the Township government to construct a new building elsewhere in the municipality will free the Center for new uses.

Housing and building codes help insure proper maintenance of structures. The recently proposed "Village" zoning district will promote a more compatible mixture of commercial, residential, and community land uses than the general commercial zoning of the past.

Parkland is limited to facilities at the school, but additional park areas are nearby. There has not been a demand for more parks in the area. The Civic Center, until recently used by the Township government for its office and meeting needs, requires extensive rehabilitation.

Pine Grove Mills presents challenges and opportunities for significant efforts in historic preservation. Design guidance can provide much needed assistance to those seeking to properly restore their properties in their original style. Shade trees planted at selected points within protected "islands" along the sides of Pine Grove Road would greatly improve the visual appearance of the village, help screen overhead utility lines, and offer nearby residents some measure of relief from the noise and glare of traffic.



Department of  
**PLANNING AND ZONING**

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Interoffice Memorandum

**TO:** Board of Supervisors

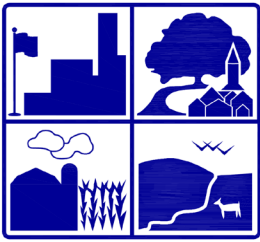
**FROM:** Jenna Wargo, AICP  
Director of Planning & Zoning

**DATE:** May 31, 2023

**SUBJECT:** 125 East Pine Grove Road Preliminary Land Development Plan

Provided with the agenda is the '125 East Pine Grove Road Preliminary Land Development Plan', dated October 7, 2022, and last revised May 3, 2023. The 125 East Pine Grove Road Preliminary Land Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030-0000) and is zoned Village (V). The property is approximately 0.537 acres.

Planning Commission reviewed the preliminary land development plan at the May 22, 2023 regular meeting and recommended approval with conditions as outlined in this memorandum. Planning Commission also noted concern that not enough parking is being provided and may cause issues down the road once the restaurant is open.



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# TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801  
Telephone: 814-238-4651 • Fax: 814-238-3454  
[www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us)

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**May 18, 2023**

Mike Vaow  
Stahl Sheaffer Engineering  
301 Science Park Rd #333  
State College, PA 16803

**RE: 125 East Pine Grove Road Preliminary Land Development Plan—5<sup>th</sup> Review**

Dear Mr. Vaow,

Thank you for submitting the 125 East Pine Grove Road Preliminary Land Development Plan, dated October 7, 2022, and last revised May 3, 2023, for our review. The submission has been reviewed by staff and agencies as required by the Township's Code of Ordinances.

Please review and respond with your availability to meet with staff to clarify these issues. Feel free to contact staff with any questions.

Should you have any additional questions, please contact me at [jwargo@twp.ferguson.pa.us](mailto:jwargo@twp.ferguson.pa.us) or 570-452-5102.

Sincerely,

Jenna Wargo, AICP  
Director of Planning & Zoning

**cc:** Kristina Bassett, Community Planner  
**LF:** 2022-2

**TO: Jenna Wargo, Director of Planning and Zoning**

**FROM: Kristina Bassett, Community Planner**

**DATE: May 16, 2023**

**SUBJECT: 125 East Pine Grove RD Preliminary Land Development Plan**

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**Requirements for Land Development Plans:**

1. Cover Sheet: Update the Deed Book and Page number to reflect the most current recorded deed. DB 2306 PG 0068.
2. Cover Sheet: Update the note indicating the parking agreement to reflect the parties on the agreement as listed on the agreement. Also, provide a space for the the Record Book number and page to be filled in once agreement has been recorded.
3. A time extension must be submitted with any revised plan. (Chapter 22, Section 303)
4. Surety must be posted for all public improvements. (Chapter 22, Section 304)
5. The date of application for a zoning permit must be included on the plan. (Chapter 22, Section 401.1.C.1.a)

**TO:** Kristina Bassett, Community Planner

**FROM:** Jeffrey Ressler, Zoning Administrator

**DATE:** May 15, 2023

**SUBJECT: 125 E. Pine Grove Road Land Development 5th Review**

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1. A time extension must be submitted with any revised plan. (Chapter 22, Section 303) **Comment Remains.**
2. A digital copy of the plan in accordance with Township requirements must be provided to the Township prior to final plan signature. (Chapter 22, Section 307.7) **Comment Acknowledged**
3. Cover sheet Site Information needs to correctly indicate the existing use (single family dwelling) and proposed use of a restaurant. **Comment Addressed.**
4. The cover sheet Zoning Information needs to correctly the existing lot size and lot width. **Comment Not Addressed.**
5. The site plan sheet C03 should depict and label the outdoor seating area. **Comment Not Addressed.**
6. The date of application for a zoning permit must be included on the plan. (Chapter 22, Section 401.C.1.a) **Comment not addressed. The date of application needs to be on the plan.**
7. A floor plan, showing all floors in all buildings must be included on the plan. (Chapter 22, Section 401.C.1.b) **Comment Addressed. What is the proposed use of the second floor? Comment Addressed**
8. A statement of the calculations used to determine the number of required parking spaces must be included on the plan. (Chapter 22, Section 401.C.1.e) **The parking calculations on the cover sheet are not consistent with the calculations on the floor plans that were included. Which parking calculations are correct? The parking calculations on the cover sheet need to state 1 space per 50 square feet of indoor seating area and 1 space per 100 square feet of outdoor seating area. Comment addressed**
9. Off-street parking and loading space shall be provided and maintained for each use and structure. (Chapter 22 Section 5C01.1) **Loading zone is required to be 12 feet in width and 45 feet in length. What size is the proposed loading zone? Comment Addressed.**
10. Planting areas shall be installed at the end of all parking bays abutting an aisle or driveway. (Chapter 27, Section 707.16.B) **Comment Addressed.**
11. Planting areas shall be bordered by a curb four (4) inches high wherever it abuts a space or aisle, and shall be at least nine (9) feet wide and extend the length of the parking space and/or bay. Each planting area shall be planted with a combination of suitable ground covers and/or grass and a minimum of one (1) canopy tree." (Chapter 27, Section 707.16.B) **Comment Addressed.**

12. A statement of the existing, proposed and maximum building coverages (as allowed by the applicable zoning district) must be included on the plan. (Chapter 22, Section 401.C.1.i) **Comment Addressed.**
13. Plan sheet E1.0 does not show the same building footprint as plan sheet A201. Which is correct? **Comment Addressed**
14. A statement of the existing, proposed and maximum impervious coverages (as allowed by the applicable zoning district) must be included on the plan. (Chapter 22, Section 401.C.1.i) **Comment Addressed.**
15. Two (2) sections through the site showing buildings, light fixtures and standards, one (1) section to be from side yard to side yard, and the other to be from front yard to rear yard must be included on the plan. (Chapter 22, Section 401.C.1.j) **Comment partially addressed. The light fixtures need to be shown on the cross sections. Comment Addressed**
16. A signed notarized statement by the owner certifying ownership of the property must be included on the plan. (Chapter 22, Section 401.C.1.i) **Comment not addressed.**
17. The exact wording of all waiver and or modifications that were granted should listed on the plan. **Comment Addressed.**



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## TOWNSHIP OF FERGUSON

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---

TO: Jenna Wargo, Planning Director  
FROM: Ron Seybert, Township Engineer  
DATE: May 5, 2023  
SUBJECT: 125 E Pine Grove Rd Preliminary Land Development Plan  
Fifth Review (ES – 435)

I have completed my fifth review of the '125 E Pine Grove Road Preliminary Land Development Plan' consisting of 21 sheets prepared by Stahl Sheaffer Engineering, dated October 7, 2022 and last revised May 3, 2023. The following are comments from my review along with their status. Resolved comments have been removed from this memo.

1. *On Sheet A1:*

- i. Once all the stormwater management site plan comments from NTM are addressed, I will prepare the stormwater agreement for applicant signature. An approved stormwater management site plan is required for this project. **Pending approval of the stormwater plan. Note 20 needs to be completed once the plan is approved.***
- k. Update the deed reference on the plan in Site Information Note C to match the provided recorded deed DB 2306, PG 0068.**
- l. Update table of contents to include all plan sheets.**

4. *On Sheet C03*

- c. Show limits of sidewalk and curb replacement along Pine Grove Road that will need to be removed and replaced to accommodate the installation of the new driveway and removal of the old driveway. **Not resolved. The limits of sidewalk replacement need expanded to include ramps to the depressed curb for the driveway. See comments on details.***

5. *On Sheet C04 and C04.2*

- b. Additional grading or spot elevations need to be provided at the driveway entrance to verify slopes. The sidewalk across the driveway needs to be less than 2% cross slope, and the driveway slope within the right of way cannot exceed 5%. **Not resolved. The grade lines and spot elevations need corrected based on the following comments:***
  - i. Elevation 1281.09 EOP along the eastern driveway radius is shown as 1281.85 on the detail. Correct the inconsistency.**
  - ii. Elevation 1280.45 EOP at the point where the eastern driveway radius meets the existing curb on Pine Grove Road appears to be the elevation at the top of the depressed curb. The elevation**

**1280.86 that is on the opposite side of the sidewalk results in a cross slope that is too steep (10%).**

- iii. To comply with PROWAG, the sidewalk ramp section needs to start at the end of the driveway radius so that the grade break line will be perpendicular to the direction of the sidewalk. Revise slopes, elevations, and limits of sidewalk replacement accordingly for both sides of the driveway.**
  - iv. Provide spot elevations on both sides of the sidewalk so that cross slopes can be verified.**
  - v. If using a curb as shown on Sheet C04.2 to make up elevation difference between the sidewalk and the lawn area, keep the curb out of the 4-foot sidewalk area.**
  - vi. The detail on Sheet C04.2 seems to indicate that depressed curbs are being installed where the sidewalk meets the driveway, but at the last meeting it was noted that the plan does not include depressed curbs and that the sidewalk will continue through the driveway. Also, a depressed curb for the driveway is not shown. Please clarify.**
  - vii. Note 1 on Sheet C04.2 refers to Sheet 7 for crosswalk details. Sheet C07 is the E&S Plan and does not have crosswalk details.**
- e. The maximum slope on site allowed by ordinance is 3' horizontal to 1' vertical. There are proposed slopes that are 1:1.**

**7. Sheet D1**

- f. Provide a detail for the onsite curb. Not resolved. The detail for depressed curb at driveways shows 3.33 feet from the back of the curb to the sidewalk. The sidewalk exists adjacent to the curb and is shown correctly on the plan view. Revise the detail to reflect the correct position of the sidewalk and adjust the grading accordingly.**

Revised land development and stormwater plans need to be provided addressing the above comments. If you or the applicant have any questions about these comments, please contact me.

Copy: Scott Brown, NTM  
Ryan Coudriet, PennDOT 2-0 Permits



May 16, 2023

*Via Email*

Township of Ferguson  
3147 Research Drive  
State College, Pennsylvania 16801

Attn: Mr. Ronald Seybert, Township Engineer

**RE: 125 Pine Grove Road Development  
Stormwater Management Site Plan Review**

Dear Ron,

We have completed our fifth stormwater management review for the 125 Pine Grove Road Development. The applicant's Design Professional, Stahl Sheaffer Engineering, submitted the following information that serves as the basis of our review:

1. Preliminary Land Development Plan, 125 E Pine Grove Road Development dated October 7, 2022, revised May 3, 2023.
2. Stormwater Management Site Plan for 125 E Pine Grove Road, dated October 7, 2022, revised May 3, 2023.
3. Stormwater Management Narrative for 125 E Pine Grove Road, dated October 7, 2022, revised May 3, 2023.
4. Site Evaluation and Infiltration Testing Report for E Pine Grove Road Development dated May 2022.
5. Response to Township Comments Dated March 23, 2023.

NTM has reviewed these plans for compliance with Township stormwater management ordinance (Chapter 26 of the Township Code). Our continuing comments follow in bold face text.

**9. The following comments pertain to the Post Construction Stormwater Management Plan (§26-402.3):**

- b. Identify the proposed roof configuration (ridges and valleys) and downspout locations.

March 1, 2023 Response: Roof ridge and valley lines shown on the architectural Roof Plan received do not match the corresponding lines illustrated on the Stormwater Management Site Plan Drawings. The rear patio lines also do not

match. Revise the SW Management Site Plan Drawings and drainage areas plans to reflect the design roof plan. Also update any changes in landscape cover conditions on the plans and in the analysis. Also, include the architectural roof plan as a drawing in the SW Management Site Plan drawing set.

April 4, 2023 Response: Comment partially addressed. Roof ridge lines have been added, but the architectural Roof Plan still does not match the corresponding lines illustrated on the Site Plan Drawings. Change in pitch lines and lines indicating a change in slope are missing from the Site Plan Drawings. The rear patio lines also do not match. Revise the Site Plan Drawings and Drainage Area plans to reflect the Architectural Roof Plan. Also, clearly illustrate the drainage divide between P1 and P2 as it crosses the roof.

**May 16, 2023 Response: Plan partially addressed. A copy of the architectural roof plan was not included with the Stormwater Management Site Plan. Referring to the architectural roof plan submitted with the March 28<sup>th</sup> submission, all ridges and valleys do not appear to be shown on the proposed conditions plans.**

- c. Identify all surface material types and limits as applied in the stormwater management calculations.

March 1, 2023 Response: The land uses must be clearly identified on the Post-Construction Drainage Plan and Pre-Construction Drainage Plan or on the drainage area maps in the Stormwater Report.

April 4, 2023 Response: Comment partially addressed. Drainage Area 2 (E2) is not labeled on the Pre-Construction Drainage Plan.

**May 16, 2023 Response: Comment addressed.**

**10. The following comments pertain to the Erosion and Sedimentation Plan (§26-305):**

- f. The site is in the Chesapeake Bay Watershed. All E&S BMPs must be ABACT.

March 1, 2023 Response: Comment not addressed. The construction entrance shown is not an ABACT BMP.

April 4, 2023 Response: Comment partially addressed. The detail for the 100-foot RCE doesn't match the alternate RCE detail provided as part of the Alternate BMP Documentation on DEPs web site.

**May 16, 2023 Response: Comment Addressed**

**14. The following comments pertain to Detail Sheet D3 or additional detail/notes sheets (§26-402.3):**

- f. Provide appropriate PCSM notes on the plans including construction sequencing (to ensure protection of the infiltration surface during construction), and critical stages of construction to be overseen by a qualified professional.

March 1, 2023 Response: Critical stages of construction should be identified on the PCSM Plan under a heading of “Critical Stages of Construction.” Specifically identify activities that must be observed by the qualified licensed professional or designee. Also, some of the critical stage currently included under “General Sequence of Construction” item 7 of the E&S Notes sheet are not applicable or confusing. A clearly defined critical stages sequence must be provided to ensure the proposed facility will function as intended and required. The critical stage description should be consistent between the PCSM Narrative report and the SWM Site Plan.

April 4, 2023 Response: Revise formatting of notes so that critical stages of construction are identified on the PCSM Plan under a heading of “Critical Stages of Construction.” Some of the critical stages currently included under “General Sequence of Construction” item 7 of the E&S Notes sheet are not applicable or need clarification. A clearly defined critical stages sequence must be provided to ensure the proposed facility will function as intended and required.

**May 16, 2023 Response: Comment addressed.**

- h. Provide an Operation and Maintenance Matrix on the plans as part of the Post Construction Stormwater Management notes defining the maintenance activities for all proposed stormwater control measures. The matrix/table should at a minimum include columns for the stormwater facility type, maintenance actions, and inspection frequency.

March 1, 2023 Response: Comment partially addressed. Provide the following additional clarification in the maintenance matrix:

- Identify the inlet as a “sumped inlet.”
- Maintenance of the sumped inlet should include observation for structural damage as well as cleaning.
- Provide a more robust listing of items to be inspected for the Infiltration Structure. It should be inspected for standing water, sediment and debris accumulation, and structural damage to any element of the structure.

The operation and maintenance schedule matrix on the plans must be consistent with the operation and maintenance section of the PCSM Report.

Also note that the inspection frequency must be consistent with §26-704.1.0.1.

April 4, 2023 Response: Comment mostly addressed. Inlet should be identified as a “sumped inlet.”

**May 16, 2023 Response: Comment addressed.**

15. The Post Construction Stormwater Management Narrative must be sealed and signed by a qualified design professional. (§26-402.3)

March 1, 2023 Response: Comment addressed. This comment will be revisited with each resubmission.

**April 4, 2023 Response: Comment addressed. This comment will be revisited with each resubmission.**

16. Provide analysis demonstrating that the 100-year storm runoff from the area defined as being tributary to the infiltration basin can be safely conveyed to the forebay and basin with no bypass. (§26-402.3)

March 1, 2023 Response: Comment not addressed. Provide demonstration that runoff to I-1 and I-2 will be captured during a 100-year event. This is different than a clogging analysis.

April 4, 2023 Response: Comment not addressed. Provide computations demonstrating that the top units on both inlet #1 and inlet #2 have capacity to pass the 100-year storm event without any water bypassing the inlets.

**May 16, 2023 Response: Comment not addressed. All necessary calculations and details supporting the narrative description on the middle of page 8 must be included as part of the stormwater management report and plans.**

29. Identification of ownership and maintenance responsibility has not been included in the stormwater report or on the plans. (§26-402.3)

March 1, 2023 Response: Comment partially addressed. A statement identifying the Owner as having maintenance responsibility must be included on the plan as well as in the report. This can be accomplished using the required note identified in paragraph (26) in Section §26-402.3 B. (26). This note should also identify the Owner as the responsible entity.

April 4, 2023 Response: Comment not addressed. There is a statement in the long-term operations and maintenance notes identifying the owner as being responsible. However, this note needs to be included in an owner signature block. The statement could be included in the Owner Signature block on the cover sheet.

**May 16, 2023 Response: Comment partially addressed. The owner's stormwater facility acknowledgement has been added to the plan. Correct the spelling error in the title and have the owner sign the plan.**

33. An incorrect design infiltration rate was used in the HydroCAD modeling. In accordance with the PA Stormwater BMP Manual the infiltration rate should be the geometric mean of the field determined values and a factor of safety must be applied. In areas underlain by carbonate rock a safety factor of 3 is recommended. (§26-301)

March 1, 2023 Response: Comment partially addressed. The revised calculations used a value of 1.88 inches per hour which is identified in the narrative as the geometric mean. This is not the geometric mean of the field observed values. Provide an explanation of how this value was determined. Also, a minimum safety factor of 3 or greater should be used as suggested for areas underlain by carbonate rock in the PA BMP Manual. A safety factor of 3 or higher is also justified by the shift in the location of the infiltration facility. While the infiltration tests are located within 15 feet of the proposed facility, none of the tests fall within the footprint of the current infiltration facility.

April 4, 2023 Response: Comment partially addressed. The geometric mean of the infiltration rates is still being calculated incorrectly. The geometric mean of the observed values is calculated by multiplying the infiltration rates together and then taking the 4<sup>th</sup> root. The design infiltration rate will be the geometric mean adjusted for a factor of safety of 3 (unless justification is provided for use of a different safety factor).

**May 16, 2023 Response: Comment addressed.**

34. Provide analysis demonstrating that the required Township capture, water quality, and recharge volumes are being met. (§26-301 and 402.3)

March 1, 2023 Response: Comment not addressed. The required capture volume, recharge volume, and water quality volume must be calculated and compared with the runoff volume being controlled by the infiltration facility to demonstrate that the Township criteria are being met.

April 4, 2023 Response: Comment partially addressed. A calculations defining the required Township recharge volume was found in the report, but capture and water quality volume calculations were not. The required capture volume and water quality volume must also be calculated and compared with the runoff volume being controlled by the infiltration facility to demonstrate that the Township criteria are being met.

**May 16, 2023 Response: Comment partially addressed. Provide additional clarification to the discussion on page 9 explicitly defining the regulatory recharge volume and water quality volume.**

35. Basin modeling must assume the basin is full to the higher of the capture volume or recharge volume at the start of storm routings. (§26-304.A.22)

March 1, 2023 Response: Comment not addressed. The revised subsurface outlet control structure captures all runoff below elevation 1278.5. Basin routings must assume the basin is full to this elevation at the start of the peak rate routing (§26-304.3.A(20)).

April 4, 2023 Response: The controlling outlet invert for Culvert 2 is labeled as 1285.5 on plan but 1285.0 in the Culvert Installation Detail. The HydroCAD modeling has a starting water surface at 1285.0. Correct inconsistency in the culvert elevation on the plans and check that the starting water surface elevation is set correctly.

**May 16, 2023 Response: Comment addressed.**

36. The basin must provide safe passage of the 100-year design event with the principal spillway orifices clogged and the principal spillway overflow 50% clogged. Maintain 6" freeboard above this maximum 100-year water surface. (§26-303.3.A.(23)).

March 1, 2023 Response: Comment not addressed. The "plugged" analysis was conducted by setting the inflow pipes to the subsurface infiltration facility to 50% clogged. The analysis should have been run by clogging the horizontal outflow control orifice by 50%.

April 4, 2023 Response: Comment partially addressed. The plugged condition is modeled correctly, however, the narrative on pdf page 8 of the report states that in the plugged condition the height of inlet #2 is 1279.46 ft. This is not consistent with what was modeled. Revise the narrative so reflect the modeled condition.

**May 16, 2023 Response: Comment addressed.**

38. A basin drain time analysis was not provided. (§26-303.3.B.(5))

March 1, 2023 Response: Comment partially addressed. Provide a description of the drain time analysis in the PCSM narrative report. This description should provide clear reference to the analysis supporting the drain time identified.

April 4, 2023 Response: Comment partially addressed. The dewatering time has been added to the table on PDF page 8 but there is no narrative description of where the numbers came from.

**May 16, 2023 Response: Comment Addressed.**

40. A Declaration of Stormwater Access and Maintenance Easement for Privately Owned Stormwater Facilities must be provided in accordance with §26-704.

**March 1, 2023 Response: A declaration of Stormwater Access and Maintenance Easement will be prepared by the Township Engineer for execution by the Property Owner after all other comments have been addressed.**

Additional Comments on March 1, 2023:

**43. The following comments relate to Sheet D-3:**

- a. Revise the precast inlet box detail to reflect the proposed 2X2 sumped inlets shown on the plans.

April 4, 2023 Response: Comment was not addressed.

**May 16, 2023 Response: Comment not addressed. The inlet detail (Sheet D2) is not sumped.**

**46. The following comments are related to the HydroCAD Post-Development modeling:**

**b. Pond 3: Forebay**

- i. Revise the 1.88 in/hr. exfiltration rate to reflect the field observed geometric mean rate reduced by a safety factor. See Comment 33.

April 4, 2023 Response: "Pond 3: Forebay" is now "Pond 8P: Underground Detention". Comment not addressed. See Comment 33. Revise the exfiltration rate to reflect the correct field observed geometric mean rate reduced by a factor of safety.

**May 16, 2023 Response: Comment Addressed.**

**c. Pond 6P: (New Pond)**

- ii. The 12" culvert entrance condition is incorrect. It should be Square Edge in a Headwall.

April 4, 2023 Response: This is now "Pond 6P: Inlet I-2". It appears that the grate on Inlet-2 is what is being identified as the Primary Routing device. The 12-inch outlet pipe is not modeled. Explain why this inlet is modeled differently from Inlet-1 which had the outflow pipe modeled as the primary routing device and the grate is not modeled. Also, the invert elevation for the

grate (assumed as top of grate elevation) in the Device/Routing Table (1279.25) is not consistent with the value on the plans (1280.25).

**May 16, 2023 Response: Comment addressed.**

**Additional comments – April 4, 2023**

47. Correct the “CFS” line type used on flow directional arrows on the Drainage Area plans and other sheets as appropriate.

**May 16, 2023 Response: Comment addressed.**

48. Clearly illustrate the drainage divide between P1 and P2 as it crosses the roof on the Post Construction Drainage Plan.

**May 16, 2023 Response: Comment Addressed.**

49. Remove the signature blocks on the cover sheet and replace with only appropriate signature blocks for the Stormwater Management Site Plan as indicated in Section 26-402 of the Township Stormwater Ordinance.

**May 16, 2023 Response: Comment addressed. Also see comment 29.**

50. Identify all storm drain pipe sizes on the Post Construction Stormwater Management Plan and the Utility Plan.

**May 16, 2023 Response: Comment partially addressed. Storm piping is not labeled on the Utility Plan.**

51. The revised site layout and grading creates a minor swale along the southwest side of the proposed subsurface storage/infiltration area. This swale discharges to Inlet #2. Define this swale more positively on the plans with additional spot elevations and/or contours. Inlet 2 will also need to be sumped more positively to ensure that all runoff up to a 100-year event is captured by the inlet.

**May 16, 2023 Response: Comment partially addressed. Spot elevations are provided in some locations, but swale geometry isn't clearly defined. A swale section must be provided that meets drainage requirements defined in comment 16.**

**52. The following comments apply to Sheet C06.**

- a. Culvert #2 Invert in and out labeled on the plan are inconsistent with the pipe table on Detail Sheet D3.

**May 16, 2023 Response: Comment addressed.**



- b. Inspection ports are labeled as 8” on Sheet C06 and 10” on Detail Sheet D4.

**May 16, 2023 Response: Comment addressed.**

- c. Identify the location and plan view size of the Debris Row Units on the plan.

**May 16, 2023 Response: Comment addressed.**

- d. Detail on Sheet D4 identifies that observation ports are to be located over the debris rows. This is inconsistent with the locations on the plan.

**May 16, 2023 Response: Comment addressed.**

- e. The Operation and Maintenance Matrix on the plan does not match the operation and maintenance program outlined in the stormwater report.

**May 16, 2023 Response: Comment partially addressed. The plans (and report) include two separate maintenance schedules. On the plans, one is labeled “Long Term Operation and Maintenance” and the other is labeled “Stormwater Facilities Operation and Maintenance.” There is both unique and duplicate information in the two operation and maintenance schedules, as well as conflicting information. For simplification and ease of use by the Owner a single operation and maintenance matrix should be developed. It is suggested that this matrix be organized as follows:**

Stormwater Facility	Maintenance Activities	Inspection and Maintenance Activity Schedule (frequency)
Subsurface Infiltration / Detention Facility		
Sumped Inlets		
Conveyance Pipes		

**Notes and other general instruction may be included below the table. For example, guidance that the Owner must keep reports and documentation of the inspections and make the reports available to the Township Engineer or his/her designee if requested.**

53. The Operation and Maintenance schedule on the plans and in the narrative must identify how sediment and debris are to be removed from the STORMTANK system when sediment buildup is observed. Also identify how the geotextile barriers lining the debris rows are to be cleaned.

**May 16, 2023 Response: Comment partially addressed. The method of debris removal from inside the tank system must be clearly specified. Also see comment 52 e.**

54. Provide calculations demonstrating the flow rate through the geotextile fabric and explain how flow will be evenly distributed to the proposed infiltration surface.

**May 16, 2023 Response: Comment only partially addressed. The narrative includes a statement that the chambers were sized based on the manufacturers stated geotextile fabric permeability of 0.1114 cfs/ft sq and indicates that 13 square feet of area would be required, but doesn't provide a back-up calculation supporting that statement. The demonstration must include identification of the total flow entering each Debits Chamber (Q100) and documentation of the maximum flow permissible based on the geofabrics permeability and total fabric area provided.**

55. The culvert installation notes on Sheet D3 indicate that the minimum culvert size is to be 12 inches. The Culvert installation table identifies Culvert #2 as a 4-inch culvert. Correct this inconsistency.

**May 16, 2023 Response: Comment addressed.**

56. The notes associated with the details on Sheet D4 through D7 indicate the details are not to be used for construction. Provide appropriate details, sealed by a qualified professional, for construction.

**May 16, 2023 Response: Comment addressed.**

57. The entire report should be page numbered (Page numbers are identified in the TOC).

**May 16, 2023 Response: Comment addressed.**

**Additional comments – May 16, 2023**

58. The labeling for the infiltration outfall manhole discharge pipes is confusing. The outlet structure is modeled as having two 6" outflow pipes with 5" orifice. Illustrate two pipes on the plan and more clearly label these pipes on Sheet C06 and D3.

**59. The Plan Preparer Qualifications in the Stormwater Report must also be the person sealing the plan and report.**

If you have any questions or require additional information, please feel free to contact me at 814-862-9191.

Sincerely,  
**NTM Engineering, Inc.**

A handwritten signature in blue ink, appearing to read 'S.A. Brown', followed by a horizontal line extending to the right.

Scott A. Brown, PE, D.WRE  
Senior Project Manager

ec: Ms. Jenna Wargo, Director of Planning and Zoning, Ferguson Township  
Mr. Aaron Jolin, Stormwater Engineer, Ferguson Township  
Mr. James Coslo, Centre County Conservation District

2023 04 04 125 E Pine Grove Road Dev r4

# PRELIMINARY LAND DEVELOPMENT PLAN

## 125 E. PINE GROVE ROAD DEVELOPMENT

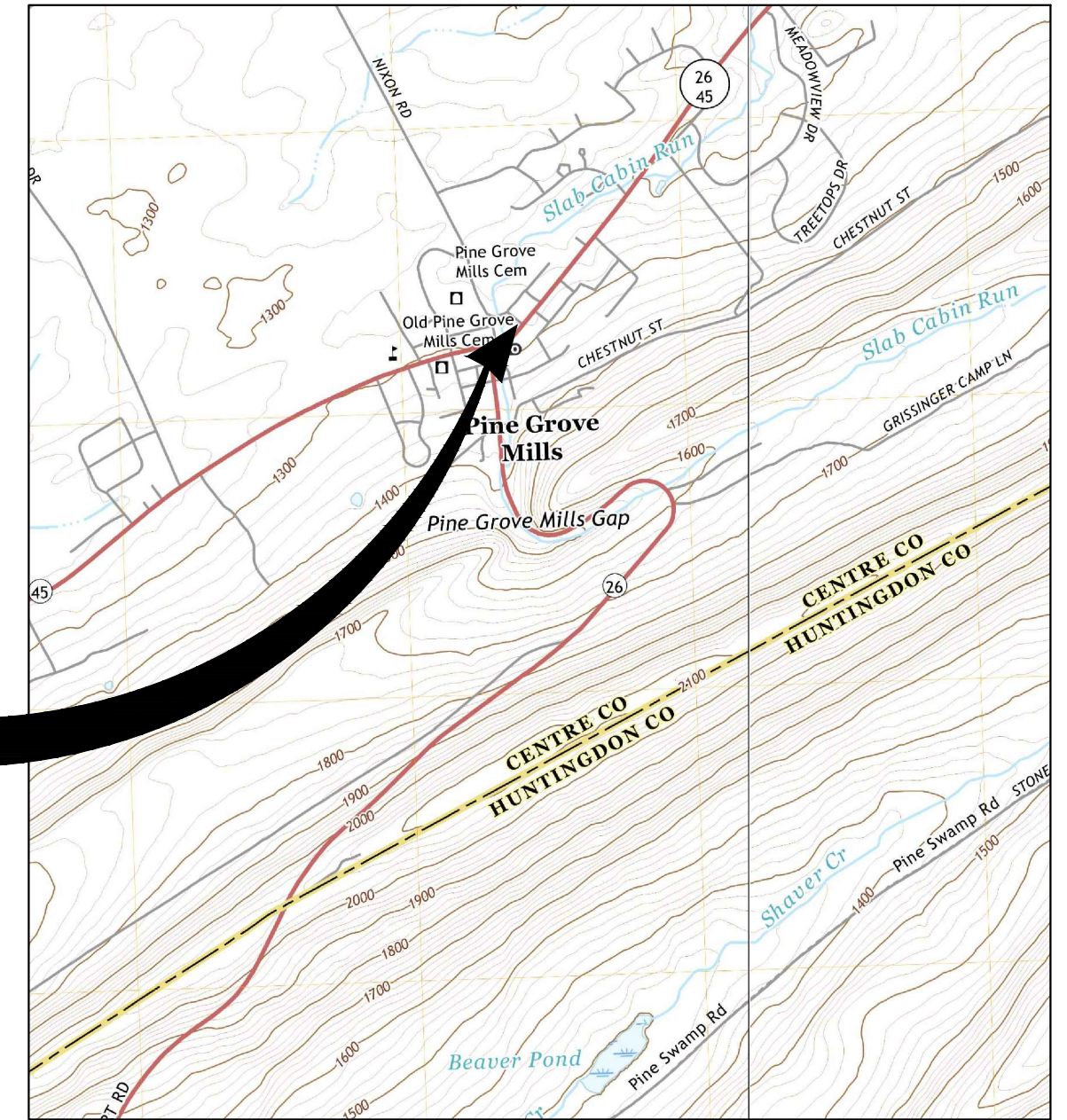
PGH REAL ESTATE HOLDINGS LLC

FERGUSON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA  
NOVEMBER 11, 2022  
REVISED FEBRUARY 15, 2023  
REVISED MARCH 23, 2023  
REVISED MAY 3, 2023



KEY MAP SCALE: 1"=400'

PROJECT LOCATION



LOCATION MAP SCALE: 1"=2000'

PROJECT LOCATION

DRAWING INDEX

- A01 COVER SHEET
- C01 EXISTING CONDITIONS PLAN
- C02 DEMOLITION PLAN
- C03 SITE PLAN
- C04 GRADING PLAN
- C04.1 SITE SECTIONS
- C04.2 SITE ENTRANCE
- C05 UTILITY PLAN
- C07 EROSION AND SEDIMENT CONTROL PLAN
- D1-D2 DETAILS
- N1 EROSION AND SEDIMENT CONTROL NOTES
- LANDSCAPE PLAN:
- L01 LANDSCAPE PLAN
- L01 LANDSCAPE DETAILS
- LIGHTING PLAN:
- E.01 LEGEND AND GENERAL NOTES
- E1.0 SITE PLAN
- E1.1 LIGHTING CALCULATIONS
- E2.0 DETAILS AND DIAGRAMS

SITE INFORMATION

- A. OWNER OF RECORD: PGH REAL ESTATE HOLDINGS LLC
- B. TAX PARCEL: 24-009A-.030-.0000-
- C. DEED BOOK/PAGE NUMBER: DB 2277 PG 540
- D. PROPERTY SIZE: 0.537 AC.
- E. ZONING: VILLAGE ZONING DISTRICT
- F. SITE USE EXISTING: SINGLE FAMILY HOME / YARD
- G. SITE USE PROPOSED: RESTAURANT / YARD / PARKING LOT
- H. LOT COVERAGE:

	BUILDING COVERAGE		
	EXISTING	PROPOSED	MAXIMUM
EXISTING YARD:	18,567 SF		
EXISTING BUILDINGS:	1,359 SF		
EXISTING PARKING LOT:	0 SF		
EXISTING SIDEWALK:	123 SF		
EXISTING ROADWAYS:	3,354 SF	9.45%	10.30%
EXISTING TOTAL:	23,403 SF		50%

	IMPERVIOUS COVERAGE		
	EXISTING	PROPOSED	MAXIMUM
PROPOSED YARD:	9,036 SF		
PROPOSED BUILDINGS:	2,401 SF		
PROPOSED PARKING LOT:	6,661 SF		
PROPOSED SIDEWALK:	2,401 SF		
PROPOSED ROADWAYS:	2,884 SF	24.13%	57.70%
PROPOSED TOTAL:	23,403 SF		75%

IMPERVIOUS CHANGE: 9,531 SF

ZONING REQUIREMENTS

- SITE IS ZONED: V - VILLAGE - PROPOSED USE-RESTAURANT
- ZONE REQUIREMENTS
- 1. MIN. LOT SIZE: 7,500 SQ.FT. - PROPOSED 7,500 SQ.FT.
- 2. MIN. LOT WIDTH: 25 FEET - PROPOSED 25 FEET
- 3. MIN. BUILDING SETBACKS:
- FRONT YARD: 0 FEET
- SIDE YARD: 3 FEET
- REAR YARD: 20 FEET (PRINCIPAL)
- 5 FEET (ACC. STRUCT.)
- 4. MAX BUILDING HEIGHT: 40 FEET (PRINCIPAL)
- 24 FEET (ACC. STRUCT.)
- 5. MAX. LOT COVERAGE: 75% (IMPERVIOUS) PROPOSED 57.70%

PARKING CALCULATIONS

- TOWNSHIP OF FERGUSON ORDINANCE REQUIRES (1) SPACE PER 50 SQUARE FEET OF INDOOR SEATING AREA AND (1) SPACE PER 100 SQUARE FEET OF OUTDOOR SEATING AREA.
- TOTAL INDOOR AREA 648 SQUARE FEET 13 SPACES (1 SPACE PER 50 SF)
- TOTAL OUTDOOR AREA 778 SQUARE FEET 8 SPACES (1 SPACE PER 100 SF)
- REQUIRED NUMBER OF SPACES 21 SPACES
- TOTAL DESIGNED SPACES 19 SPACES (2 ACCESSIBLE SPACES) (17 STANDARD SPACES)

- GENERAL NOTES:
- THIS PLAN IS TO EXPAND PARKING FOR A PROPOSED COMMERCIAL BUSINESS AT 125 E PINE GROVE ROAD.
  - UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THIS PLAN ARE BASED ON ABOVE GROUND APPURTENANCES AND SUPPLEMENTAL INFORMATION SUPPLIED BY THE UTILITY PROVIDERS. NO LOCATION BY EXCAVATION WAS COMPLETED.
  - NO CONSTRUCTION MATERIALS, DEBRIS, CLEANING SOLUTIONS, WASH WATER OR OTHER FORMS OF ILICIT DISCHARGES SHALL ENTER THE STORM SEWER SYSTEM.
  - CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO CONSTRUCTION.
  - WORK SITE SHALL BE PROTECTED AT ALL TIMES. BARRICADES, WARNING SIGNS, GUARDS, LIGHTS, ETC. SHALL BE ERRECTED AS REQUIRED. NO TRENCHES OR EXCAVATIONS MAY REMAIN OPEN OVERNIGHT OR BE LEFT UNPROTECTED.
  - ALL CONSTRUCTION AND MATERIALS SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF PENN D.O.T. PUBLICATION 408 AND THESE DRAWINGS, WHERE THESE DOCUMENTS CONFLICT, THE MOST RESTRICTIVE SHALL APPLY.
  - ALL WORK RELATING TO THIS PROJECT SHALL BE SUBJECT TO ALL FEDERAL, STATE, AND LOCAL CODES, ORDINANCES, AND REGULATIONS REGARDING OCCUPATIONAL SAFETY AND HEALTH, ENVIRONMENTAL PROTECTION, AND CONSTRUCTION STANDARDS. NOTHING CONTAINED IN THE SPECIFICATIONS OR THE DRAWINGS SHALL BE CONSTRUED TO CONFLICT WITH SUCH LAWS, CODES, ORDINANCES, OR REGULATIONS, AND IN THE EVENT OF SUCH CONFLICT ANY REQUIREMENT IMPOSED BY LAW, ORDINANCE, OR REGULATION SHALL BE DEEMED CONTROLLING.
  - CONTRACTOR SHALL NOT DISTURB ANY GROUND BEYOND THE IMMEDIATE AREA REQUIRED FOR THE EX. DEMOLITION AND THE NEW CONSTRUCTION. CONTRACTOR SHALL MINIMIZE EXCAVATION, DISTURBANCE AND COMPACTION WITHIN THE IMMEDIATE CONSTRUCTION AREA. ALL DISTURBED AREAS SHALL BE RESTORED TO PRE-CONSTRUCTION CONDITIONS.
  - ALL EXISTING CONCRETE, ASPHALT PAVEMENT, ETC. THAT IS NOT SPECIFIED FOR REPLACEMENT SHALL BE PROTECTED DURING CONSTRUCTION (SPECIFICALLY, CONSTRUCTION VEHICLES ENTERING THE SITE).
  - NO UTILITIES, OTHER THAN THOSE INDICATED, SHALL BE INTERRUPTED OR DISTURBED FOR THIS PROJECT.
  - COMPACT EACH LAYER TO THE REQUIRED PERCENTAGE OF MAXIMUM DRY DENSITY OR RELATIVE DRY DENSITY FOR EACH AREA CLASSIFICATION INDICATED BELOW. BEFORE COMPACTION, MOISTEN OR AERATE EACH LAYER AS NECESSARY TO PROVIDE OPTIMUM MOISTURE CONTENT. SEE ENGINEER FOR COMPLETE SPECIFICATIONS. PERCENTAGE OF MAXIMUM DENSITY REQUIREMENTS: COMPACT SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DENSITY, IN ACCORDANCE WITH ASTM D 1557 (MODIFIED PROCTOR).
    - A. UNDER STRUCTURES, BUILDING SLABS AND STEPS. COMPACT TOP 12 INCHES OF SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL AT 95 PERCENT MAXIMUM DENSITY.
    - B. UNDER LAWN OR UNPAVED AREAS, COMPACT TOP 6 INCHES OF SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL AT 90 PERCENT MAXIMUM DENSITY.
    - C. UNDER WALKWAYS, COMPACT TOP 6 INCHES OF SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL AT 95 PERCENT MAXIMUM DENSITY.
  - FURNISH BACKFILL AND FILL SOIL MATERIALS FREE OF CLAY, ROCK, OR GRAVEL LARGER THAN 2 INCHES IN ANY DIMENSION; DEBRIS; WASTE; FROZEN MATERIALS; VEGETATION; AND OTHER DELETERIOUS MATTER. PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 8 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS. DO NOT PLACE BACKFILL OR FILL MATERIAL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.
  - ALL EXCAVATION IS UNCLASSIFIED AND INCLUDES (WITHOUT LIMITATION THERETO) THE EXCAVATION AND REMOVAL OF ALL SOIL, SHALE, ROCK OR ROCK FORMATIONS, Boulders, EXISTING FOUNDATIONS, FILL AND ANY TYPE OF SUBSURFACE CONDITION ENCOUNTERED IN THE CONTRACT AREA. NO CLAIMS FOR EXTRA COMPENSATION OR EXTENSION OF CONTRACT TIME BECAUSE OF THE NATURE OF SUBSURFACE CONDITIONS ENCOUNTERED WILL BE CONSIDERED.
  - THE CONTRACTOR IS RESPONSIBLE FOR DESIGNING AND CONSTRUCTING STABLE, TEMPORARY EXCAVATIONS AND SHOULD SHORE, SLOPE, OR BENCH THE SIDES OF THE EXCAVATIONS AS REQUIRED TO MAINTAIN STABILITY OF BOTH THE EXCAVATION SIDES AND BOTTOM. THE CONTRACTOR IS RESPONSIBLE FOR THE FOLLOWING THE GUIDELINES PRESENTED IN FEDERAL REGISTER, VOLUME 54, NO. 209 (OCTOBER 1989), THE UNITED STATES DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) SECTION TITLED "CONSTRUCTION STANDARDS FOR EXCAVATION, 29 CFR, PART 1926, SUBPART P."
  - A DRIVEWAY PERMIT IS REQUIRED FROM PENNDOT FOR ACCESS TO A STATE HIGHWAY PRIOR TO ISSUANCE OF A ZONING PERMIT.
  - A STORMWATER PRE-CONSTRUCTION MEETING IS REQUIRED WITH FERGUSON TOWNSHIP, THE CONTRACTOR, DESIGNER, AND OWNER PRIOR TO ANY EARTH DISTURBANCE.
  - THIS LAND DEVELOPMENT PLAN CORRESPONDS TO THE STORMWATER MANAGEMENT SITE PLAN SET DATE: NOVEMBER 11,2022 LAST REVISED: MARCH 23, 2023
  - THIS LAND DEVELOPMENT PLAN TAKES IN TO CONSIDERATION THE LOT CONSOLIDATION PLAN DATED: NOVEMBER 07, 2023. THIS PLAN HAS RECEIVED APPROVAL MARC 21, 2023.
  - ON JANUARY 17, 2023, THE BOARD OF SUPERVISORS REVIEWED AND GRANTED YOUR APPLICATION FOR A WAIVER FROM THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, §22-512--SIDEWALKS TO WAIVE SIDEWALK INSTALLATION ALONG SPARROWS STREET.
  - ON JANUARY 17, 2023, THE BOARD OF SUPERVISORS REVIEWED AND GRANTED YOUR APPLICATION FOR A WAIVER FROM THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, §22-5001.1.B--OFF-STREET PARKING AND LOADING TO WAIVE TWO (2) PARKING SPACES FROM THE ORDINANCE REQUIREMENTS RESULTING IN 19 SPACES BEING REQUIRED ON SITE AS OPPOSED TO THE REQUIRED 21.
  - ON MARCH 21, 2023, THE BOARD OF SUPERVISORS REVIEWED AND GRANTED YOUR APPLICATION FOR A MODIFICATION FROM THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, §22-516--LANDSCAPING TO MODIFY THE TOWNSHIP'S REQUIREMENTS AS REFLECTED IN THE PROPOSAL REVISED MARCH 8, 2023.
  - THERE IS A RECORDED PARKING AGREEMENT BETWEEN PINE GROVE HALL AND 125 E PINE GROVE ROAD.

OWNER'S CERTIFICATION  
T.P. 24-009A-.030-.0000-

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CENTRE  
ON THIS DAY OF \_\_\_\_\_, 2023, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED, ELIZABETH GROVE, OWNER OF PGH REAL ESTATE HOLDING LLC, IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT SHE IS AUTHORIZED TO EXECUTE SAID PLAN ON BEHALF OF THE OWNER, AND THAT THE OWNER ACKNOWLEDGES THE SAME TO BE THEIR ACT AND DEED, AND THAT THE OWNER DESIRES THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW.

SIGNATURE OF LAND OWNER REPRESENTATIVE  
WITNESS MY HAND AND SEAL THIS DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC COMMISSION EXPIRES

DESIGN ENGINEER

I, \_\_\_\_\_, DO HEREBY CERTIFY THAT THIS LAND DEVELOPMENT PLAN MEETS ALL DESIGN CRITERIA OF THE FERGUSON TOWNSHIP ZONING AND LAND DEVELOPMENT/SUBDIVISION REGULATIONS.

MUNICIPAL ENGINEER CERTIFICATION

I, \_\_\_\_\_, HAVE REVIEWED THE LAND DEVELOPMENT PLAN IN ACCORDANCE WITH THE DESIGN STANDARDS AND CRITERIA OF THE FERGUSON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

FIRE DIRECTOR CERTIFICATION

THE FIRE DIRECTOR HAS REVIEWED THIS PLAN FOR COMPLIANCE WITH APPLICABLE FIRE PROTECTION STANDARDS AND DOES HEREBY CERTIFY THE COMPLIANCE WITH THOSE STANDARDS HAS BEEN DEMONSTRATED.

FIRE DIRECTOR DATE

FERGUSON TOWNSHIP PLANNING COMMISSION

FERGUSON TOWNSHIP PLANNING COMMISSION APPROVED:

CHAIR DATE

SECRETARY DATE

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

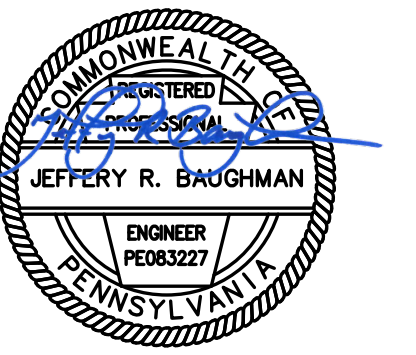
FERGUSON TOWNSHIP BOARD OF SUPERVISORS APPROVED:

CHAIR DATE

SECRETARY DATE

DATE OF THE APPLICATION FOR A ZONING PERMIT.

SUBMISSION MADE ON AUGUST 23, 2023  
DATE



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330\_ELIZABETH GROVE ADD PARKING\_LD\_COVER.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

PGH REAL  
ESTATE  
HOLDINGS LLC

125 E PINE  
GROVE ROAD  
DEVELOPMENT

FERGUSON TOWNSHIP,  
CENTRE COUNTY, PA

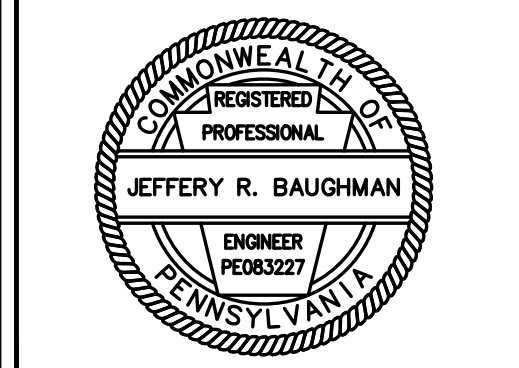
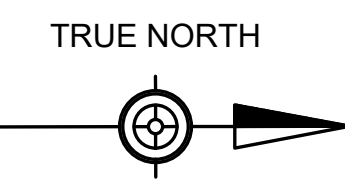
SHEET NAME

COVER  
SHEET

PROJECT NO.  
21-330

DATE  
05/03/2023

SHEET NO.  
A01



SURVEYOR ----- CES  
CADD ----- JJC  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

PGH REAL ESTATE HOLDINGS LLC

125 E PINE GROVE ROAD DEVELOPMENT

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

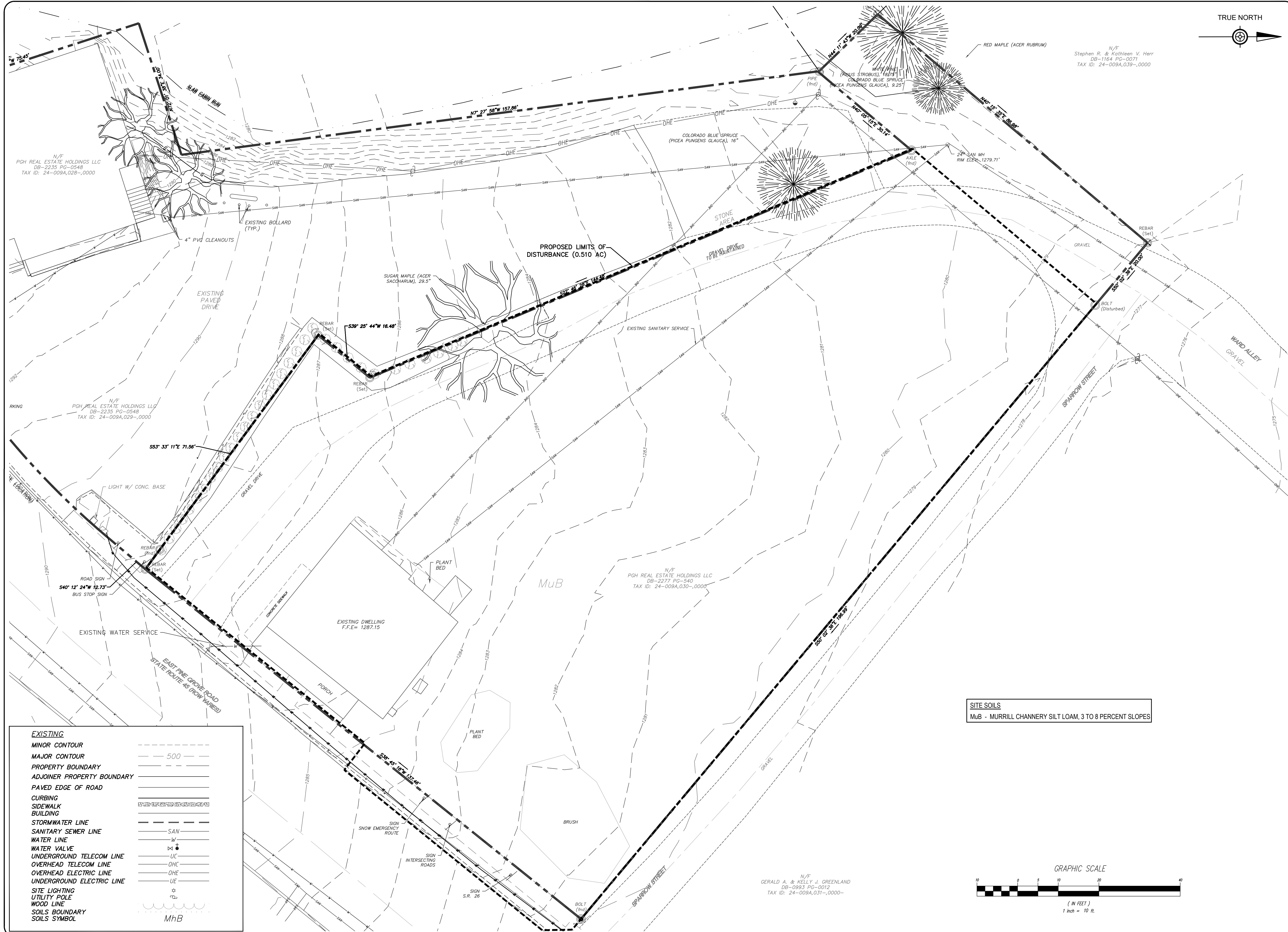
SHEET NAME

EXISTING CONDITIONS PLAN

PROJECT NO.  
21-330

DATE  
05/03/2023

SHEET NO.  
C01



N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2235 PG-0548  
TAX ID: 24-009A,028--0000

N/F  
Stephen R. & Kathleen V. Herr  
DB-1164 PG-0071  
TAX ID: 24-009A,039--0000

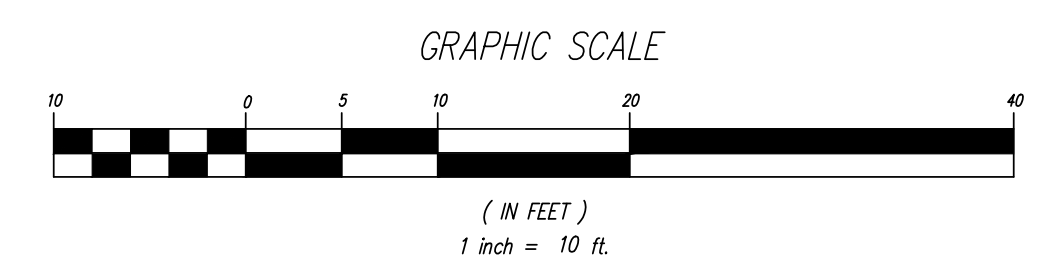
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DB-2235 PG-0548  
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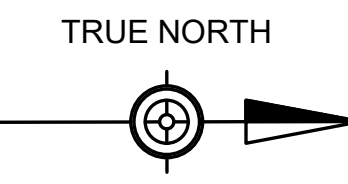
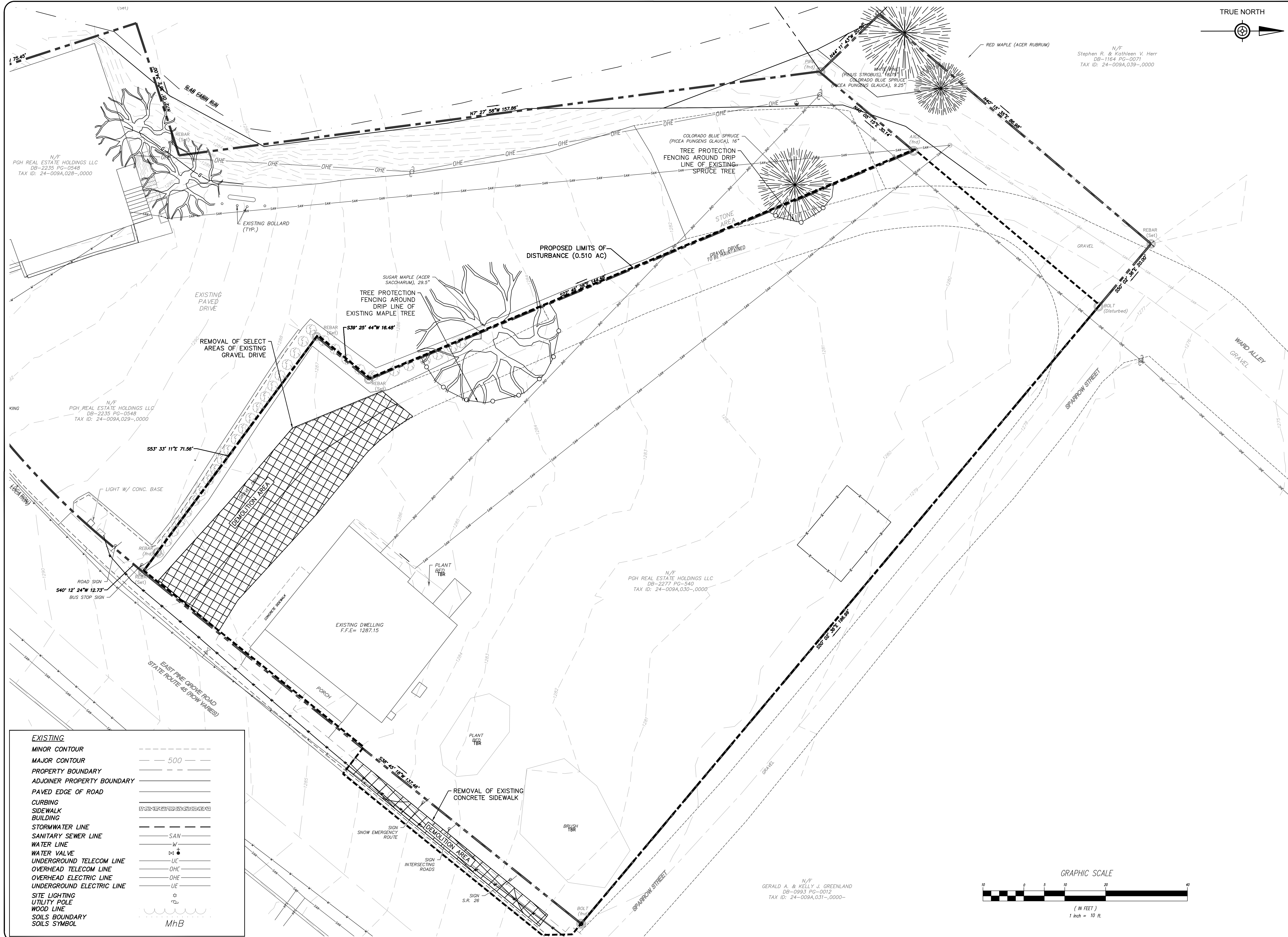
N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2277 PG-540  
TAX ID: 24-009A,030--0000

N/F  
GERALD A. & KELLY J. GREENLAND  
DB-0983 PG-0012  
TAX ID: 24-009A,031--0000

EXISTING	
MINOR CONTOUR	-----
MAJOR CONTOUR	----- 500
PROPERTY BOUNDARY	-----
ADJOINER PROPERTY BOUNDARY	-----
PAVED EDGE OF ROAD	-----
CURBING	-----
SIDEWALK	-----
BUILDING	-----
STORMWATER LINE	-----
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	W
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	-----
UTILITY POLE	-----
WOOD LINE	-----
SOILS BOUNDARY	-----
SOILS SYMBOL	MhB

**SITE SOILS**  
MuB - MURRILL CHANNERY SILT LOAM, 3 TO 8 PERCENT SLOPES





N/F  
Stephen R. & Kathleen V. Herr  
DB-1164 PG-0071  
TAX ID: 24-009A,039-0000

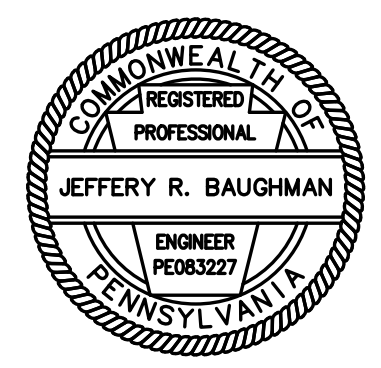
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PGH REAL ESTATE HOLDINGS LLC  
DB-2235 PG-0548  
TAX ID: 24-009A,028-0000

N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2235 PG-0548  
TAX ID: 24-009A,029-0000

N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2277 PG-540  
TAX ID: 24-009A,030-0000

N/F  
GERALD A. & KELLY J. GREENLAND  
DB-0093 PG-0012  
TAX ID: 24-009A,031-0000-

**STAHL SHEAFFER**  
**ENGINEERING**  
301 SCIENCE PARK ROAD, SUITE 333  
STATE COLLEGE, PA 16803  
PH: 814-689-1562  
FAX: 814-689-1885  
www.stahlsheaffer.com



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- JJC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

SHEET NAME

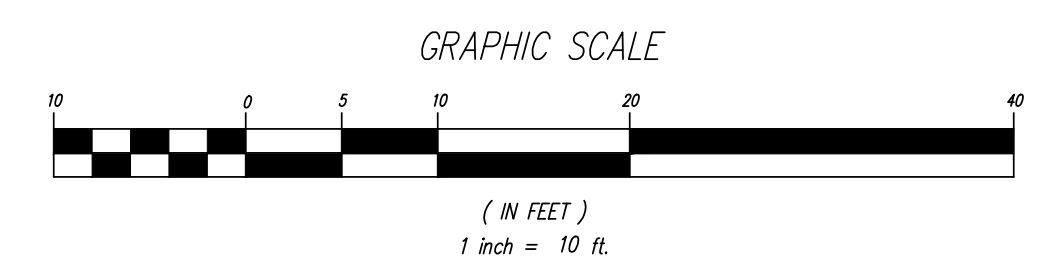
**DEMOLITION PLAN**

PROJECT NO.  
**21-330**

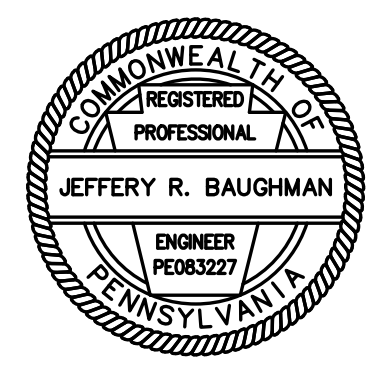
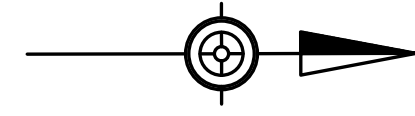
DATE  
**05/03/2023**

SHEET NO.  
**C02**

EXISTING	
MINOR CONTOUR	-----
MAJOR CONTOUR	----- 500
PROPERTY BOUNDARY	-----
ADJOINER PROPERTY BOUNDARY	-----
PAVED EDGE OF ROAD	-----
CURBING	-----
SIDEWALK	-----
BUILDING	-----
STORMWATER LINE	-----
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	⊕
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	⊙
UTILITY POLE	⊕
WOOD LINE	-----
SOILS BOUNDARY	-----
SOILS SYMBOL	MhB



TRUE NORTH



SURVEYOR ----- CES  
CADD ----- JJN  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

PGH REAL ESTATE HOLDINGS LLC

125 E PINE GROVE ROAD DEVELOPMENT

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

SHEET NAME

SITE PLAN

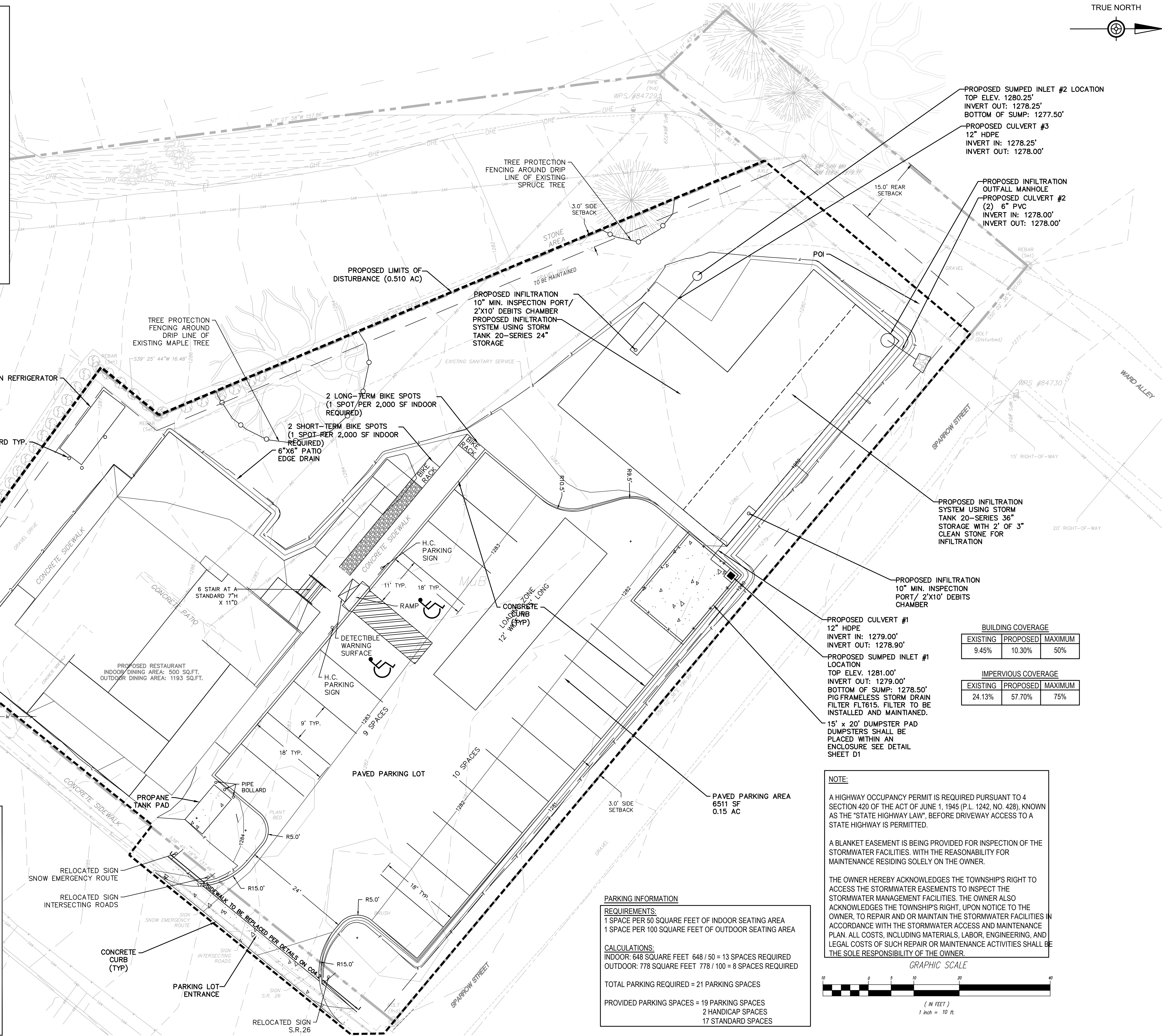
PROJECT NO.  
21-330

DATE  
05/03/2023

SHEET NO.  
C03

- PROPOSED**
- MINOR CONTOUR
  - MAJOR CONTOUR
  - PROPERTY BOUNDARY
  - ADJOINER PROPERTY BOUNDARY
  - PAVED EDGE OF ROAD
  - CURBING
  - SIDEWALK
  - BUILDING
  - STORMWATER LINE
  - SANITARY SEWER LINE
  - WATER LINE
  - WATER VALVE
  - UNDERGROUND TELECOM LINE
  - OVERHEAD TELECOM LINE
  - OVERHEAD ELECTRIC LINE
  - UNDERGROUND ELECTRIC LINE
  - SITE LIGHTING
  - UTILITY POLE
  - GUARDRAIL
  - SETBACK
  - SINGLE POST SIGN
  - DOUBLE POST SIGN
  - HANDICAP PARKING PAINT
  - PAINT MARKINGS
  - SLOPE MATTING
  - CONCRETE

- EXISTING**
- MINOR CONTOUR
  - MAJOR CONTOUR
  - PROPERTY BOUNDARY
  - ADJOINER PROPERTY BOUNDARY
  - PAVED EDGE OF ROAD
  - CURBING
  - SIDEWALK
  - BUILDING
  - STORMWATER LINE
  - SANITARY SEWER LINE
  - WATER LINE
  - WATER VALVE
  - UNDERGROUND TELECOM LINE
  - OVERHEAD TELECOM LINE
  - OVERHEAD ELECTRIC LINE
  - UNDERGROUND ELECTRIC LINE
  - SITE LIGHTING
  - UTILITY POLE
  - WOOD LINE
  - SOILS BOUNDARY
  - SOILS SYMBOL



PROPOSED SUMPED INLET #2 LOCATION  
TOP ELEV. 1280.25'  
INVERT OUT: 1278.25'  
BOTTOM OF SUMP: 1277.50'

PROPOSED CULVERT #3  
12" HDPE  
INVERT IN: 1278.25'  
INVERT OUT: 1278.00'

PROPOSED INFILTRATION  
OUTFALL MANHOLE  
PROPOSED CULVERT #2  
(2) 6" PVC  
INVERT IN: 1278.00'  
INVERT OUT: 1278.00'

PROPOSED INFILTRATION  
SYSTEM USING STORM  
TANK 20-SERIES 36"  
STORAGE WITH 2' OF 3"  
CLEAN STONE FOR  
INFILTRATION

PROPOSED INFILTRATION  
10" MIN. INSPECTION  
PORT/ 2'X10' DEBITS  
CHAMBER

PROPOSED CULVERT #1  
12" HDPE  
INVERT IN: 1279.00'  
INVERT OUT: 1278.90'

PROPOSED SUMPED INLET #1  
LOCATION  
TOP ELEV. 1281.00'  
INVERT OUT: 1278.50'  
BOTTOM OF SUMP: 1278.50'  
PIG FRAMELESS STORM DRAIN  
FILTER FL7615. FILTER TO BE  
INSTALLED AND MAINTAINED.

15' x 20' DUMPSTER PAD  
DUMPSTERS SHALL BE  
PLACED WITHIN AN  
ENCLOSURE SEE DETAIL  
SHEET D1

BUILDING COVERAGE

EXISTING	PROPOSED	MAXIMUM
9.45%	10.30%	50%

IMPERVIOUS COVERAGE

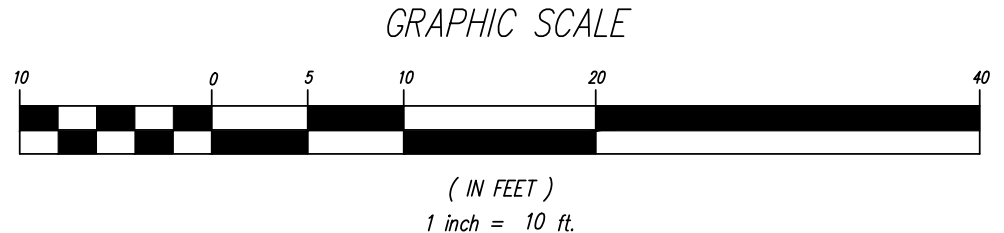
EXISTING	PROPOSED	MAXIMUM
24.13%	57.70%	75%

**NOTE:**

A HIGHWAY OCCUPANCY PERMIT IS REQUIRED PURSUANT TO 4 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.

A BLANKET EASEMENT IS BEING PROVIDED FOR INSPECTION OF THE STORMWATER FACILITIES, WITH THE REASONABILITY FOR MAINTENANCE RESIDING SOLELY ON THE OWNER.

THE OWNER HEREBY ACKNOWLEDGES THE TOWNSHIP'S RIGHT TO ACCESS THE STORMWATER EASEMENTS TO INSPECT THE STORMWATER MANAGEMENT FACILITIES. THE OWNER ALSO ACKNOWLEDGES THE TOWNSHIP'S RIGHT, UPON NOTICE TO THE OWNER, TO REPAIR AND OR MAINTAIN THE STORMWATER FACILITIES IN ACCORDANCE WITH THE STORMWATER ACCESS AND MAINTENANCE PLAN. ALL COSTS, INCLUDING MATERIALS, LABOR, ENGINEERING, AND LEGAL COSTS OF SUCH REPAIR OR MAINTENANCE ACTIVITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER.



**PARKING INFORMATION**

**REQUIREMENTS:**  
1 SPACE PER 50 SQUARE FEET OF INDOOR SEATING AREA  
1 SPACE PER 100 SQUARE FEET OF OUTDOOR SEATING AREA

**CALCULATIONS:**  
INDOOR: 648 SQUARE FEET 648 / 50 = 13 SPACES REQUIRED  
OUTDOOR: 778 SQUARE FEET 778 / 100 = 8 SPACES REQUIRED

TOTAL PARKING REQUIRED = 21 PARKING SPACES

PROVIDED PARKING SPACES = 19 PARKING SPACES  
2 HANDICAP SPACES  
17 STANDARD SPACES

PROPOSED RESTAURANT  
INDOOR DINING AREA: 500 SQ.FT.  
OUTDOOR DINING AREA: 1193 SQ.FT.

2 LONG-TERM BIKE SPOTS  
(1 SPOT PER 2,000 SF INDOOR  
REQUIRED)

2 SHORT-TERM BIKE SPOTS  
(1 SPOT PER 2,000 SF INDOOR  
REQUIRED)

6"X6" PATIO  
EDGE DRAIN

PROPOSED INFILTRATION  
10" MIN. INSPECTION PORT/  
2'X10' DEBITS CHAMBER  
PROPOSED INFILTRATION  
SYSTEM USING STORM  
TANK 20-SERIES 24"  
STORAGE

PROPOSED LIMITS OF  
DISTURBANCE (0.510 AC)

TREE PROTECTION  
FENCING AROUND  
DRIP LINE OF  
EXISTING MAPLE TREE

TREE PROTECTION  
FENCING AROUND  
DRIP LINE OF  
EXISTING SPRUCE TREE

WALK-IN REFRIGERATOR

BOLLARD TYP.

6 STAIR AT A  
STANDARD 7TH  
X 11TH

H.C. PARKING  
SIGN

H.C. PARKING  
SIGN

PAVED PARKING LOT

PAVED PARKING AREA  
6511 SF  
0.15 AC

PROPANE  
TANK PAD

RELOCATED SIGN  
SNOW EMERGENCY ROUTE

RELOCATED SIGN  
INTERSECTING ROADS

CONCRETE  
CURB  
(TYP)

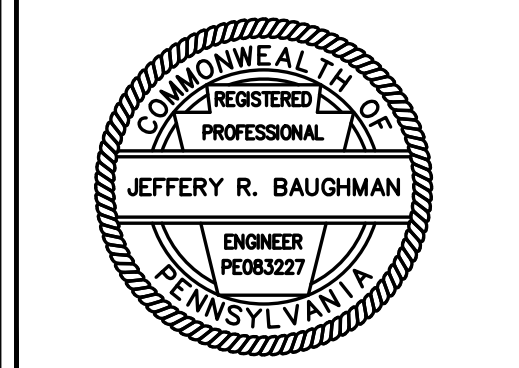
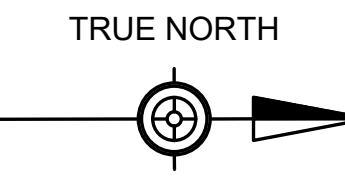
PARKING LOT-  
ENTRANCE

RELOCATED SIGN  
S.R.26



**PROPOSED**

MINOR CONTOUR	---
MAJOR CONTOUR	—500—
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	⊗
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	⊙
UTILITY POLE	⊕
GUARDRAIL	---
SETBACK	---
SINGLE POST SIGN	+
DOUBLE POST SIGN	++
HANDICAP PARKING PAINT	---
PAINT MARKINGS	---
SLOPE MATTING	---
CONCRETE	---



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

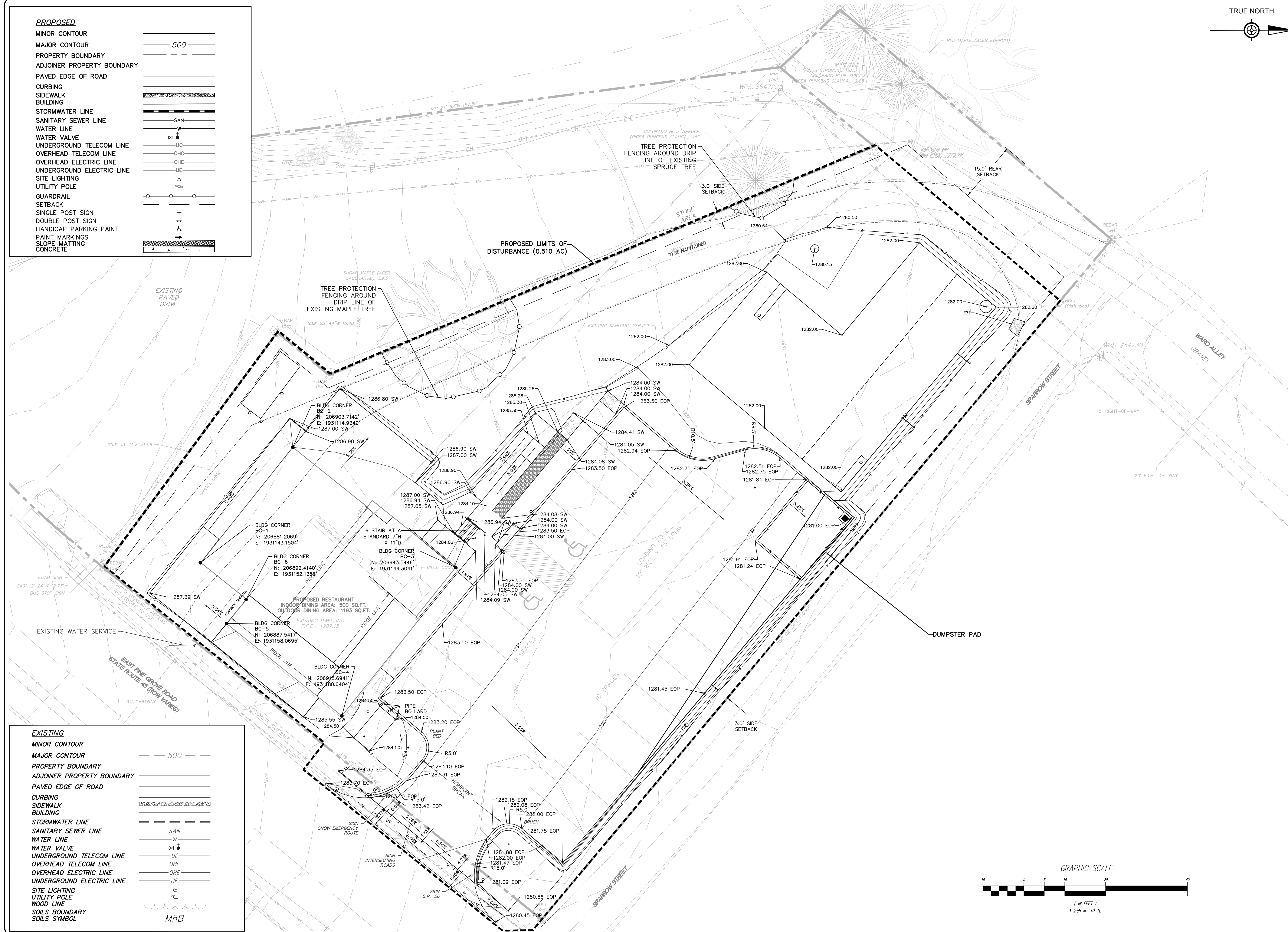
SHEET NAME

**GRADING PLAN**

PROJECT NO.  
**21-330**

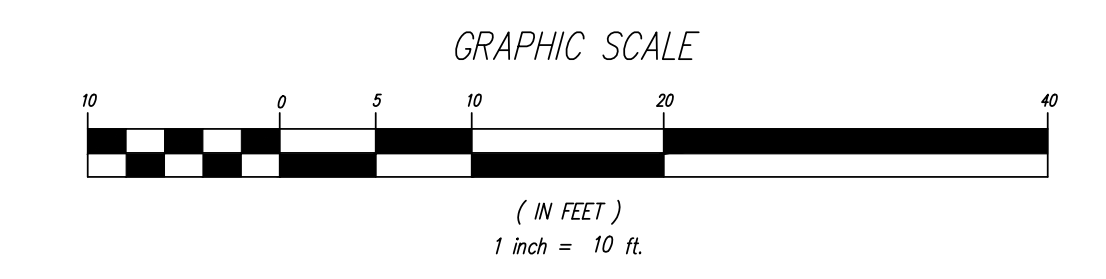
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**05/03/2023**

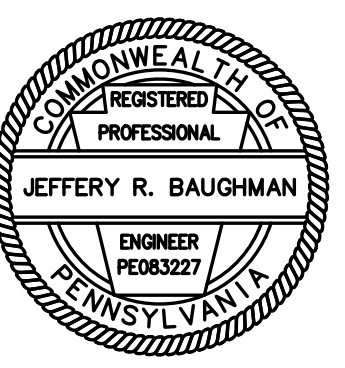
SHEET NO.  
**C04**



**EXISTING**

MINOR CONTOUR	---
MAJOR CONTOUR	—500—
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	⊗
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	⊙
UTILITY POLE	⊕
WOOD LINE	---
SOILS BOUNDARY	---
SOILS SYMBOL	MhB





SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

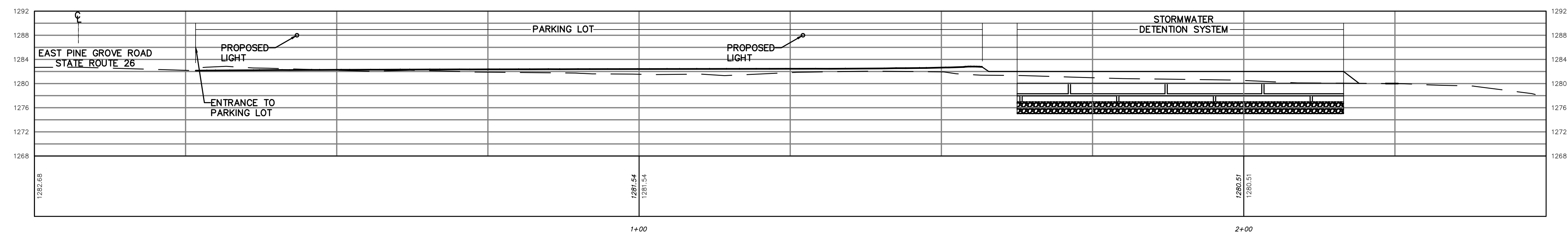
SHEET NAME

**SITE SECTIONS**

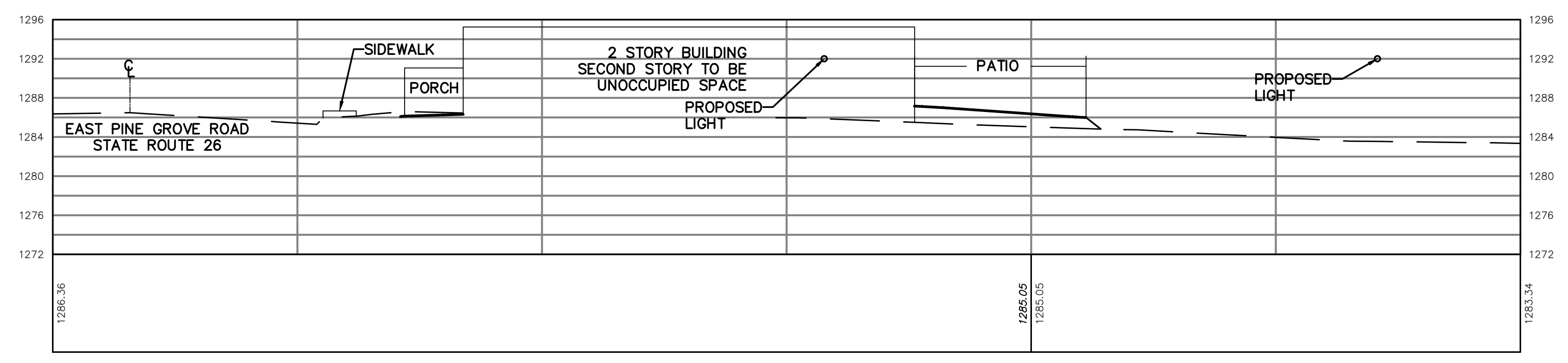
PROJECT NO.  
**21-330**

DATE  
**05/03/2023**

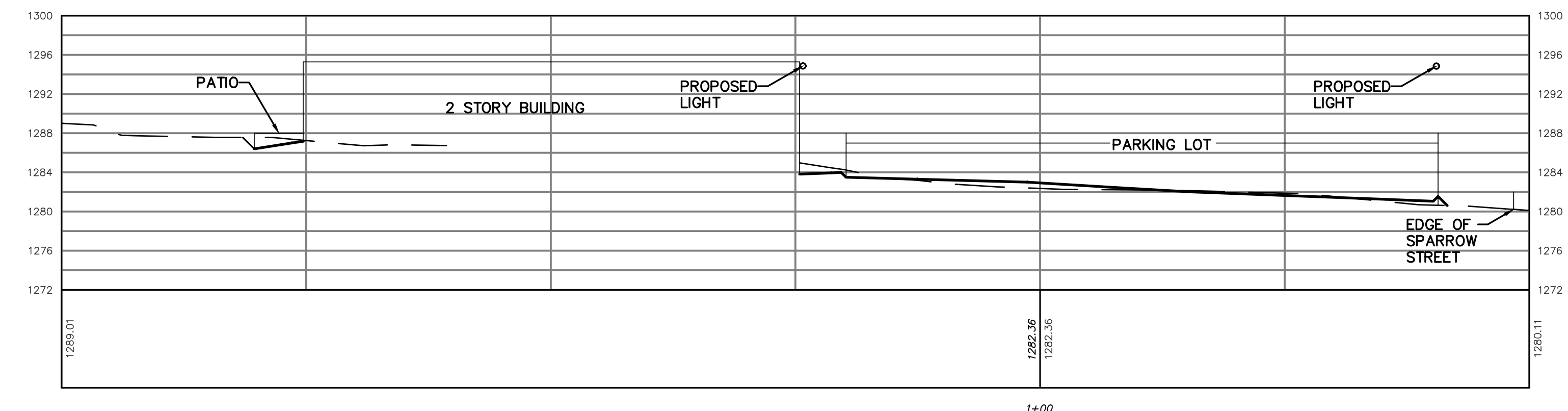
SHEET NO.  
**C04.1**



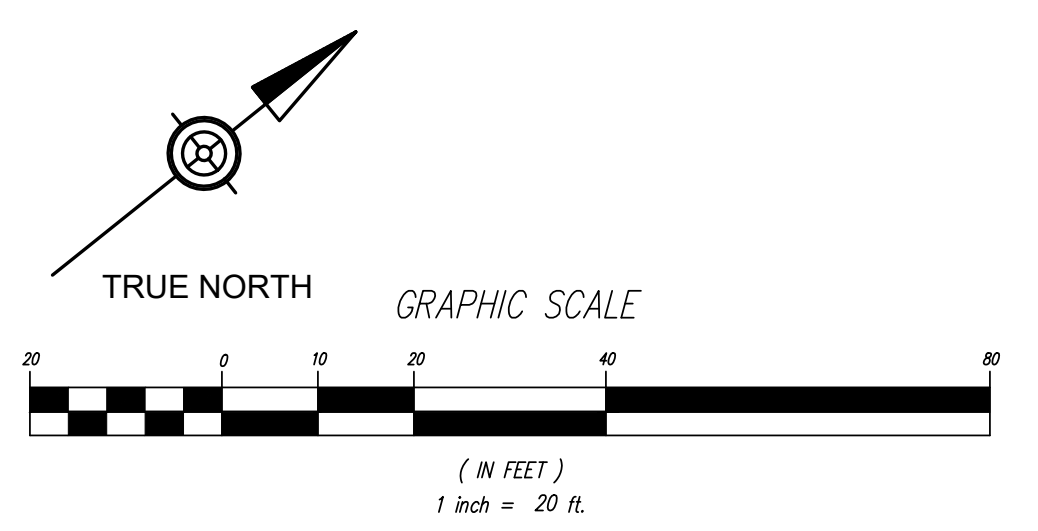
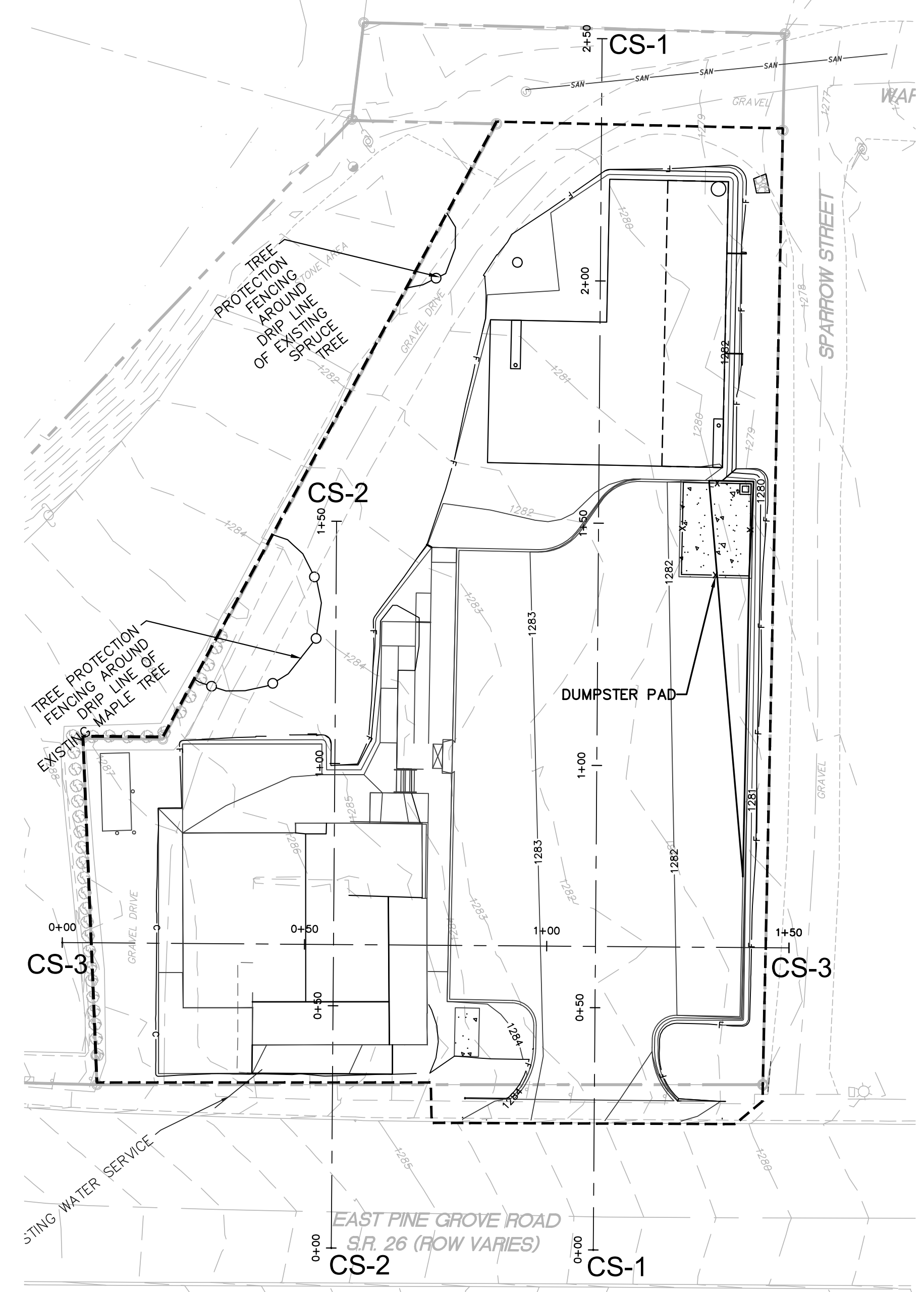
CS-1  
HORIZONTAL: 1"=10'  
VERTICAL: 1"=10'

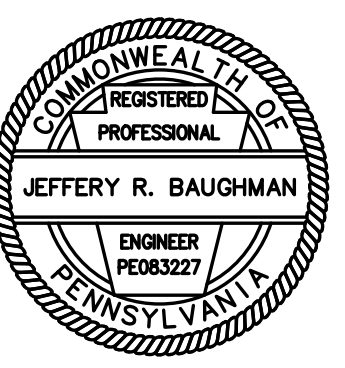


CS-2  
HORIZONTAL: 1"=10'  
VERTICAL: 1"=10'



CS-3  
HORIZONTAL: 1"=10'  
VERTICAL: 1"=10'





SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

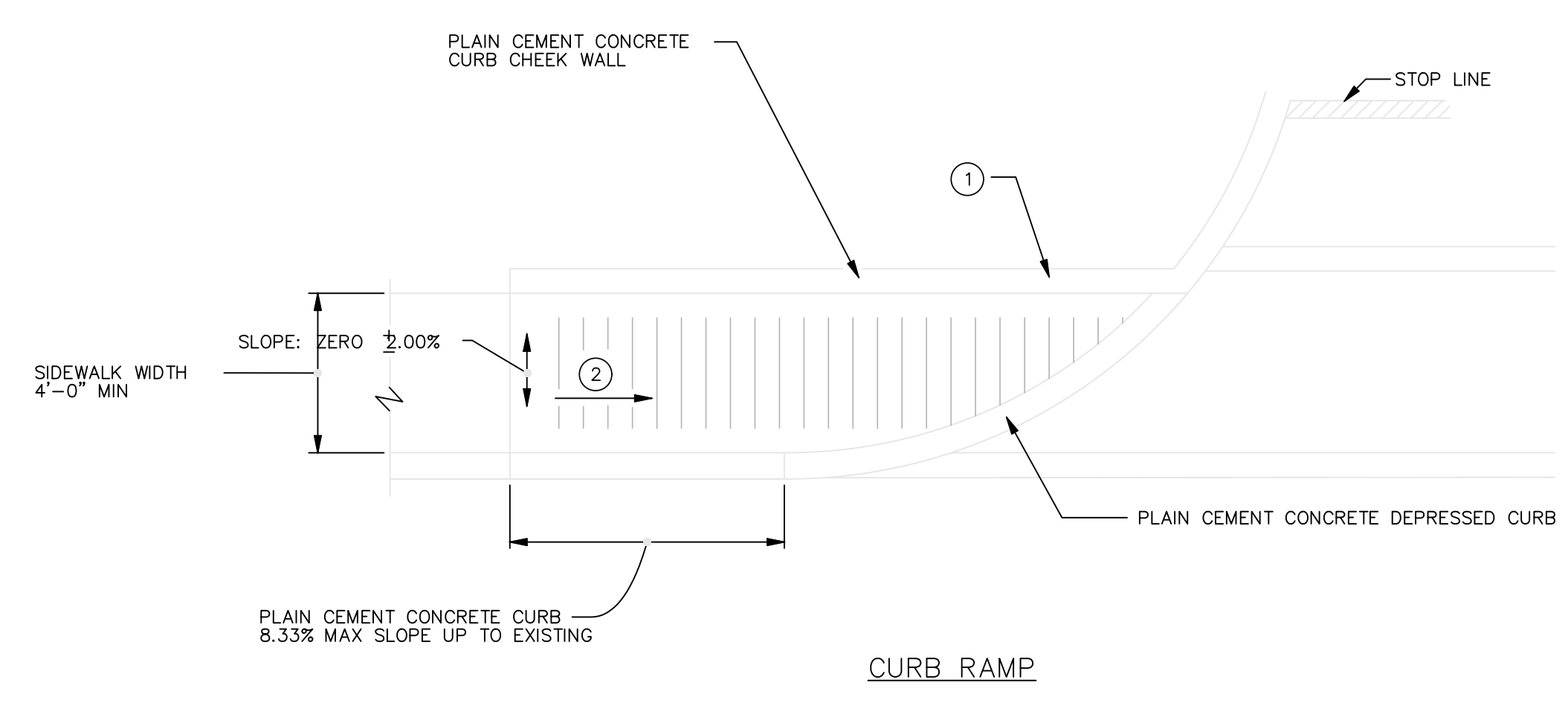
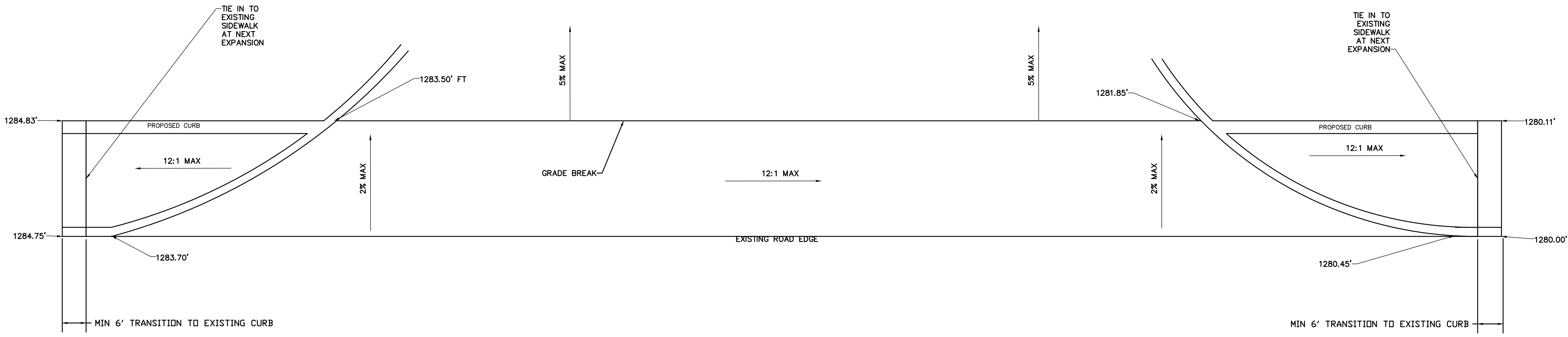
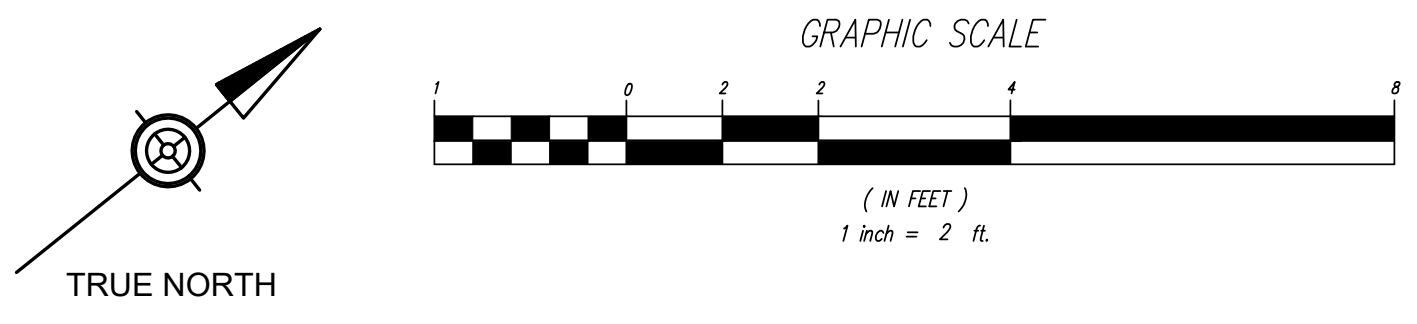
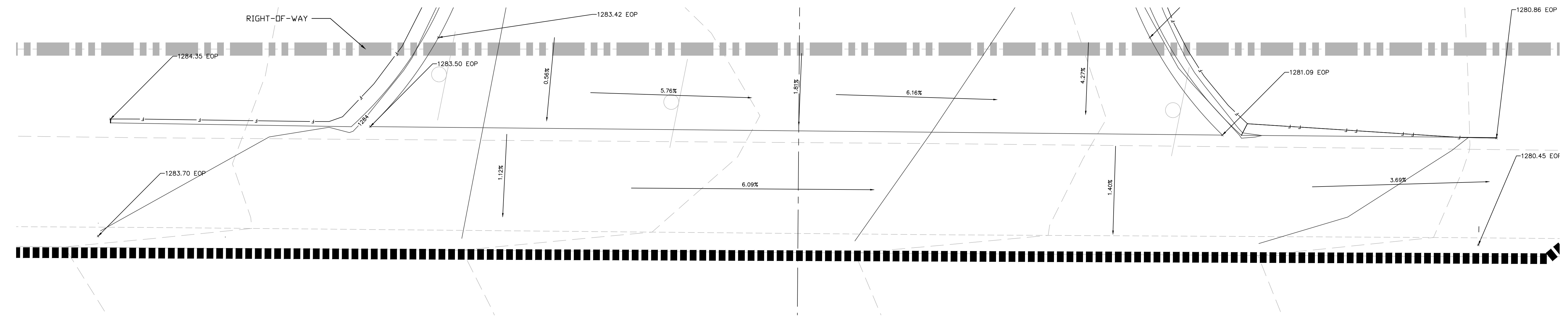
SHEET NAME

**SITE ENTRANCE**

PROJECT NO.  
**21-330**

DATE  
**05/03/2023**

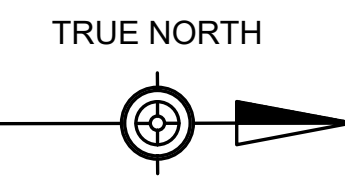
SHEET NO.  
**C04.2**



- NOTES**
1. CONSTRUCT CURB RAMPS WITH A MINIMUM 4'-0" X 4'-0" CLEAR SPACE BEYOND THE CURB FACE, WITHIN THE WIDTH OF THE CROSSWALK AND WHOLLY OUTSIDE THE PARALLEL VEHICLE TRAVEL LANE. SEE SHEET 7 FOR CROSSWALK DETAILS. SEAL JOINTS WITH AN APPROVED SEALING MATERIAL.
  2. PROVIDE SLIP RESISTANT TEXTURE ON CURB RAMP BY COARSE BROOMING TRANSVERSE TO THE SLOPE OF THE RAMP. EXTEND TEXTURE THE FULL WIDTH AND LENGTH OF THE CURB RAMP INCLUDING SIDE FLARES.
  3. ALL SLOPES ARE MEASURED WITH RESPECT TO A LEVEL PLANE. THEREFORE, THE LENGTH OF RAMP IS NOT SOLELY DEPENDANT ON THE HEIGHT OF CURB. (FOR EXAMPLE, A 6" CURB DOES NOT NECESSARILY MEAN A RAMP LENGTH OF 6'-0" FOR A 12:1 SLOPE.)

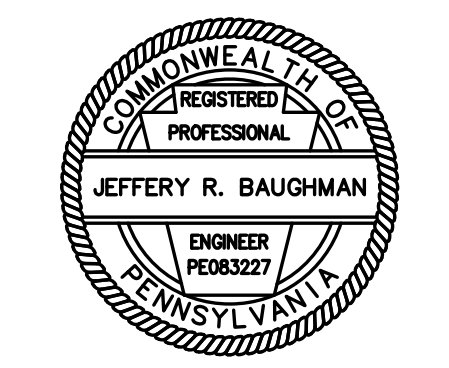
**PROPOSED**

MINOR CONTOUR	---
MAJOR CONTOUR	—500—
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	WV
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	SL
UTILITY POLE	UP
GUARDRAIL	---
SETBACK	---
SINGLE POST SIGN	---
DOUBLE POST SIGN	---
HANDICAP PARKING PAINT	---
PAINT MARKINGS	---
SLOPE MATTING	---
CONCRETE	---



**STAHL SHEAFFER**  
**ENGINEERING**

301 SCIENCE PARK ROAD, SUITE 333  
STATE COLLEGE, PA 16803  
PH: 814-689-1562  
FAX: 814-689-1885  
www.stahlsheaffer.com



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- JDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

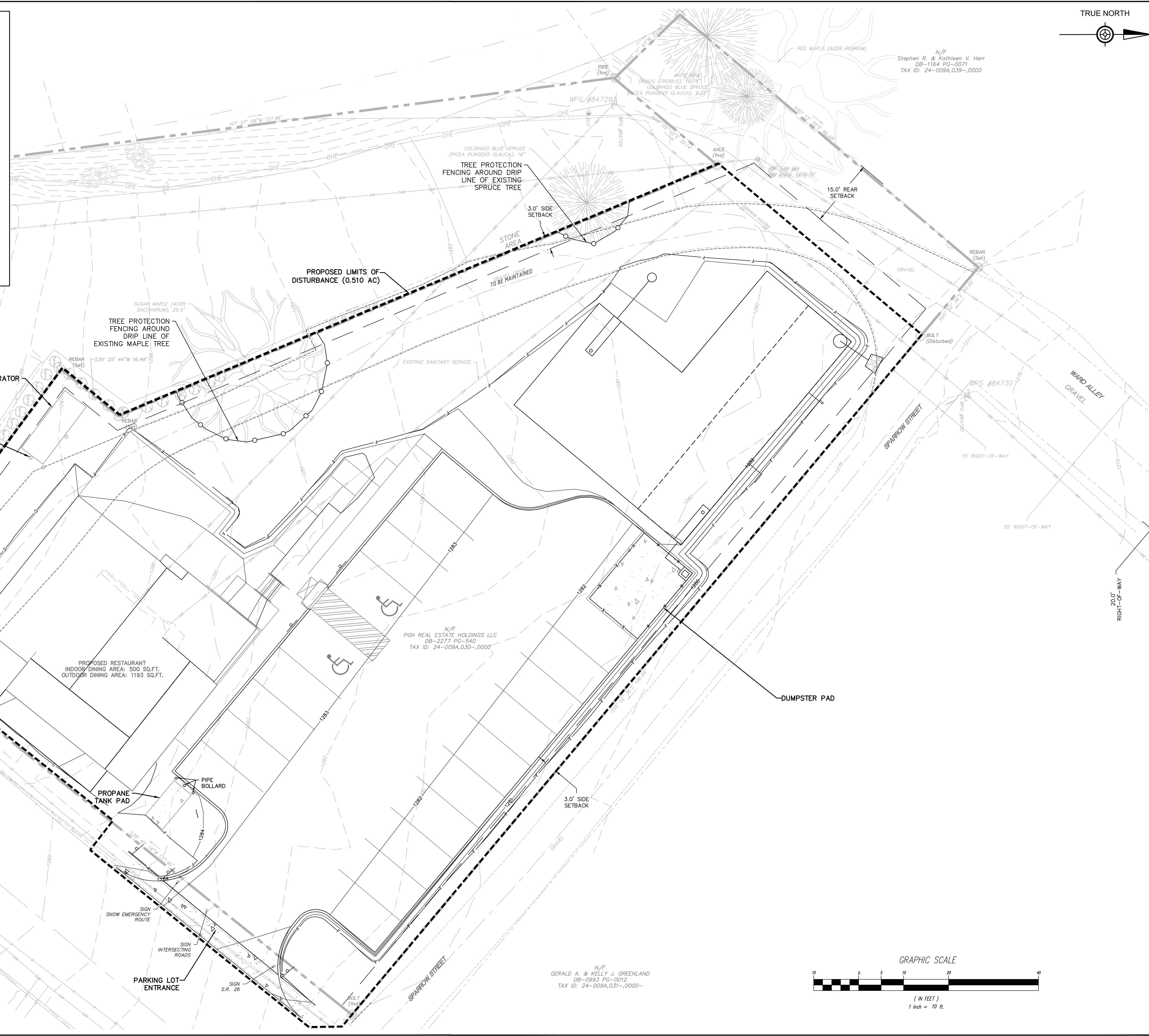
SHEET NAME

**UTILITY PLAN**

PROJECT NO.  
**21-330**

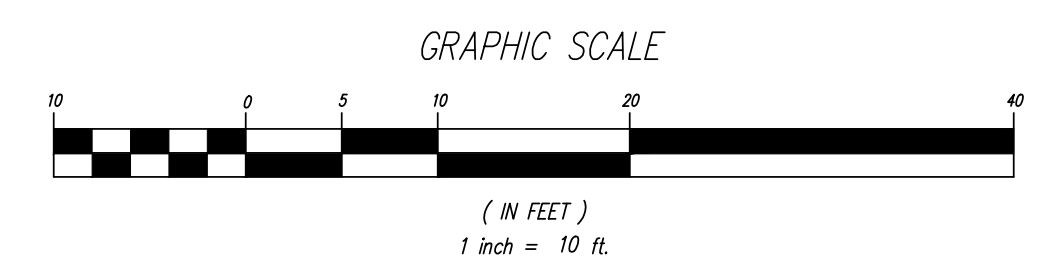
DATE  
**05/03/2023**

SHEET NO.  
**C05**



**EXISTING**

MINOR CONTOUR	---
MAJOR CONTOUR	—500—
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	WV
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	SL
UTILITY POLE	UP
WOOD LINE	---
SOILS BOUNDARY	---
SOILS SYMBOL	MhB



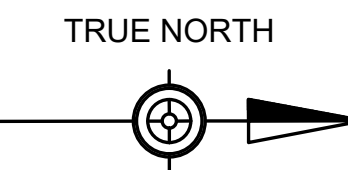
N/F  
GERALD A. & KELLY J. GREENLAND  
DB-0993 PG-0012  
TAX ID: 24-009A,031-0000

**PROPOSED**

MINOR CONTOUR	---
MAJOR CONTOUR	—500—
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	⊕
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	⊙
UTILITY POLE	⊕
GUARDRAIL	---
SETBACK	---
SINGLE POST SIGN	---
DOUBLE POST SIGN	---
HANDICAP PARKING PAINT	---
PAINT MARKINGS	---
SLOPE MATTING	---
CONCRETE	---

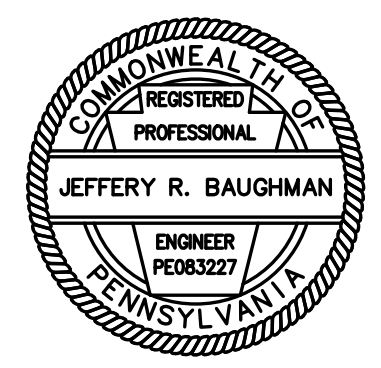
**EXISTING**

MINOR CONTOUR	---
MAJOR CONTOUR	---500---
PROPERTY BOUNDARY	---
ADJOINER PROPERTY BOUNDARY	---
PAVED EDGE OF ROAD	---
CURBING	---
SIDEWALK	---
BUILDING	---
STORMWATER LINE	---
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	⊕
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	⊙
UTILITY POLE	⊕
WOOD LINE	---
SOILS BOUNDARY	---
SOILS SYMBOL	MhB



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SURVEYOR ----- CES  
CADD ----- JJN  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG  
21-330 DESIGN.DWG

REV 1 - 11/1/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

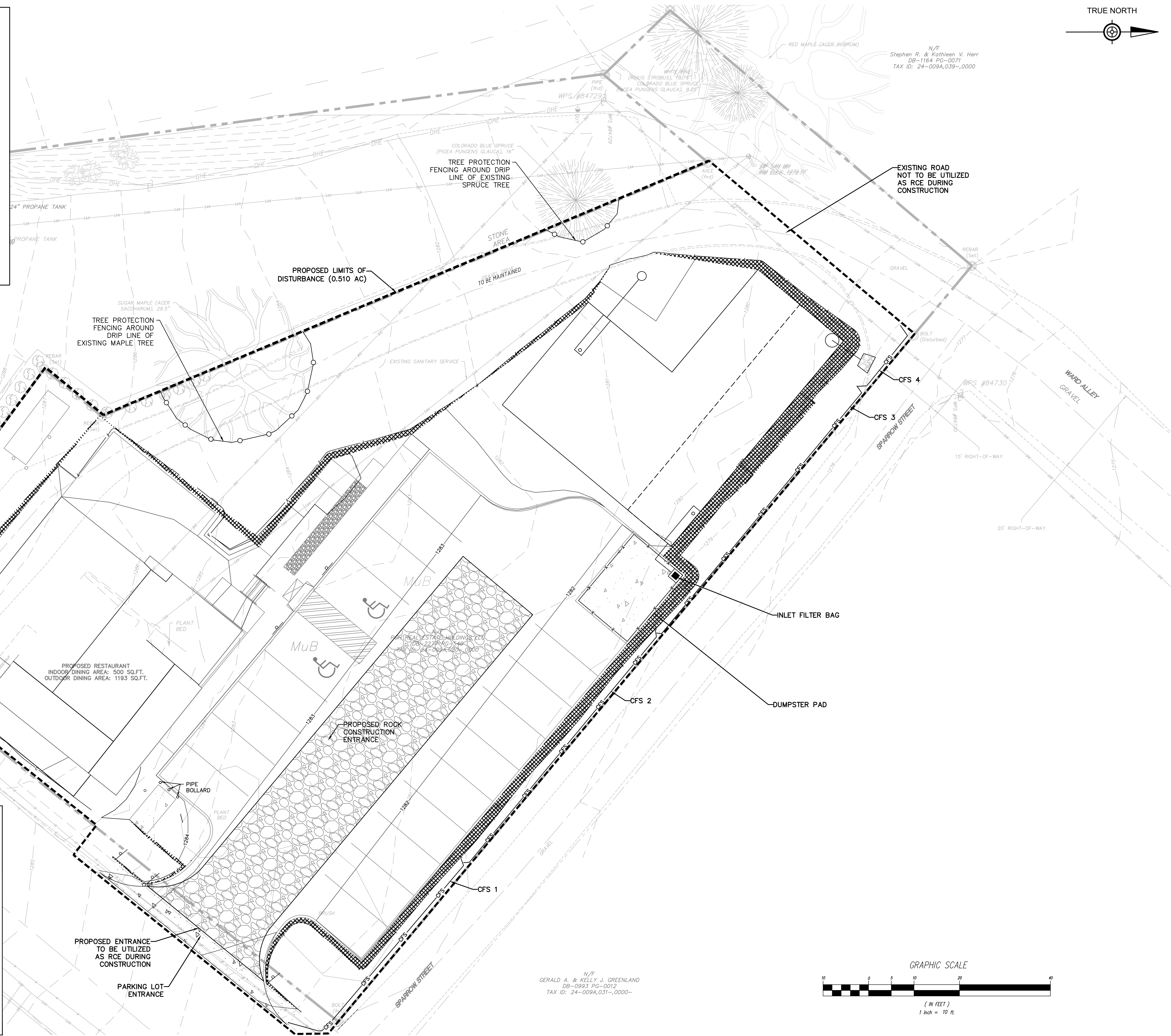
SHEET NAME

**EROSION AND SEDIMENT CONTROL PLAN**

PROJECT NO.  
**21-330**

DATE  
**05/03/2023**

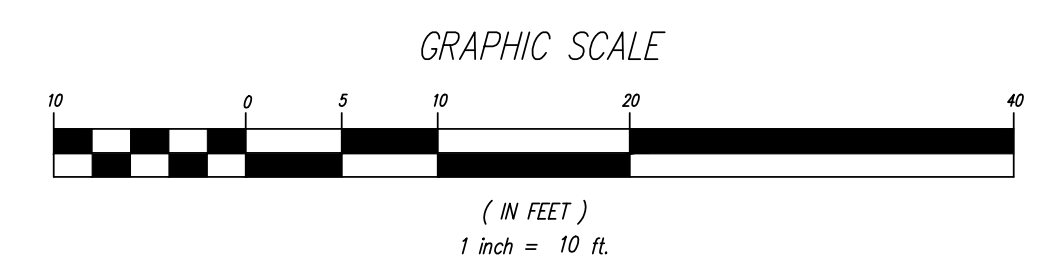
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**C07**

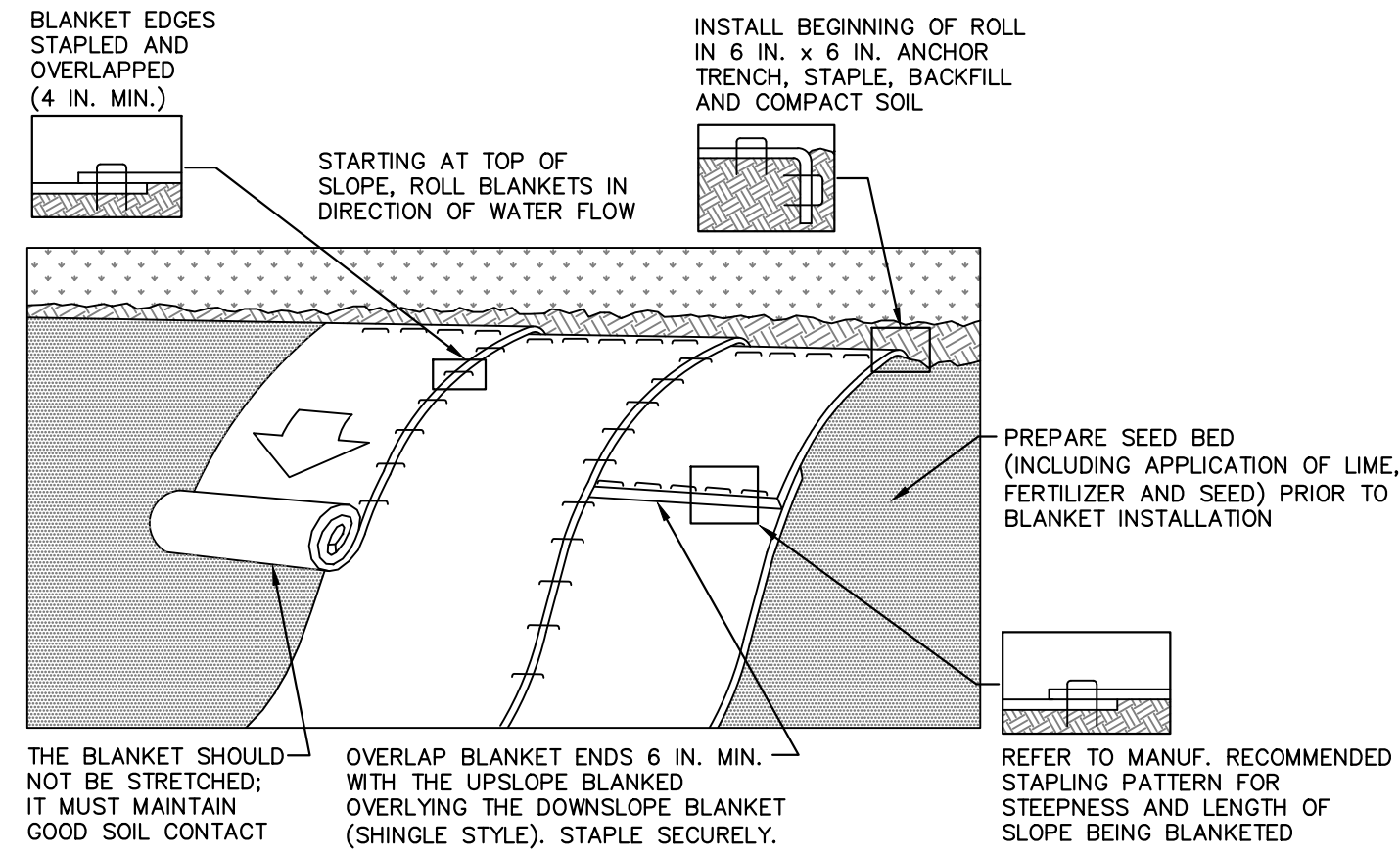


N/F  
Stephen R. & Kathleen V. Herr  
DB-1164, PG-0071  
TAX ID: 24-009A,039-0000

N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2235, PG-0548  
TAX ID: 24-009A,029-0000

N/F  
GERALD A. & KELLY J. GREENLAND  
DB-0993, PG-0012  
TAX ID: 24-009A,031-0000





**NOTES:**

SEED AND SOIL AMENDMENTS SHALL BE APPLIED ACCORDING TO THE RATES IN THE PLAN DRAWINGS PRIOR TO INSTALLING THE BLANKET.

PROVIDE ANCHOR TRENCH AT TOE OF SLOPE IN SIMILAR FASHION AS AT TOP OF SLOPE.

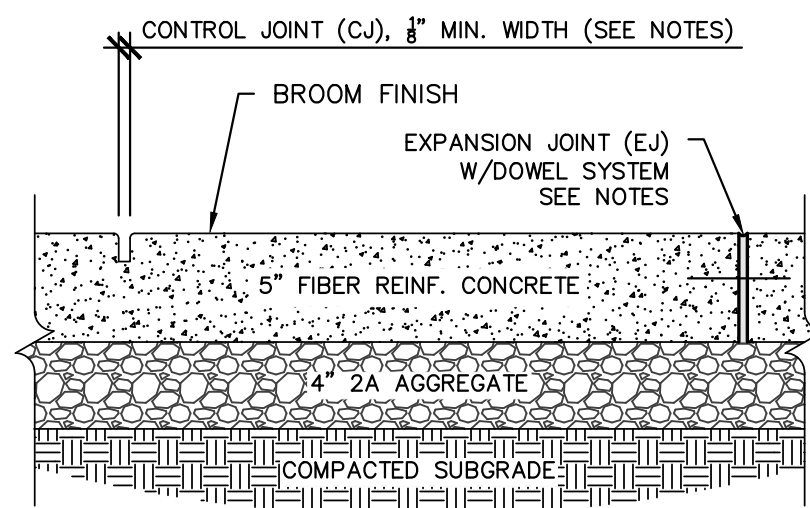
SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICKS, AND GRASS.

BLANKET SHALL HAVE GOOD CONTINUOUS CONTACT WITH UNDERLYING SOIL THROUGHOUT ENTIRE LENGTH. LAY BLANKET LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH SOIL. DO NOT STRETCH BLANKET.

THE BLANKET SHALL BE STAPLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

BLANKETED AREAS SHALL BE INSPECTED WEEKLY AND AFTER EACH RUNOFF EVENT UNTIL PERENNIAL VEGETATION IS ESTABLISHED TO A MINIMUM UNIFORM 70% COVERAGE THROUGHOUT THE BLANKETED AREA. DAMAGED OR DISPLACED BLANKETS SHALL BE RESTORED OR REPLACED WITHIN 4 CALENDAR DAYS.

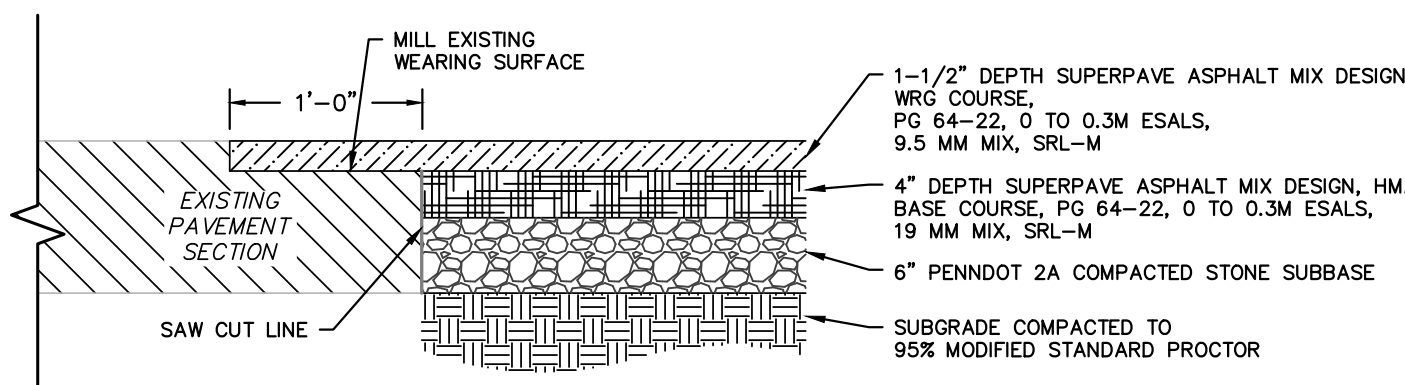
**EROSION CONTROL BLANKET INSTALLATION**  
N.T.S.



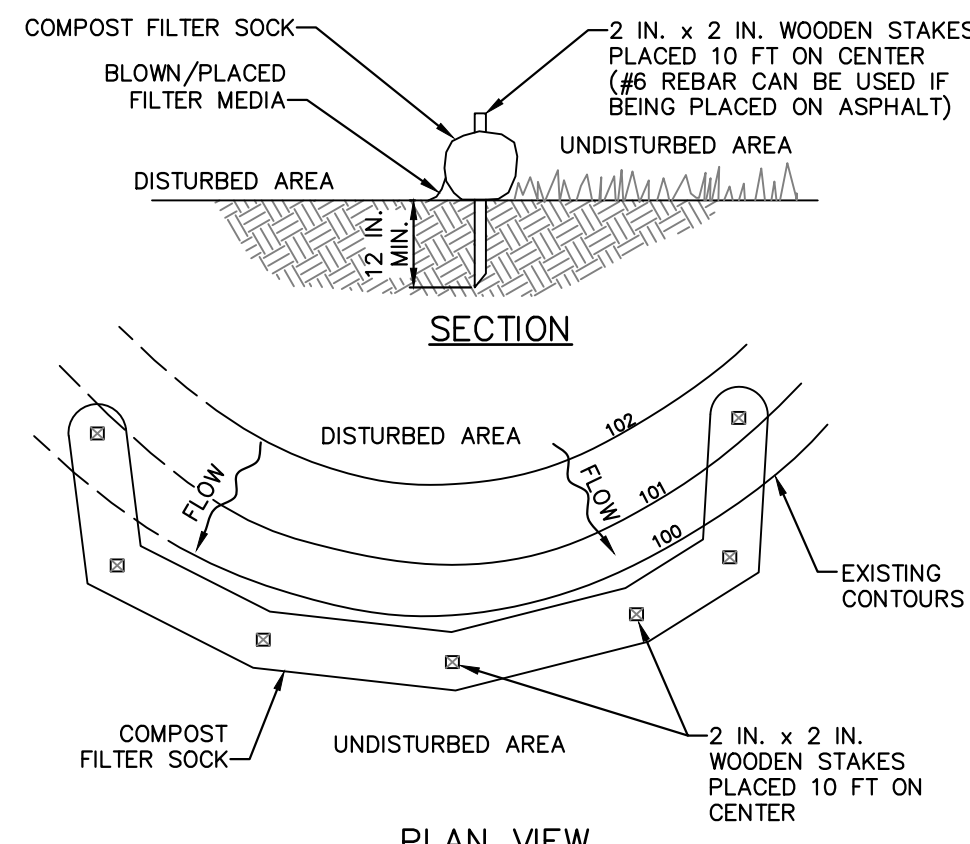
**NOTES:**

- SIDEWALK CROSS SLOPE NOT TO EXCEED 2%.
- PLACE EXPANSION JOINTS (EJ) AT 20'-0" O/C MAX, FOLLOWING THE GUIDELINES BELOW:
  - INSTALL 5" LONG "SPEED LOAD" SLEEVES, BY GREENSTREAK (OR APPROVED EQUAL), AND 10" LONG, 1/2" SMOOTH DOWELS AT 42" O.C. (MINIMUM TWO DOWELS PER EJ)
- INSTALL ASPHALT IMPREGNATED MATERIAL, CLOSED-CELL BACKER ROD AND POLYURETHANE SEALANT.
  - FOR JOINTS 1/4" TO 1/2" WIDE, THE SEALANT WIDTH TO DEPTH RATIO SHALL BE EQUAL.
  - JOINTS GREATER THAN 1/2" WIDE, SEALANT DEPTH SHALL BE 1/2".
- PROTECT JOINT SEALANT FROM PEDESTRIAN AND VEHICULAR TRAFFIC UNTIL IT COMPLETELY CURES. SCORE LINES BETWEEN EXPANSION JOINTS TO BE 1-1/4" DEEP TOOLED CONTROL JOINTS (CJ) UNLESS OTHERWISE NOTED. SEE PLANS AND SPECS FOR SPACING.
- PROVIDE 1/2" ISOLATION JOINT WITH SEALANT ALONG BUILDING/RETAINING WALLS.

**CONCRETE SIDEWALK**  
N.T.S.



**STANDARD ASPHALT PAVEMENT**  
N.T.S.



SOCK NO.	DIAMETER	LOCATION	SLOPE PERCENT	SLOPE LENGTH ABOVE BARRIER
1	12"	SPARROW ST	5.512%	127'
2	12"	SPARROW ST	4.310%	73'
3	12"	SPARROW ST	3.704%	15'

**NOTES:**

SOCK FABRIC SHALL MEET STANDARDS OF TABLE 4.1 OF THE PA DEP EROSION CONTROL MANUAL. COMPOST SHALL MEET THE STANDARDS OF TABLE 4.2 OF THE PA DEP EROSION CONTROL MANUAL.

COMPOST FILTER SOCK SHALL BE PLACED AT EXISTING LEVEL GRADE. BOTH ENDS OF THE BARRIER SHALL BE EXTENDED AT LEAST 8 FEET UP SLOPE AT 45 DEGREES TO THE MAIN BARRIER ALIGNMENT. MAXIMUM SLOPE LENGTH ABOVE ANY BARRIER SHALL NOT EXCEED THAT SPECIFIED FOR THE SIZE OF THE SOCK AND THE SLOPE OF ITS TRIBUTARY AREA.

TRAFFIC SHALL NOT BE PERMITTED TO CROSS COMPOST FILTER SOCKS.

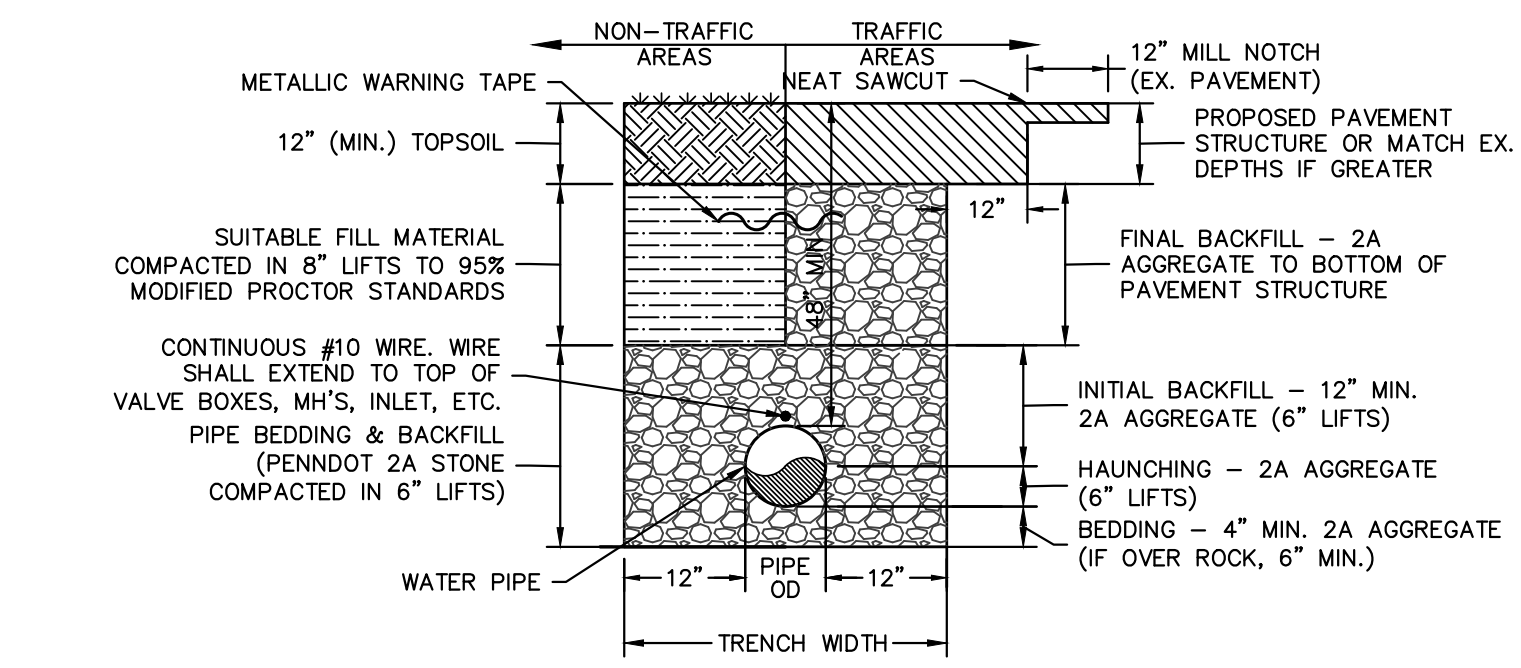
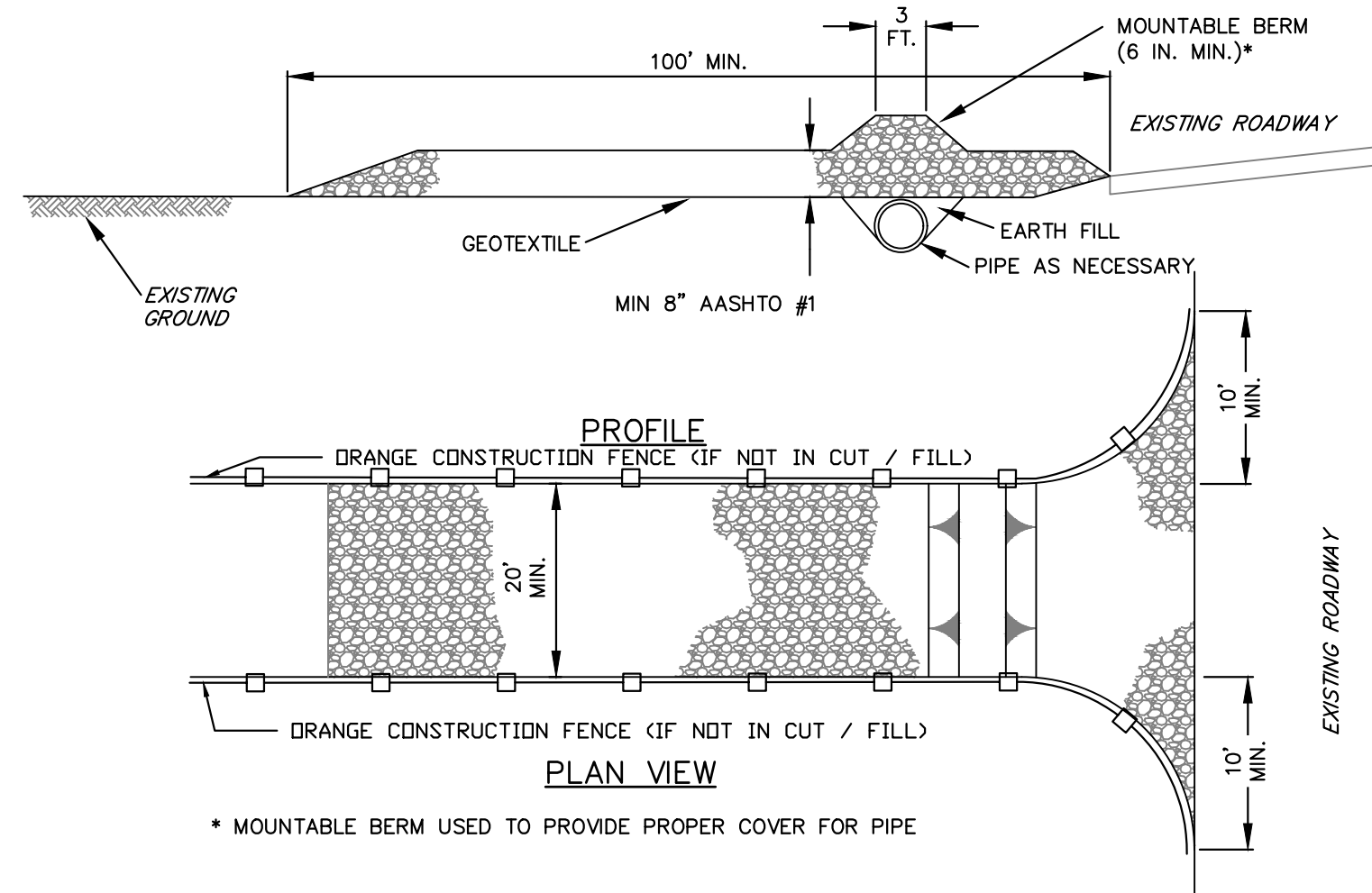
ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT REACHES 1/2 THE ABOVE GROUND HEIGHT OF THE BARRIER AND DISPOSED IN THE MANNER DESCRIBED ELSEWHERE IN THE PLAN.

COMPOST FILTER SOCKS SHALL BE INSPECTED WEEKLY AND AFTER EACH RUNOFF EVENT. DAMAGED SOCKS SHALL BE REPAIRED ACCORDING TO MANUFACTURER'S SPECIFICATIONS OR REPLACED WITHIN 24 HOURS OF INSPECTION.

BIODEGRADABLE COMPOST FILTER SOCKS SHALL BE REPLACED AFTER 6 MONTHS. PHOTODEGRADABLE SOCKS AFTER 1 YEAR. POLYPROPYLENE SOCKS SHALL BE REPLACED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.

UPON STABILIZATION OF THE AREA TRIBUTARY TO THE SOCK, STAKES SHALL BE REMOVED. THE SOCK MAY BE LEFT IN PLACE AND VEGETATED OR REMOVED. IN THE LATTER CASE, THE MESH SHALL BE CUT OPEN AND THE MULCH SPREAD AS A SOIL SUPPLEMENT.

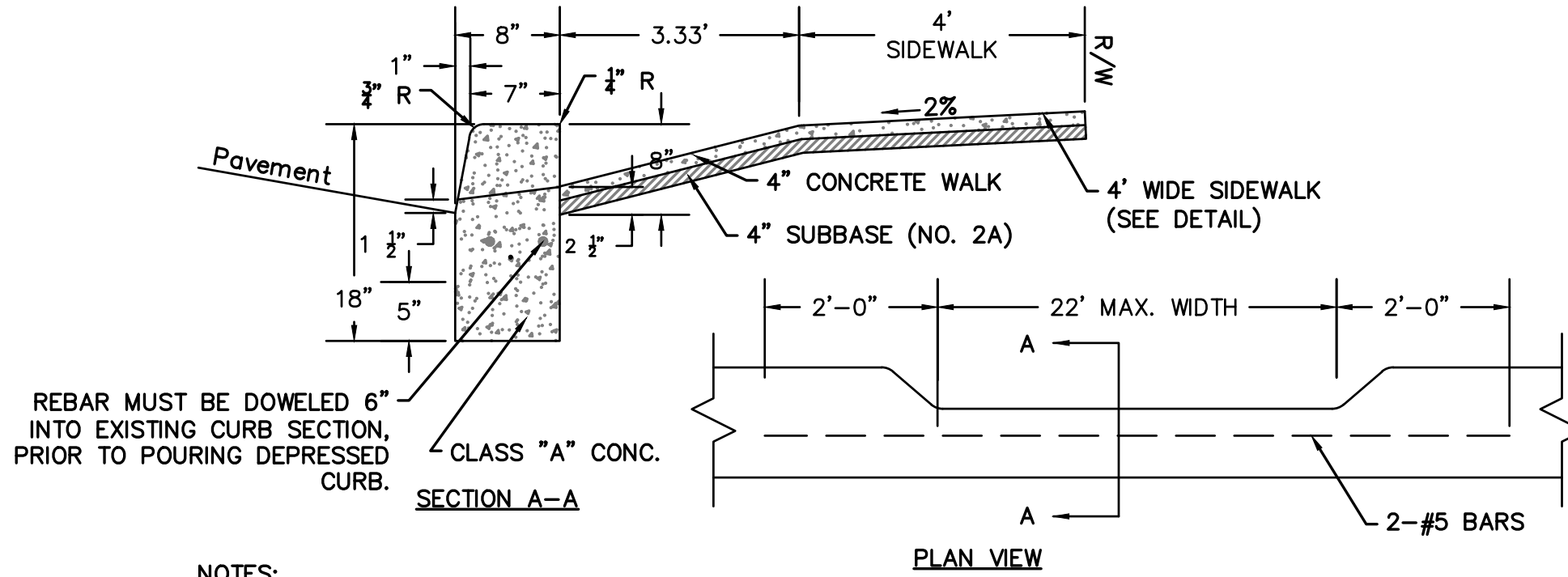
**COMPOST FILTER SOCK**  
N.T.S.



**NOTES:**

- WATER LINE MAX. DEPTH 8' TO CROWN OF PIPE
- CLAY DIKES INSTALLED ON PIPE RUNS OVER 300' IN LENGTH.

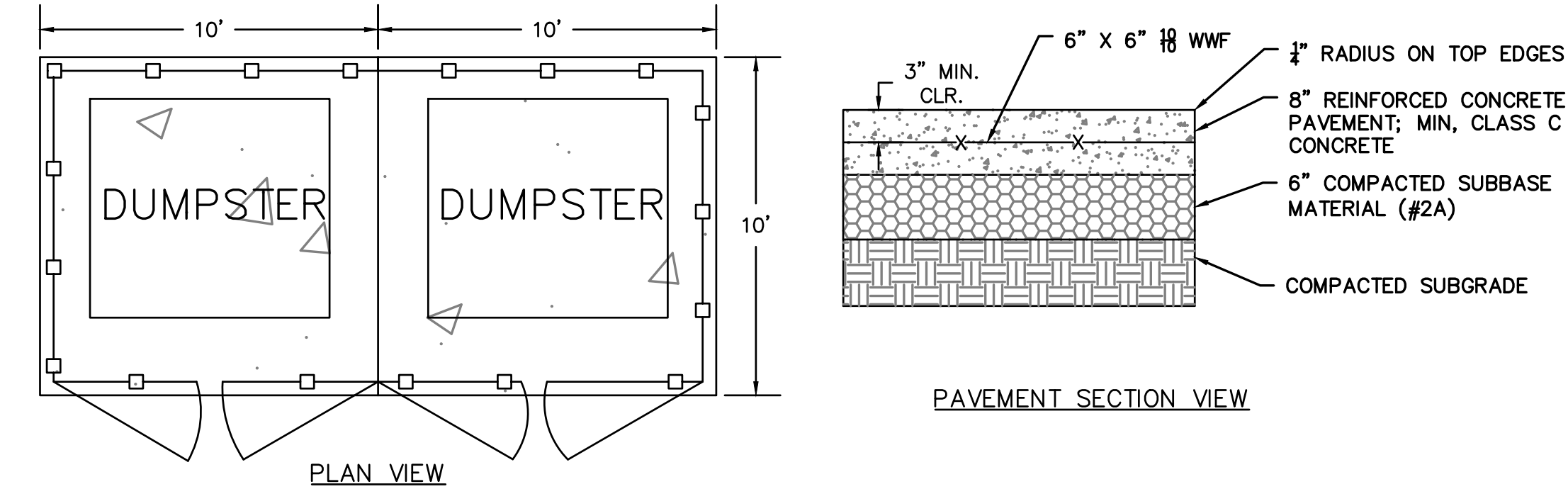
**WATER LINE INSTALLATION**  
N.T.S.



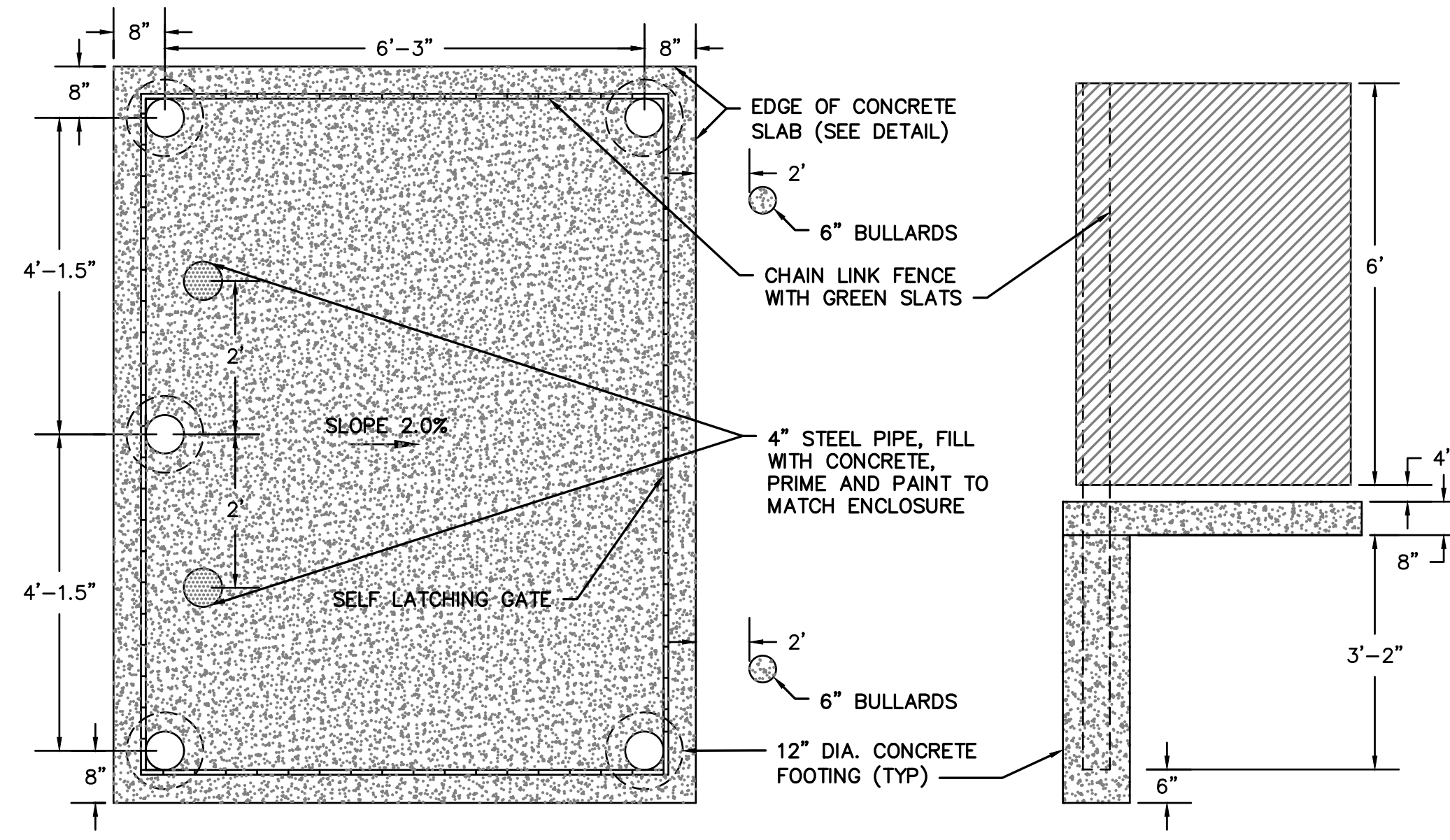
**NOTES:**

- CONSTRUCT IN ACCORDANCE WITH PA DOT (RC-64) SPECIFICATIONS.
- AREA TO BE REMOVED WHEN PROPOSED DRIVEWAY OCCURS IN EXISTING CONTINUOUS CONCRETE CURBS.

**DEPRESSED CURB AT DRIVEWAYS DETAIL**  
N.T.S.



**DUMPSTER PAD DETAIL**  
N.T.S.



**DUMPSTER SCREEN DETAIL**  
N.T.S.

**NOTES:**

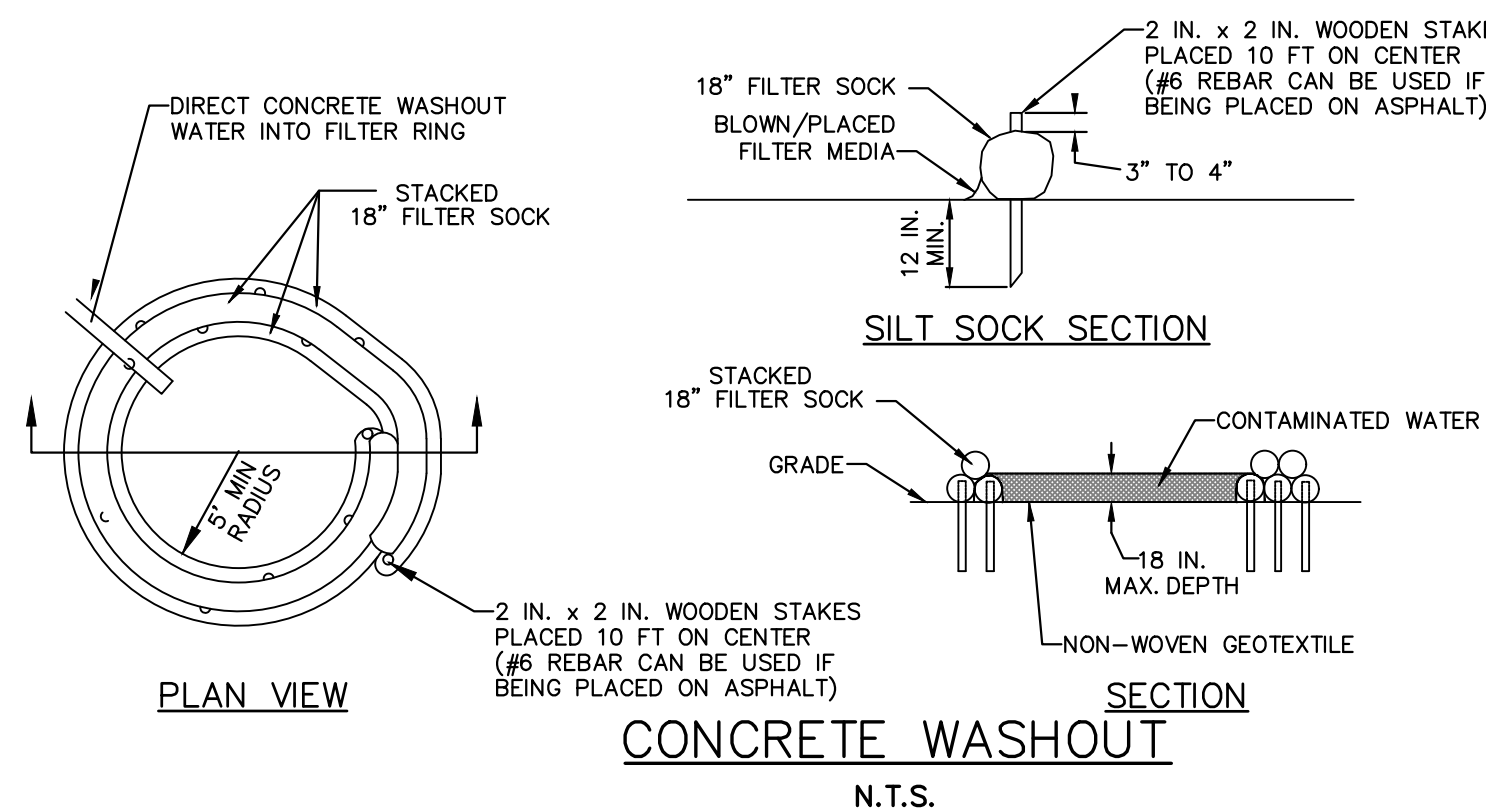
REMOVE TOPSOIL PRIOR TO INSTALLATION OF ROCK CONSTRUCTION ENTRANCE. INSTALL GEOTEXTILE AROUND INTERFACE AREAS WITH GROUND CONTACT. EXTEND ROCK OVER FULL WIDTH OF ENTRANCE.

MOUNTABLE BERM SHALL BE INSTALLED WHEREVER OPTIONAL CULVERT PIPE IS USED AND PROPER PIPE COVER AS SPECIFIED BY MANUFACTURER IS NOT OTHERWISE PROVIDED. PIPE SHALL BE SIZED APPROPRIATELY FOR SIZE OF DITCH BEING CROSSED.

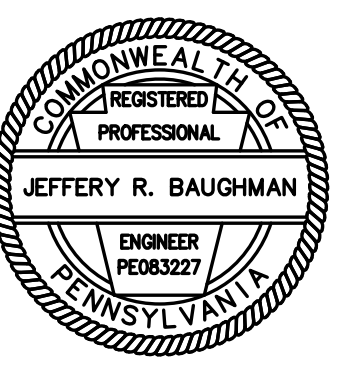
MAINTENANCE: ROCK CONSTRUCTION ENTRANCE THICKNESS SHALL BE CONSTANTLY MAINTAINED TO THE SPECIFIED DIMENSIONS BY ADDING ROCK. A STOCKPILE SHALL BE MAINTAINED ON SITE FOR THIS PURPOSE. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE REMOVED AND RETURNED TO THE CONSTRUCTION SITE IMMEDIATELY. IF EXCESSIVE AMOUNTS OF SEDIMENT ARE BEING DEPOSITED ON ROADWAY, EXTEND LENGTH OF ROCK CONSTRUCTION ENTRANCE BY 50 FOOT INCREMENTS UNTIL CONDITION IS ALLEVIATED OR INSTALL WASH RACK. WASHING THE ROADWAY OR SWEEPING THE DEPOSITS INTO ROADWAY DITCHES, SEWERS, CULVERTS, OR OTHER DRAINAGE COURSES IS NOT ACCEPTABLE.

REMOVE THE ROCK CONSTRUCTION ENTRANCE WHEN NO LONGER REQUIRED. REMOVE AND PROPERLY DISPOSE OF ALL ROCK, GEOTEXTILE AND ACCUMULATED SEDIMENT. BACK FILL AND STABILIZE PAVING AS INDICATED IN THE PLANS

**ROCK CONSTRUCTION ENTRANCE**  
N.T.S.



**CONCRETE WASHOUT**  
N.T.S.



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

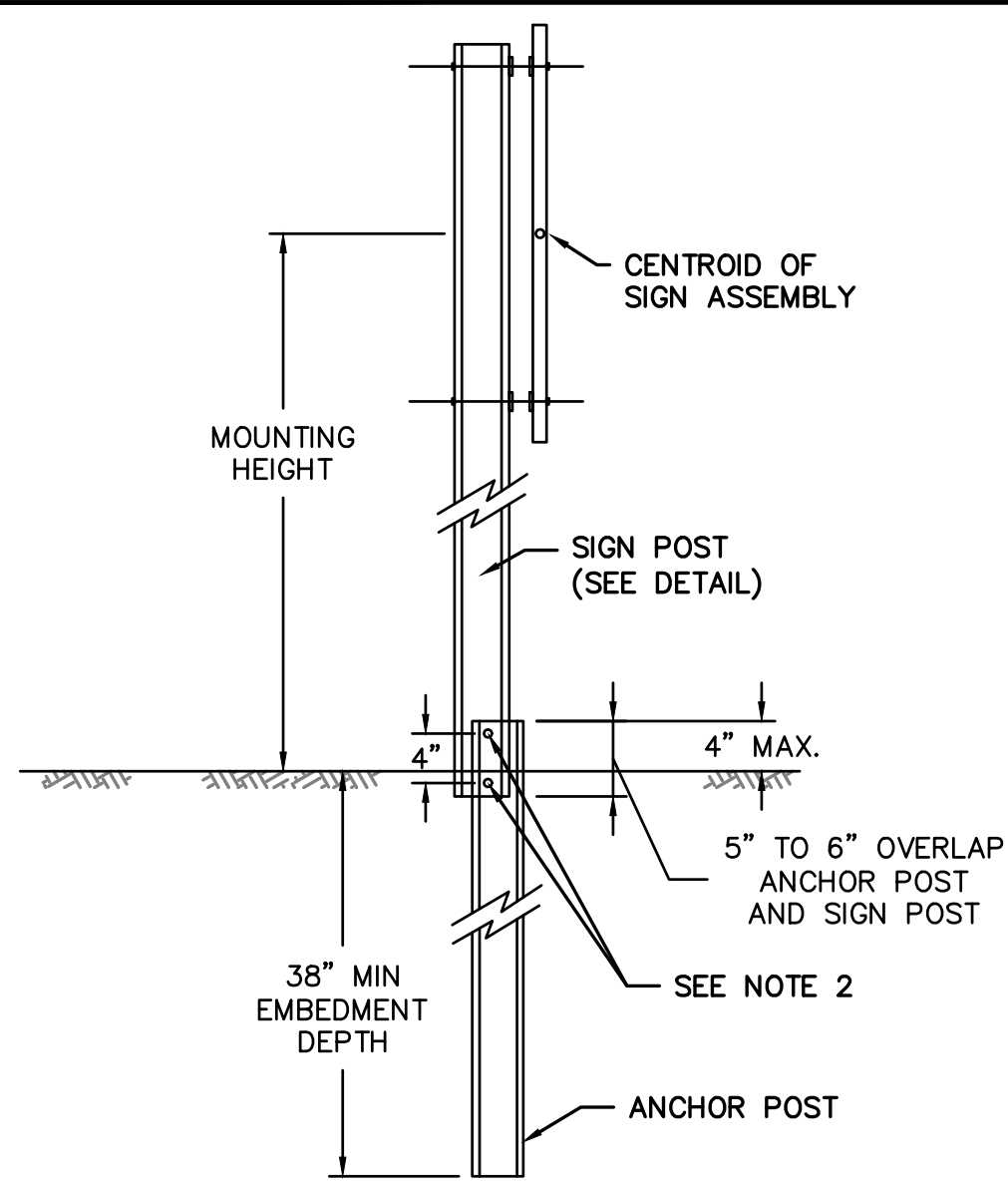
SHEET NAME

**DETAILS**

PROJECT NO.  
**21-330**

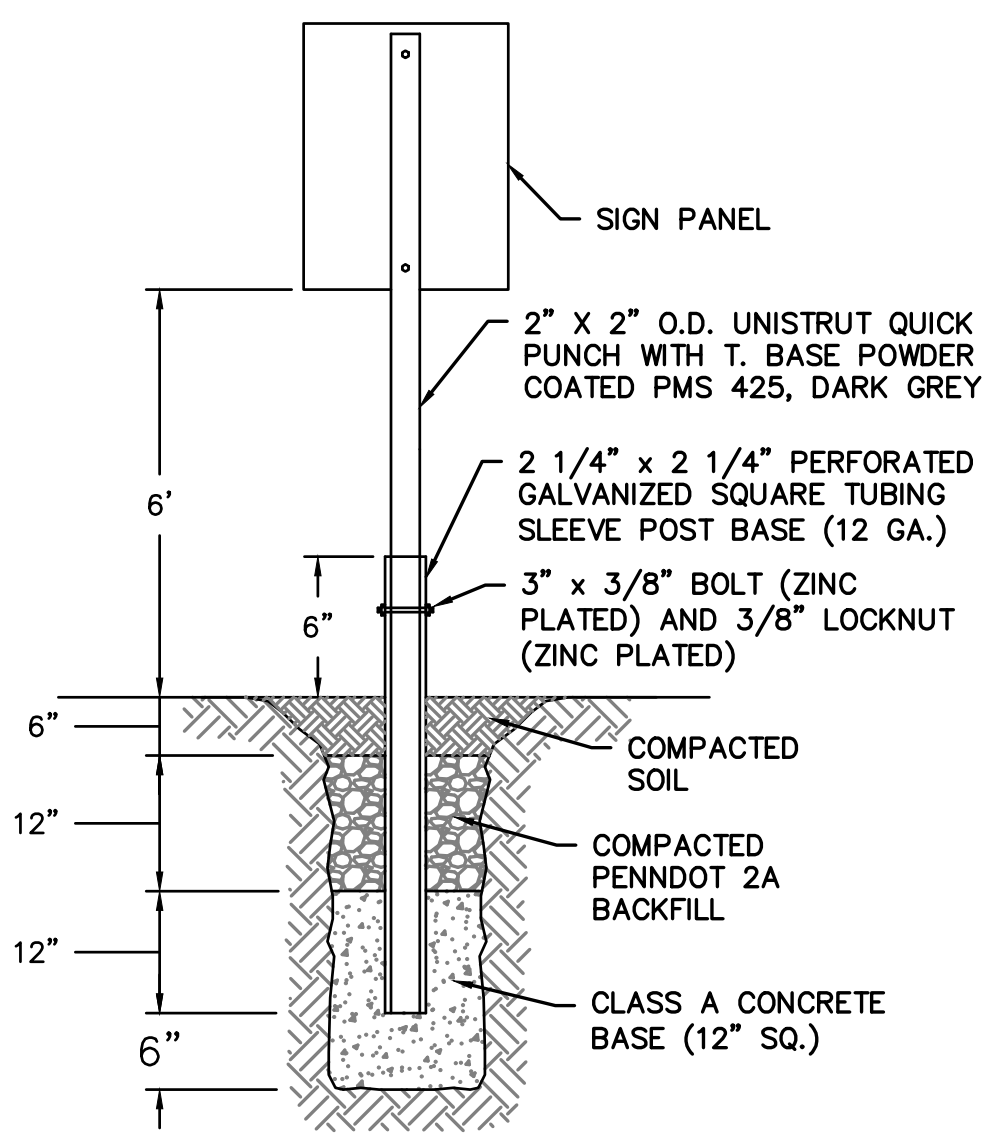
DATE  
**05/03/2023**

SHEET NO.  
**D1**



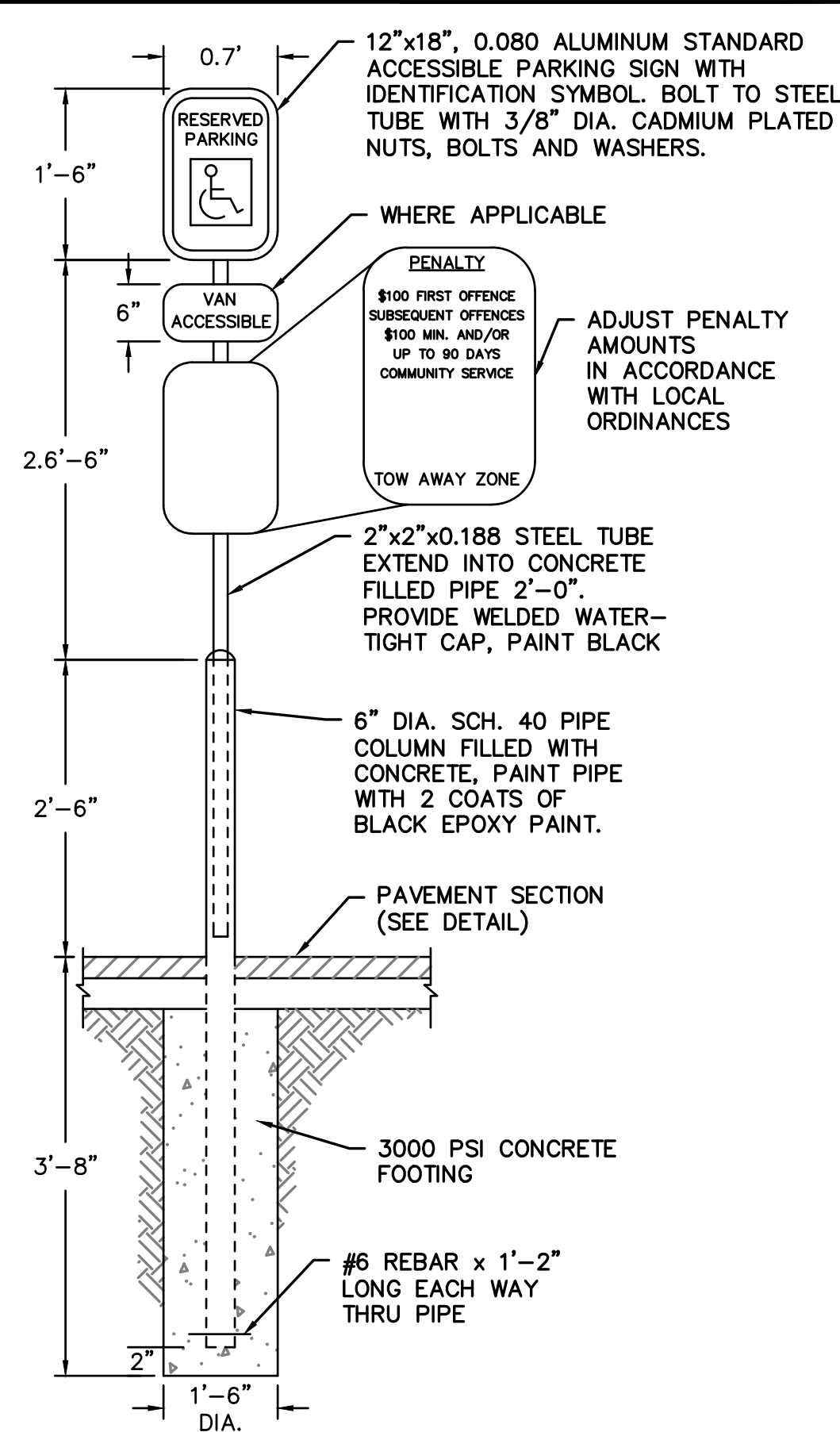
- NOTES:**
1. TO BE USED FOR ALL NEW SIGN INSTALLATIONS & EXISTING SIGN RELOCATIONS.
  2. ANCHOR BOLT, SPACER, LOCKNUT AND WASHER IN ACCORDANCE WITH PENNDOT PUB 408, LATEST EDITION.
  3. REFER TO PENNDOT PUB. 111M, TC-8600 STANDARD DETAILS FOR ADDITIONAL APPLICABLE INFORMATION.

**BREAKAWAY SIGN POST (TYPE B) DETAIL**  
NOT TO SCALE

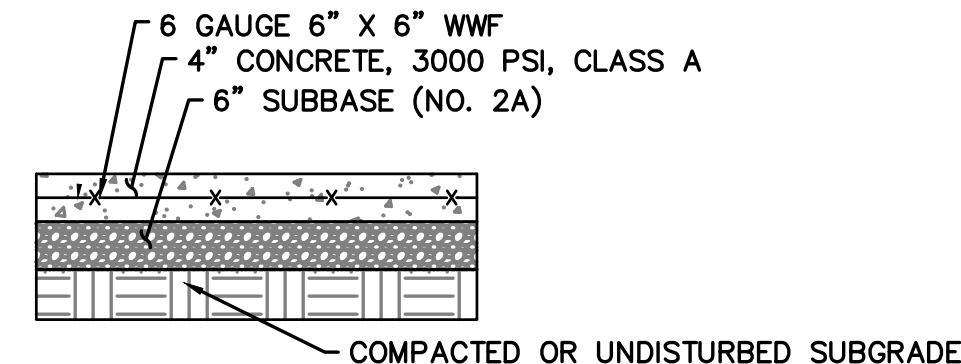


- NOTES:**
1. TO BE USED FOR ALL NEW SIGN INSTALLATIONS & EXISTING SIGN RELOCATIONS.

**POST-MOUNTED SIGN DETAIL**  
NOT TO SCALE

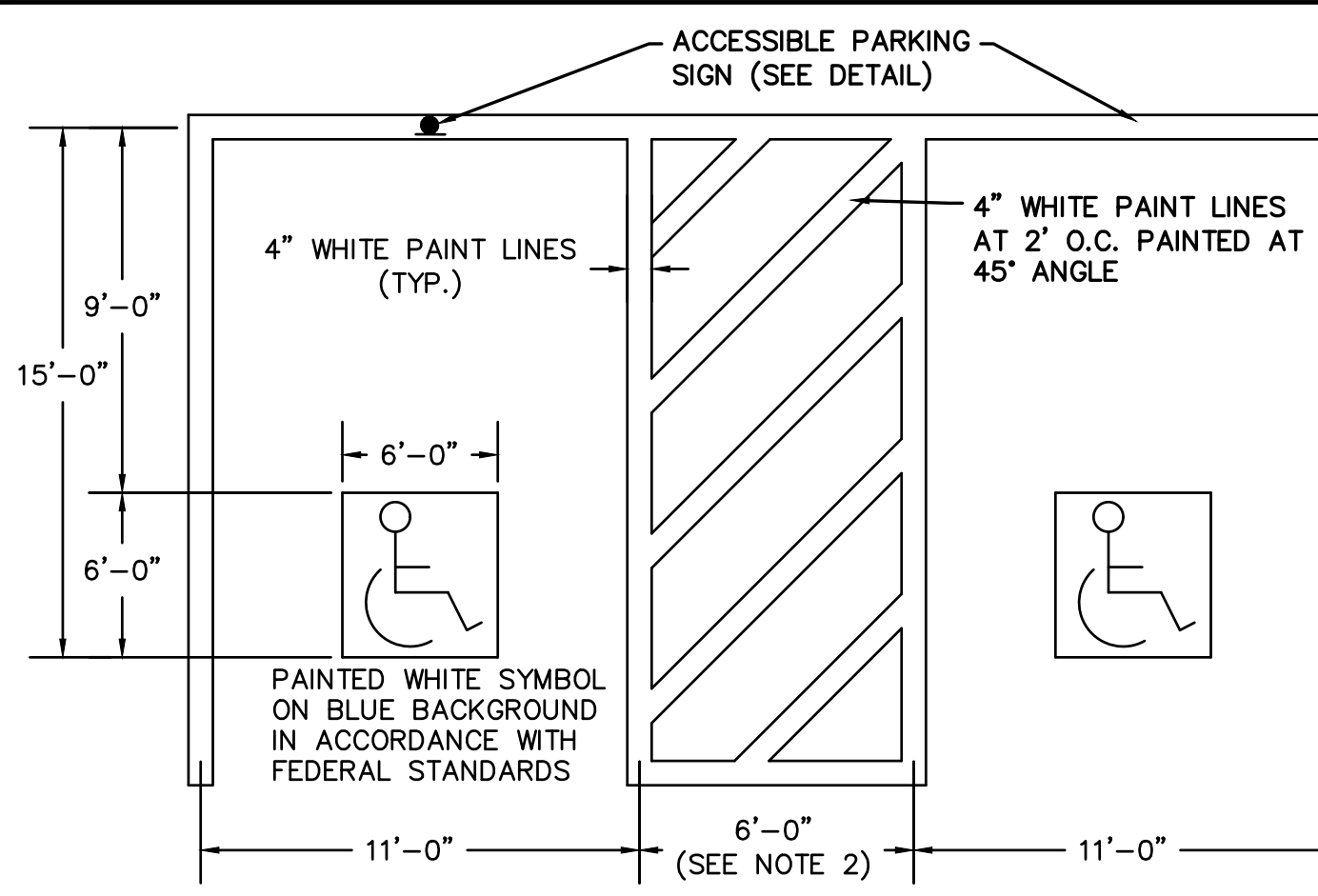


**TYPICAL ACCESSIBLE PARKING SIGN**  
NOT TO SCALE



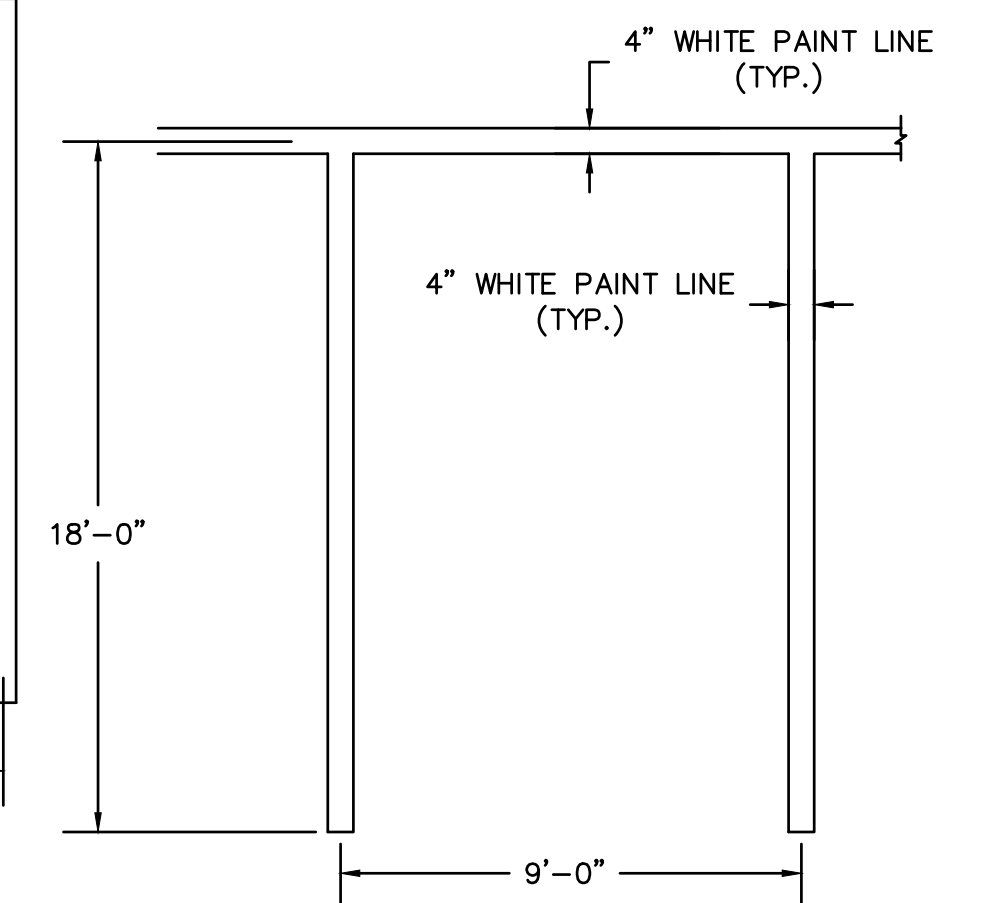
- NOTES:**
1. PROVIDE 3/4" EXPANSION JOINT EVERY 20' O.C. UTILIZING POLYURETHANE JOINT FILLER 1/2" BELOW THE TOP OF SIDEWALK.
  2. PROVIDE TRANSVERSE TOOLED CONTROL JOINT EVERY 5' O.C.
  3. ALL SIDEWALKS WILL NEED TO HAVE A BROOM FINISH SO THEY PROVIDE A NON-SLIP SURFACE.
  4. ALL CONCRETE MUST MEET ALL SPECIFICATIONS WITHIN PENNDOT PUBLICATION 408, MOST CURRENT EDITION, FOR MATERIALS AND TESTING.

**CONCRETE SIDEWALK/BIKE RACK PAD DETAIL**  
NOT TO SCALE



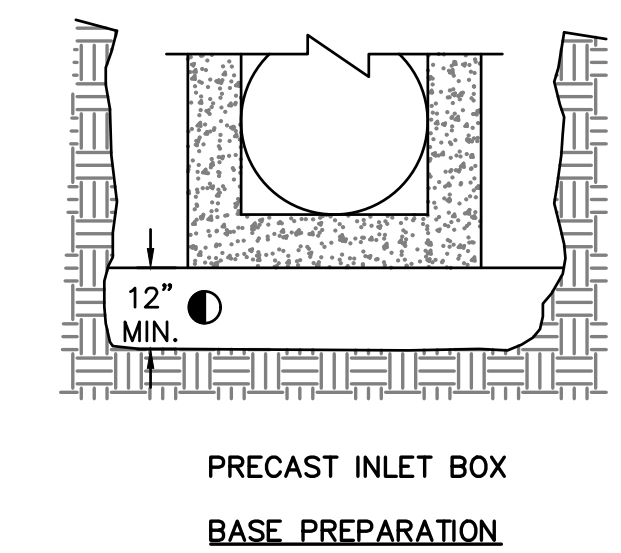
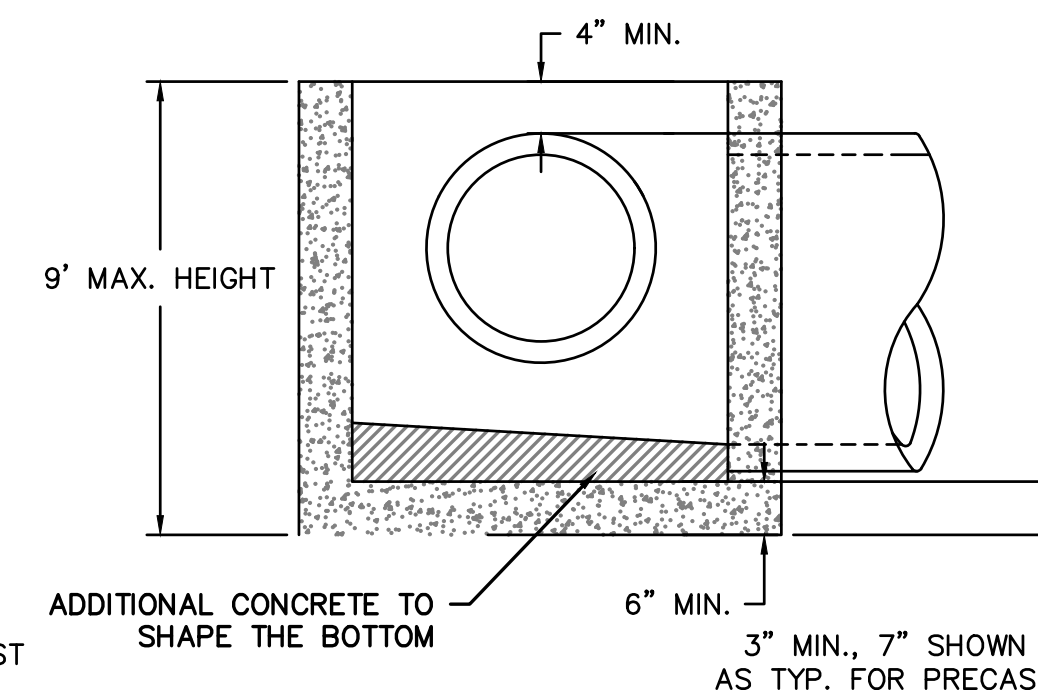
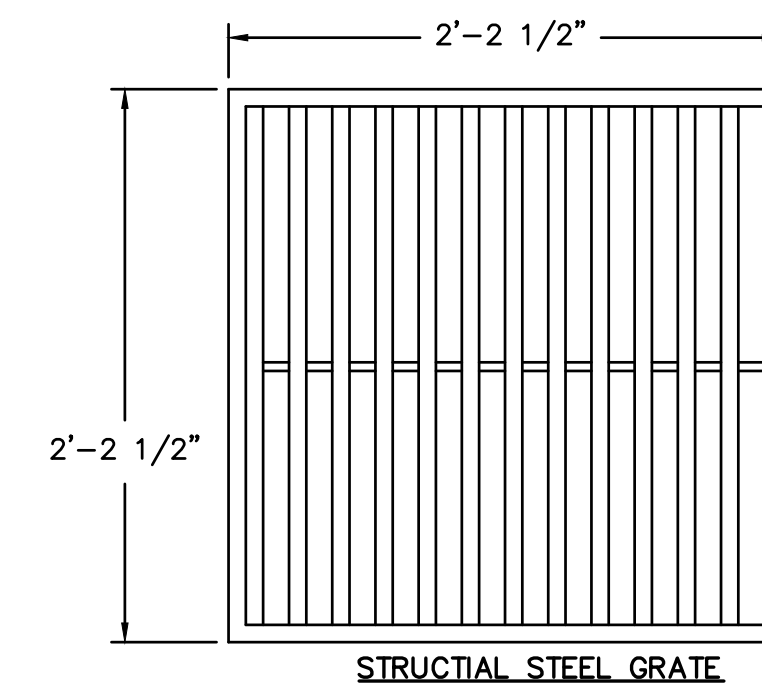
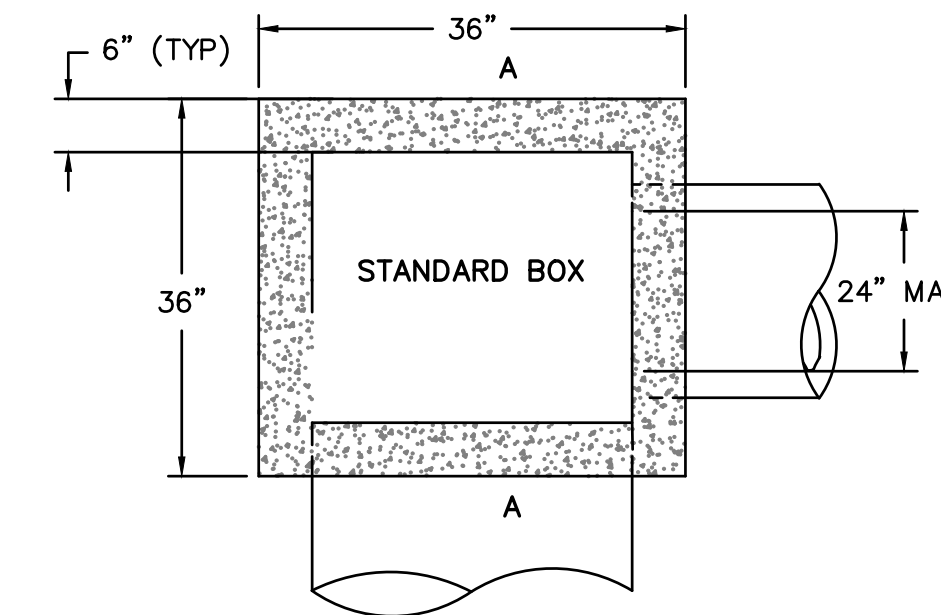
- NOTES:**
1. SEE SITE PLAN FOR ACCESSIBLE SPACE LOCATION AND DIMENSIONS.
  2. PAINTED ISLAND SHALL BE 6'-0" FOR ALL VAN ACCESSIBLE SPACES.
  3. PROVIDE 2 COATS OF PAINT ON ALL SURFACES.

**TYPICAL ACCESSIBLE PARKING SPACE DETAIL**  
NOT TO SCALE



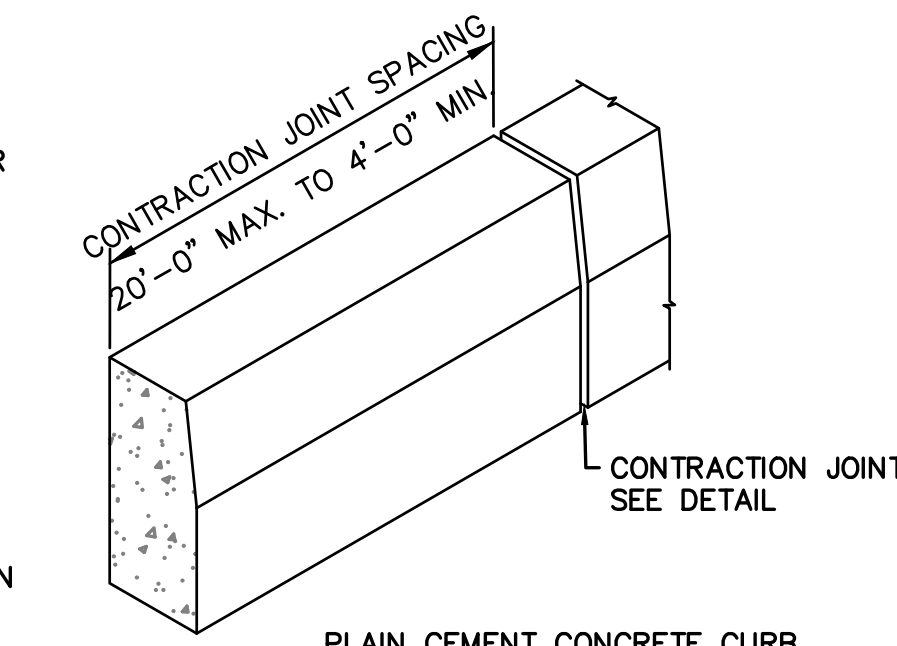
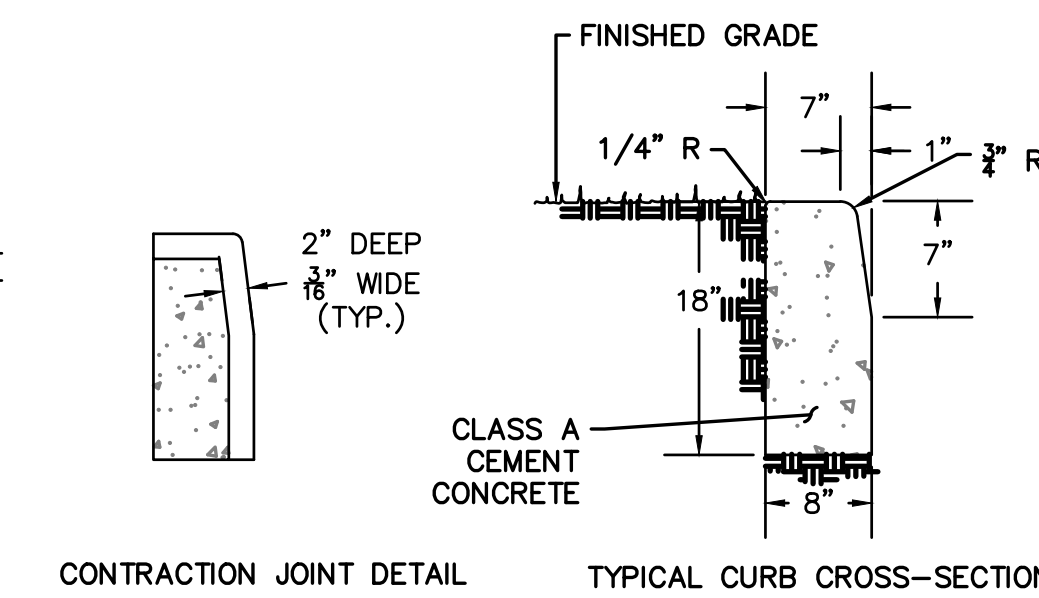
- NOTES:**
1. PROVIDE 2 COATS OF PAINT ON ALL SURFACES.
  2. SEE PLAN FOR ACTUAL SPARE LOCATION AND DIMENSIONS

**TYPICAL PARKING SPACE DETAIL**  
NOT TO SCALE



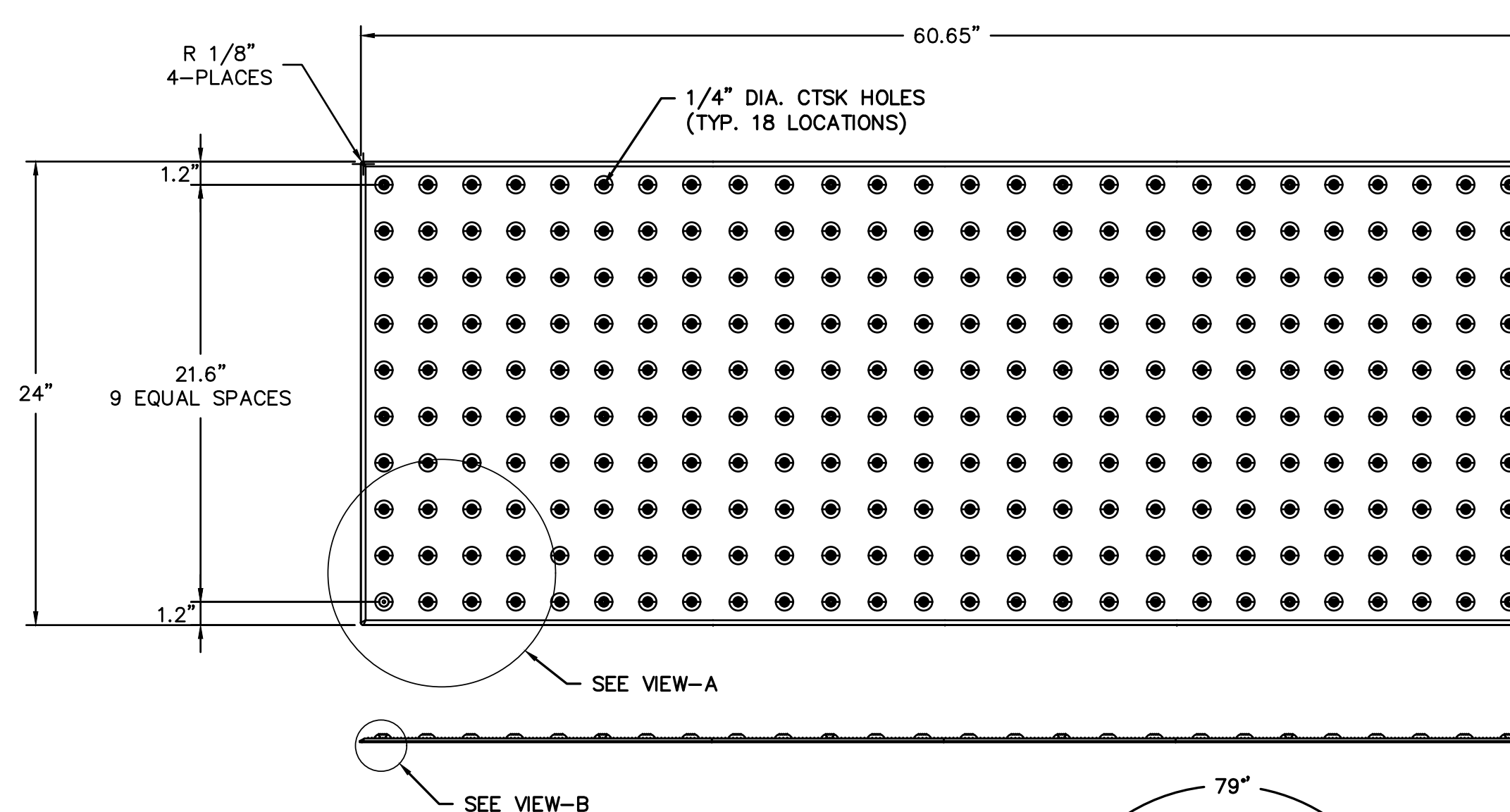
**PRECAST CONCRETE INLET BOX**  
N.T.S.

- NOTE:**
1. PLACE MATERIAL MEETING THE REQUIREMENTS OF PUBLICATION 408 SEC 350.2, IN 4" LAYERS COMPACTED TO A DENSITY SATISFACTORY TO THE ENGINEER.

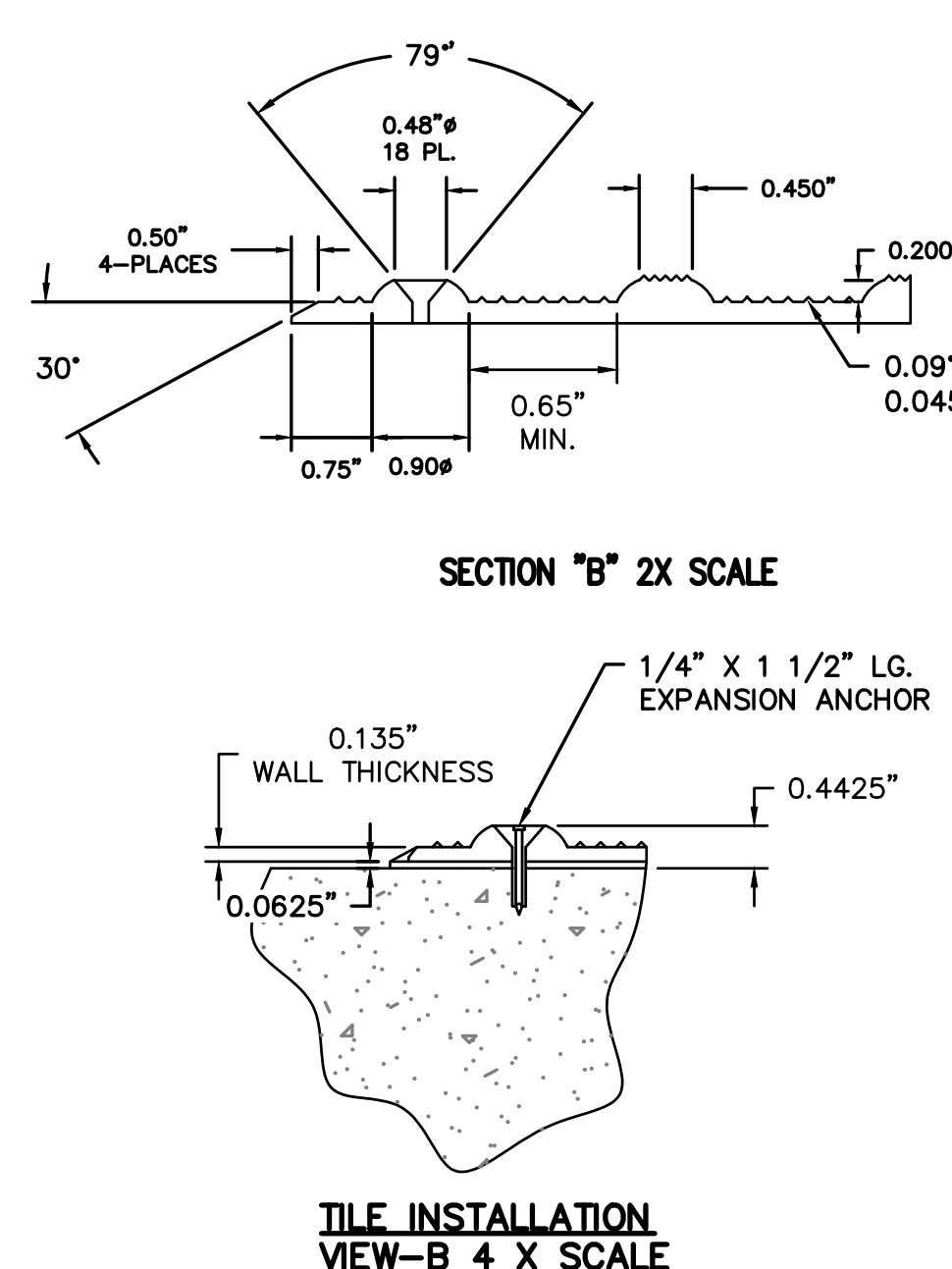


- NOTES:**
1. CONSTRUCT ALL CURBING IN ACCORDANCE WITH PENNDOT ROADWAY CONSTRUCTION DRAWING (RC-64). PROVIDE MATERIALS AND CONSTRUCTION MEETING THE REQUIREMENTS OF PUB. 408, SECTION 630 FOR PLAIN CONCRETE CURB.
  2. SPACE CONTRACTION JOINTS IN UNIFORM LENGTHS OR SECTIONS.
  3. PLACE 3/4-INCH PREMOLDED EXPANSION JOINT FILLER MATERIAL AT STRUCTURES AND AT THE END OF THE WORK DAY. CUT MATERIAL TO CONFORM TO AREA ADJACENT TO CURB OR TO CONFORM TO CROSS SECTIONAL AREA OF CURB.

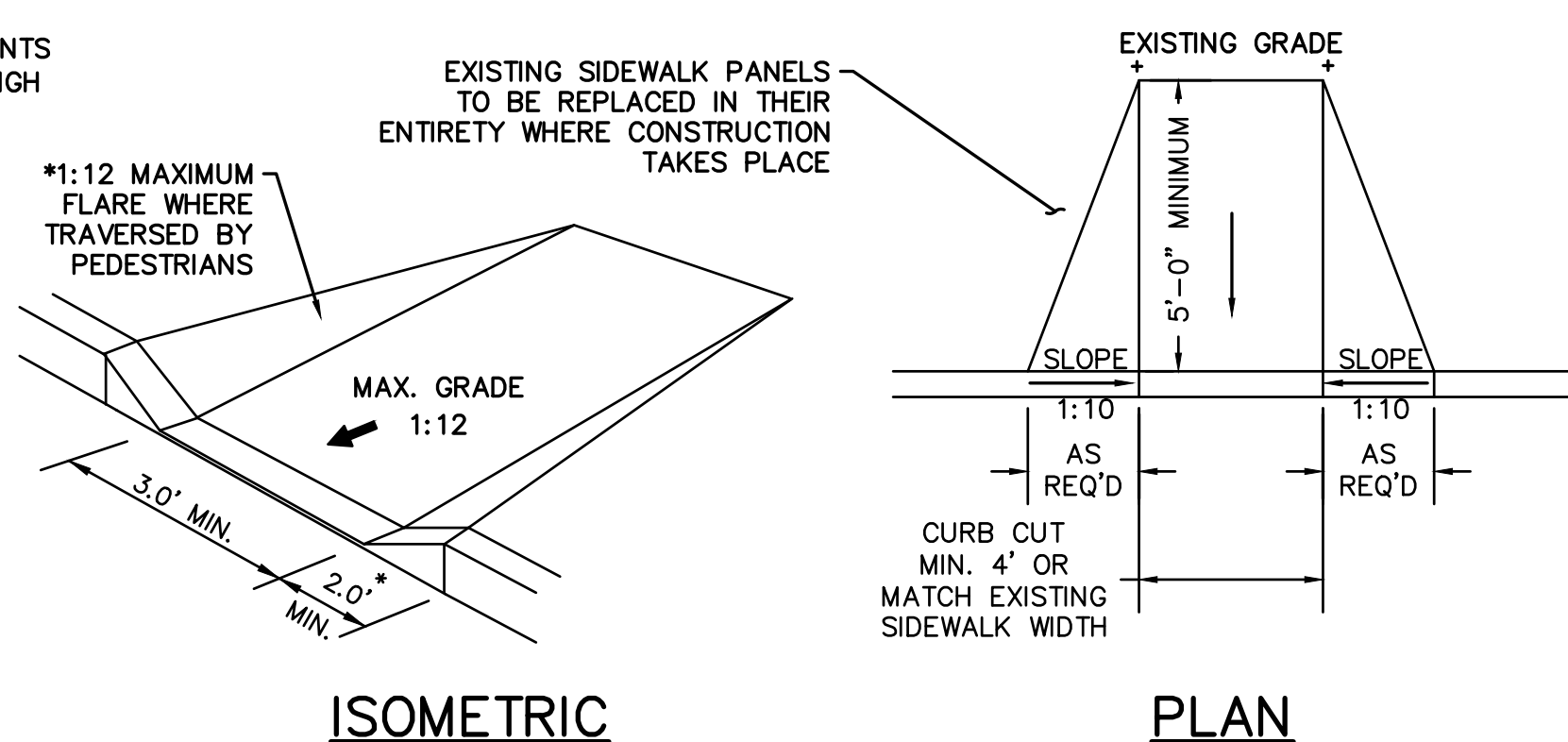
**CONCRETE CURB DETAIL**  
NOT TO SCALE



**DETECTABLE WARNING SURFACE**  
NOT TO SCALE

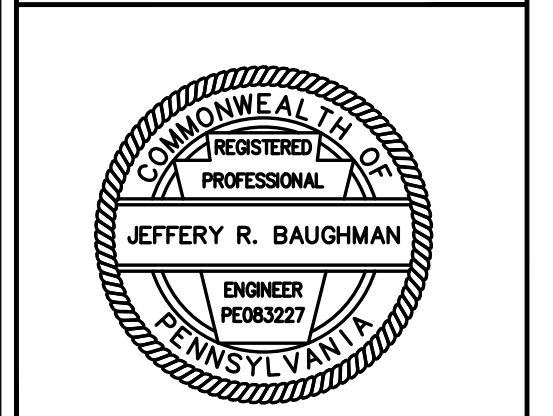


**TILE INSTALLATION**  
VIEW-B 4 X SCALE



- NOTES:**
1. ALL TRANSITIONS ARE TO BE TROWELED SMOOTH-NO SHARP EDGES
  2. SEE SITE AND BUILDING PLANS FOR RAMP LOCATIONS
  3. RAMP CONSTRUCTION IN ACCORDANCE WITH PA DOT STANDARDS (RC-67M)

**ACCESSIBLE RAMP DETAIL**  
NOT TO SCALE



SURVEYOR ----- CES  
CADD ----- JJJ  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 02/15/23 - TWP COMMENTS  
REV 3 - 03/23/23 - TWP COMMENTS  
REV 4 - 05/03/23 - TWP COMMENTS

REVISIONS

**PGH REAL ESTATE HOLDINGS LLC**

**125 E PINE GROVE ROAD DEVELOPMENT**

FERGUSON TOWNSHIP, CENTRE COUNTY, PA

SHEET NAME

**DETAILS**

PROJECT NO.  
**21-330**

DATE  
**05/03/2023**

SHEET NO.  
**D2**

**STANDARD EROSION AND SEDIMENT CONTROL PLAN NOTES:**

1. ALL EARTH DISTURBANCES, INCLUDING CLEARING AND GRUBBING AS WELL AS CUTS AND FILLS SHALL BE DONE IN ACCORDANCE WITH THE APPROVED E&S PLAN, A COPY OF THE APPROVED DRAWINGS (STAMPED, SIGNED, AND DATED BY THE REVIEWING AGENCY) SHALL BE NOTIFIED OF ANY CHANGES TO THE APPROVED PLAN PRIOR TO IMPLEMENTATION OF THOSE CHANGES. THE REVIEWING AGENCY WILL REQUIRE A WRITTEN SUBMITTAL OF THOSE CHANGES FOR REVIEW AND APPROVAL AT ITS DISCRETION.
2. AT LEAST 7 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES, INCLUDING CLEARING AND GRUBBING, THE OWNER AND/OR OPERATOR SHALL INVITE ALL CONTRACTORS, THE LANDOWNER, APPROPRIATE MUNICIPAL OFFICIALS, THE E&S PLAN PREPARER, THE PCSM PLAN PREPARER, THE LICENSED PROFESSIONAL RESPONSIBLE FOR OVERSITE OF THE CRITICAL STAGES OF IMPLEMENTATION OF THE PCSM PLAN, AND A REPRESENTATIVE FROM THE LOCAL CONSERVATION DISTRICT TO AN ON SITE PRE-CONSTRUCTION MEETING.
3. AT LEAST 3 DAYS PRIOR TO STARTING ANY EARTH DISTURBING ACTIVITIES, OR EXPANDING INTO AN AREA PREVIOUSLY UNMARKED, THE PENNSYLVANIA ONE CALL SYSTEM INC. SHALL BE NOTIFIED AT 1-800-242-1776 FOR THE LOCATION OF EXISTING UNDERGROUND UTILITIES.
4. ALL EARTH DISTURBANCE ACTIVITIES SHALL PROCEED IN ACCORDANCE WITH THE SEQUENCE PROVIDED ON THE PLAN DRAWINGS. DEVIATION FROM THAT SEQUENCE MUST BE APPROVED IN WRITING FROM THE LOCAL CONSERVATION DISTRICT OR BY PADEP PRIOR TO IMPLEMENTATION.
5. AREAS TO BE FILLED ARE TO BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL.
6. CLEARING, GRUBBING AND TOPSOIL STRIPPING SHALL BE LIMITED TO THOSE AREAS DESCRIBED IN EACH STAGE OF THE CONSTRUCTION SEQUENCE. GENERAL SITE CLEARING, GRUBBING AND TOPSOIL STRIPPING MAY NOT COMMENCE IN ANY STAGE OR PHASE OF THE PROJECT UNTIL THE E&S BMPs SPECIFIED BY THE BMP SEQUENCE FOR THAT STAGE OR PHASE HAVE BEEN INSTALLED AND ARE FUNCTIONING AS DESCRIBED IN THE E&S PLAN.
7. AT NO TIME SHALL CONSTRUCTION VEHICLES BE ALLOWED TO ENTER AREAS OUTSIDE THE LIMIT OF DISTURBANCE BOUNDARIES SHOWN ON THE PLAN MAPS. THESE AREAS MUST BE CLEARLY MARKED AND FENCED OFF BEFORE CLEARING AND GRUBBING OPERATIONS BEGIN.
8. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED AT THE LOCATION(S) SHOWN ON THE PLAN MAP(S) IN THE AMOUNT NECESSARY TO COMPLETE THE FINISH GRADING OF ALL EXPOSED AREAS THAT ARE TO BE STABILIZED BY VEGETATION. EACH STOCKPILE SHALL BE PROTECTED IN THE MANNER SHOWN ON THE PLAN DRAWINGS. STOCKPILE HEIGHTS SHALL NOT EXCEED 35 FEET. STOCKPILE SLOPES SHALL BE 2H:1V OR FLATTER.
9. IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE OPERATOR SHALL IMPLEMENT APPROPRIATE BEST MANAGEMENT PRACTICES TO MINIMIZE THE PROTECTION OF EXISTING DRAINAGE FEATURES AND NOTIFY THE LOCAL CONSERVATION DISTRICT AND/OR THE REGIONAL OFFICE OF THE DEPARTMENT.
10. ALL THE ANTICIPATED WASTE SHALL BE REMOVED FROM THE SITE AND RECYCLED OR DISPOSED OF IN ACCORDANCE WITH THE DEPARTMENT'S SOLID WASTE MANAGEMENT REGULATIONS AT PA 25 CODE 260.1 ET SEQ., 271.1 AND 287.1 ET. SEQ. NO BUILDING MATERIALS OR WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURNED, BURIED, DUMPED, OR DISCHARGED AT THE SITE.
11. ALL OFF-SITE WASTE AND BORROW AREAS MUST HAVE AN E&S PLAN, APPROVED BY THE LOCAL CONSERVATION DISTRICT OR THE DEPARTMENT, FULLY IMPLEMENTED PRIOR TO BEING ACTIVATED.
12. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ANY MATERIAL BROUGHT ONTO THE SITE IS CLEAN FILL. FORM FOOT MUST BE RETAINED BY THE PROPERTY OWNER FOR ANY FILL MATERIAL AFFECTED BY A SPILL OR RELEASED OF A REGULATED SUBSTANCE BUT QUALIFYING AS CLEAN FILL DUE TO ANALYTICAL TESTING.
13. ALL PUMPING OF WATER FROM ANY WORK AREA UNDER UNDISTURBED VEGETATED AREAS SHALL BE DONE ACCORDING TO THE PROCEDURE DESCRIBED IN THIS PLAN.
14. VEHICLES AND EQUIPMENT MUST ENTER AND EXIT THE PROPOSED SITE FROM USING THE INDICATED ACCESS ROUTES.
15. SEDIMENT TRACKED ONTO ANY PUBLIC ROADWAY OR SIDEWALK SHALL BE RETURNED TO THE CONSTRUCTION SITE BY THE END OF EACH WORK DAY AND DISPOSED IN A MANNER DESCRIBED IN THIS PLAN. IN NO CASE SHALL THE SEDIMENT BE WASHED, SHOVELED, OR SWEEP INTO ANY ROADSIDE DITCH, STORM SEWER, OR SURFACE WATER.
16. EARTH DISTURBANCE SHALL PROCEED IN THE FOLLOWING MANNER:
  - A. MINIMIZE THE EXTENT AND DURATION OF EARTH DISTURBANCE
  - B. MINIMIZE SOIL COMPACTION AND ENVIRONMENTAL IMPACT
  - C. MAXIMIZE PROTECTION OF EXISTING DRAINAGE FEATURES AND VEGETATION
  - D. USE TEMPORARY COVER FOR ALL DISTURBED AREAS THAT WILL BE DISTURBED AGAIN PRIOR TO COMPLETION.
  - E. UTILIZE OTHER MEASURES OR CONTROLS THAT PREVENT OR MINIMIZE THE GENERATION OF INCREASED STORMWATER RUNOFF.
17. ALL SEDIMENT REMOVED FROM BMPs SHALL BE DISPOSED OF IN THE MANNER DESCRIBED ON THE PLAN DRAWINGS.
18. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 3 TO 5 INCHES (6 TO 12 INCHES ON COMPACTED SOILS) PRIOR TO PLACEMENT OF TOPSOIL. AREAS TO BE VEGETATED SHALL HAVE A MINIMUM OF 4 INCHES OF TOPSOIL IN PLACE PRIOR TO SEEDING AND MULCHING. FILL OUTSLOPES SHALL HAVE A MINIMUM OF 2 INCHES OF TOPSOIL.
19. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
20. ALL EARTHEN FILLS SHALL BE PLACED IN COMPACTED LAYERS NOT TO EXCEED 6 INCHES IN THICKNESS.
21. FILL MATERIALS SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOIL, OR OTHER FOREIGN OR OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
22. FROZEN MATERIALS OR SOFT, MUKY, OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILLS.
23. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
24. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATIONS FOR SUBSURFACE DRAIN OR OTHER APPROVED METHODS.
25. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY UPON REACHING FINISH GRADE. CUT SLOPES IN COMPLETE BEDROCK AND ROCK FILLS NEED NOT BE VEGETATED. SEEDED AREAS WITHIN 50 FEET OF A SURFACE WATER, OR AS OTHERWISE SHOWN ON THE PLAN DRAWINGS, SHALL BE BLANKETED ACCORDING TO THE STANDARDS OF THIS PLAN.
26. IMMEDIATELY AFTER EARTH DISTURBANCE ACTIVITIES CEASE IN ANY AREA OR SUBAREA OF THE PROJECT, THE OPERATOR SHALL STABILIZE ALL DISTURBED AREAS. DURING NON-GERMINATING MONTHS, MULCH OR PROTECTIVE BLANKETING SHALL BE APPLIED AS DESCRIBED IN THE PLAN. AREAS NOT AT FINISHED GRADE, WHICH WILL BE REACTIVATED WITHIN 1 YEAR MAY BE STABILIZED IN ACCORDANCE WITH THE TEMPORARY STABILIZATION SPECIFICATIONS. THOSE AREAS WHICH WILL NOT BE REACTIVATED WITHIN 1 YEAR SHALL BE STABILIZED IN ACCORDANCE WITH THE PERMANENT STABILIZATION SPECIFICATIONS.
27. PERMANENT STABILIZATION IS DEFINED AS A MINIMUM UNIFORM, PERENNIAL 70% VEGETATIVE COVER OR OTHER PERMANENT NON-VEGETATIVE COVER WITH A DENSITY SUFFICIENT TO RESIST ACCELERATED EROSION. CUT AND FILL SLOPES SHALL BE CAPABLE OF RESISTING FAILURE DUE TO SLUMPING, SLIDING, OR OTHER MOVEMENTS.
28. E&S BMPs SHALL REMAIN FUNCTIONAL UNTIL ALL AREAS TRIBUTARY TO THEM ARE PERMANENTLY STABILIZED OR UNTIL THEY ARE REPLACED BY ANOTHER BMP APPROVED BY THE LOCAL CONSERVATION DISTRICT OR THE DEPARTMENT.
29. UPON COMPLETION OF ALL EARTH DISTURBANCE ACTIVITIES AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS, THE OWNER AND/OR OPERATOR SHALL CONTACT THE LOCAL CONSERVATION DISTRICT FOR AN INSPECTION PRIOR TO REMOVAL/CONVERSION OF THE E&S BMPs.
30. AFTER FINAL SITE STABILIZATION HAS BEEN ACHIEVED, TEMPORARY EROSION AND SEDIMENT BMPs MUST BE REMOVED OR CONVERTED TO PERMANENT POST CONSTRUCTION STORMWATER MANAGEMENT BMPs. AREAS DISTURBED DURING REMOVAL OR CONVERSION OF THE BMPs SHALL BE STABILIZED IMMEDIATELY, IN ORDER TO ENSURE RAPID REVEGETATION OF DISTURBED AREAS, SUCH REMOVAL/CONVERSIONS ARE TO BE DONE ONLY DURING THE GERMINATION SEASON.
31. UPON COMPLETION OF ALL EARTH DISTURBANCE ACTIVITIES AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS, THE OWNER AND/OR OPERATOR SHALL CONTACT THE LOCAL CONSERVATION DISTRICT TO SCHEDULE A FINAL INSPECTION.
32. TO MINIMIZE THE EXTENT AND DURATION OF EARTH DISTURBANCE, A SEQUENCE OF CONSTRUCTION FOR EARTHMOVING ACTIVITIES HAS BEEN PROVIDED ON THE E&S PLAN AND WAS FORMULATED TO EXPOSE ONLY THE MINIMAL AREA NECESSARY TO COMPLETE THIS PROJECT.
33. SINCE THIS PROJECT PROPOSES TO RE-DEVELOPMENT TWO EXISTING COMMERCIAL SITES, NO EXISTING NATURAL DRAINAGE FEATURES EXIST FROM BEFORE. NO ADDITIONAL MEASURES NEEDED TO BE TAKEN TO PROTECT THEM.
34. TO MINIMIZE THE AMOUNT OF SOIL COMPACTION OCCURRING ON SITE, EARTHMOVING ACTIVITIES WILL DISTURB ONLY THE AREA NECESSARY TO COMPLETE THIS PROJECT. ALL AREAS THAT WILL BE USED FOR INFILTRATION IN THE POST-DEVELOPMENT CONDITION WILL NEED TO BE PROTECTED SO UNNECESSARY COMPACTION SHOULDN'T OCCUR. ALSO DURING CONSTRUCTION OF THE PROPOSED BMPs, THE BOTTOMS WILL NEED TO BE TILLED BEFORE THE PLACEMENT OF THE TOP SOIL. PERIMETER SLOPES WILL BE SEEDED AND STABILIZED QUICKLY AFTER THE GRADING OF THOSE AREAS HAS BEEN COMPLETED.
35. MEASURES OR CONTROLS USED DURING CONSTRUCTION TO PREVENT OR MINIMIZE THE INCREASED STORMWATER RUNOFF ARE AS FOLLOWS:
  - RUNOFF THAT FILTERS THROUGH THE SILT SOCK WILL BE ALLOWED TO SHEET FLOW ACROSS THE GROUND BEFORE HAND TO ALLOW FOR SOME RUNOFF TO INFILTRATE BACK INTO THE GROUND.
  - PERIMETER SLOPES AND OTHER AREAS THAT WILL BE SHARPED ONCE DURING THE COMPLETION OF THIS PROJECT ARE SPECIFIED TO BE SEEDED AND STABILIZED QUICKLY SO THEY ARE VEGETATED WHILE THE MAIN PROJECT IS UNDER CONSTRUCTION.
  - INFILTRATION FACILITIES WILL BE CONSTRUCTED TO REDUCE THE VOLUME OF STORMWATER RUNOFF.

**EROSION AND SEDIMENT CONTROL PLAN NOTES:**

1. IN ALL CASES THE SMALLEST PRACTICAL AREA OF LAND SURFACES SHALL BE DISTURBED.
2. EROSION AND SEDIMENTATION CONTROLS MUST BE CONSTRUCTED, STABILIZED, AND FUNCTIONAL BEFORE SITE DISTURBANCE WITHIN THE TRIBUTARY AREAS OF THOSE CONTROLS.
3. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY EXISTING STORM DRAIN OR DITCH THROUGH USE OF FILTER SOCK, STRAW BLANKETS, AND ROCK FILTERS.
4. ALL CONSTRUCTION TRAFFIC SHALL ENTER AND EXIT THE SITE VIA THE PROPOSED ROCK CONSTRUCTION ENTRANCE.
5. FILL MATERIAL FOR EMBANKMENTS SHALL BE FREE OF ROOTS, OTHER WOODY VEGETATION, ORGANIC MATERIAL, LARGE STONES, OR OTHER OBJECTIONABLE MATERIALS. THE EMBANKMENT SHALL BE COMPACTED IN MAXIMUM OF 6 INCH LIFTS TO 95% OF PROCTOR.
6. EROSION CONTROL BLANKETING SHALL BE INSTALLED ON ALL SLOPES 3H:1V OR STEEPER, WITHIN 50 FEET OF A SURFACE WATER, AND ON ALL OTHER DISTURBED AREAS SPECIFIED ON THE PLAN MAPS AND/OR DETAIL SHEETS.

**CLEAN FILL AND ENVIRONMENTAL DUE DILIGENCE:**

1. ALL FILL IMPORTED TO THE PROJECT SITE MUST MEET PADEP CLEAN FILL STANDARDS. IT SHALL BE THE CONTRACTORS' RESPONSIBILITY TO PERFORM ENVIRONMENTAL DUE DILIGENCE TO ENSURE IMPORTED FILL MEETS THE CLEAN FILL REQUIREMENTS. THE CONTRACTOR SHALL USE ENVIRONMENTAL DUE DILIGENCE TO ENSURE THAT THE FILL MATERIAL ASSOCIATED WITH THIS PROJECT QUALIFIES AS CLEAN FILL.
2. CLEAN FILL, AS DEFINED BY PADEP, IS UNCONTAMINATED, NON-WATER SOLUBLE, NON-DECOMPOSABLE INERT, SOLID MATERIAL. THE TERM INCLUDES SOIL, ROCK, STONE, DREGGED MATERIAL, USED ASPHALT, AND BRICK, BLOCK OR CONCRETE FROM REMOVAL OF AN EXISTING STRUCTURE THAT IS SEPARATE FROM OTHER WASTE AND IS RECOGNIZABLE AS SUCH. THIS TERM DOES NOT INCLUDE MATERIALS PLACED IN OR ON THE WATERS OF THE COMMONWEALTH UNLESS OTHERWISE AUTHORIZED. ENVIRONMENTAL DUE DILIGENCE INVOLVES PERFORMING INVESTIGATIVE TECHNIQUES, INCLUDING FIELD AND LABORATORY TESTS, RECORDS, ELECTRONIC DATA BASE SEARCHES, REVIEW OF PROPERTY OWNERSHIP, AND REVIEW OF PROPERTY USE HISTORY, SANBORN MAPS, ENVIRONMENTAL QUESTIONNAIRES, TRANSACTION SCREENS, ANALYTICAL TESTING, ENVIRONMENTAL ASSESSMENTS OR AUDITS.

**WASTE HANDLING:**

1. THE CONTRACTOR IS RESPONSIBLE FOR EARTH DISTURBANCE ACTIVITIES MUST ENSURE THAT PROPER MECHANISMS ARE IN PLACE TO CONTROL WASTE MATERIALS. CONSTRUCTION WASTES INCLUDE, BUT ARE NOT LIMITED TO, EXCESS SOIL MATERIALS, BUILDING MATERIALS, CONCRETE WASH WATER, SILT, AND OTHER WASTE MATERIALS THAT ARE NOT TO BE PLACED IN OR ON THE WATERS OF THE COMMONWEALTH UNLESS OTHERWISE AUTHORIZED. CONSTRUCTION WASTE MANAGEMENT PLAN SHALL BE DEVELOPED AND IMPLEMENTED FOR HOUSEKEEPING, MATERIALS MANAGEMENT, AND LITTER CONTROL. WHENEVER POSSIBLE, RECYCLING OF EXCESS MATERIALS IS PREFERRED, RATHER THAN DISPOSAL. DISPOSAL OF THE MATERIALS WILL BE THE RESPONSIBILITY OF THE OWNER. ALL WASTE SHALL BE DISPOSED OF IN A LEGAL MANNER IN ACCORDANCE WITH THE DEPARTMENT'S SOLID WASTE MANAGEMENT REGULATIONS AND ANY LOCAL AND STATE MANIFESTOS. NO BUILDING MATERIALS OR BUILDING WASTES SHALL BE BURIED, BURNED, DUMPED OR DISCHARGED AT THE SITE.
2. IF ANY ADDITIONAL WASTE STOCKPILES OUTSIDE OF THE LIMIT OF DISTURBANCE ARE REQUIRED, A REVISION TO THE EROSION AND SEDIMENT CONTROL PLAN MUST BE SUBMITTED TO THE APPLICABLE REVIEW AGENCY. IF AN ADDITIONAL OFFSITE WASTE AREA IS REQUIRED, THE CONTRACTOR MAY NEED TO DEVELOP A SEPARATE E&S PLAN OR REVISE AN EXISTING PLAN. ANY NEWLY DEVELOPED WASTE AREA AND SUBSEQUENT REVISED EROSION AND SEDIMENTATION CONTROL PLAN(S) MUST BE APPROVED BY THE APPLICABLE REVIEW AGENCY.
3. SEDIMENT REMOVED FROM BMPs IN ACCORDANCE WITH THE MAINTENANCE PROGRAM AND GENERAL NOTES SHALL BE STOCKPILED AT AN APPROVED STOCKPILE AREA THAT SHALL BE COMPLETED AND SUBMITTED TO THE APPLICABLE REVIEW AGENCY WITHIN THE LIMIT OF WORK THIS APPROACH WILL ENSURE THAT THE PLACEMENT OR GRADING OF SEDIMENTS WILL BE UPSLOPE OF SEDIMENTATION CONTROL BMPs.

**GENERAL SEQUENCE OF CONSTRUCTION:**

ALL EARTH DISTURBANCE ACTIVITIES SHALL PROCEED IN ACCORDANCE WITH THE FOLLOWING SEQUENCE OF CONSTRUCTION. EACH STAGE SHALL BE COMPLETED AND IMMEDIATELY STABILIZED BEFORE ANY FOLLOWING STAGE IS INITIATED. CLEARING, GRUBBING, AND TOP SOIL STRIPPING SHALL BE LIMITED TO ONLY THOSE AREAS DESCRIBED IN EACH STAGE.

IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE OPERATOR SHALL IMPLEMENT APPROPRIATE BEST MANAGEMENT PRACTICES TO ELIMINATE THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION.

NOTE: THE SITE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL/IMPORT OF ANY EXCESS FILL MATERIAL OR TOP SOIL AS WELL AS SHALL MAKE SURE THE SITE(S) RECEIVING OR EXPORTING MATERIAL HAS AN APPROVED EROSION AND SEDIMENT CONTROL PLAN THAT MEETS THE CONDITIONS OF CHAPTER 102 AND/OR ANY OTHER STATE AND FEDERAL REGULATIONS.

NOTE: AREAS TO BE USED FOR INFILTRATION PURPOSES SHALL BE MARKED IN THE FIELD AND DISTURBANCE WITHIN THAT AREA KEPT TO A MINIMUM. ONLY SMALL TRACKED EQUIPMENT WILL BE ALLOWED TO BE USED WITHIN THESE AREAS AS NEEDED. DISC/TILL THE SUBGRADE BEFORE THE PLACEMENT OF ANY TOPSOIL.

1. AT LEAST 7 DAYS BEFORE STARTING ANY EARTH DISTURBANCE ACTIVITIES, THE OWNER AND/OR OPERATOR SHALL INVITE ALL CONTRACTORS INVOLVED IN ANY EARTHMOVING ACTIVITIES, THE LAND OWNER, ALL APPROPRIATE MUNICIPAL OFFICIALS, THE EROSION AND SEDIMENT CONTROL PLAN PREPARER, AND A REPRESENTATIVE OF SNYDER COUNTY CONSERVATION DISTRICT (COCD) FOR AN ON-SITE PRE-CONSTRUCTION MEETING.
2. AT LEAST 7 DAYS BEFORE STARTING ANY EARTH DISTURBANCE ACTIVITIES, ALL CONTRACTORS INVOLVED IN EARTHMOVING ACTIVITIES SHALL NOTIFY THE PENNSYLVANIA ONE CALL SYSTEM INCORPORATED AT 1-800-242-1776 FOR THE LOCATION OF EXISTING UNDERGROUND UTILITIES.
3. CLEARLY MARK ALL LIMITS OF DISTURBANCE PRIOR TO COMMENCING ANY EARTHMOVING ACTIVITIES.
4. INSTALL PERIMETER SILT SOCKS #1 THROUGH #4.
5. ONCE PERIMETER CONTROLS ARE IN PLACE, DEMO THE EXISTING FEATURES AS SHOWN ON PLAN. ALL MATERIALS WILL NEED TO BE DISPOSED OF IN ACCORDANCE TO DEP GUIDELINES. AS THE SIDEWALK IS BEING REMOVED, INSTALL ROCK CONSTRUCTION ENTRANCE #1 AS SHOWN ON THE PLAN. CLEAR AND GRUB ANY EXISTING TREES THAT ARE AFFECTED BY THE DEMOLITION AND ARE LOCATED WITHIN THE LIMITS OF DISTURBANCE.
6. ONCE PERIMETER CONTROLS ARE IN PLACE AND EQUIPMENT IS PROPERLY STAGED/MOBILIZED, CLEAR AND GRUB THE REMAINING LIMITS OF DISTURBANCE. STRIP OFF THE NECESSARY TOP SOIL TO MASS GRADE SITE. STOCK PILE ONLY ENOUGH TOP SOIL TO COVER THE DISTURBED WHEN COMPLETED WHERE INDICATED WITHIN THIS PLAN SET, SEED AND MULCH STOCKPILE IMMEDIATELY. THE REMAINING TOP SOIL WILL NEED TO BE REMOVED FROM THE SITE. \*\* NOTE \*\* AREAS TO BE USED FOR INFILTRATION PURPOSES SHALL BE MARKED IN THE FIELD AND DISTURBANCE WITHIN THAT AREA KEPT TO A MINIMUM. ONLY SMALL TRACKED EQUIPMENT WILL BE ALLOWED TO BE USED WITHIN THESE AREAS AS NEEDED. DISC/TILL THE SUBGRADE BEFORE THE PLACEMENT OF ANY TOPSOIL. \*\* NOTE \*\* THE SITE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL/IMPORT OF ANY EXCESS FILL MATERIAL OR TOP SOIL AS WELL AS SHALL MAKE SURE THE SITE(S) RECEIVING OR EXPORTING MATERIAL HAS AN APPROVED EROSION AND SEDIMENT CONTROL PLAN THAT MEETS THE CONDITIONS OF CHAPTER 102 AND/OR ANY OTHER STATE AND FEDERAL REGULATIONS.
7. COMMENCE MASS BULK EARTHMOVING ACTIVITIES NECESSARY TO BRING THE SITE TO SUBGRADE ELEVATIONS. THE DETENTION/INFILTRATION SYSTEM SHOULDN'T BE EXCAVATED NOW UNLESS FILL MATERIAL IS REQUIRED TO BRING THE SITE BROUGHT UP TO GRADE. CONSTRUCT THE PROPOSED RETAINING WALL AS THE SITE IS BEING BROUGHT UP TO GRADE. ALL 3:1 OR STEEPER SLOPES ACHIEVING FINAL GRADE SHALL BE COVERED WITH 6" STORMWATER STOCKPILE AREA, DISPOSAL OF DEBRIS/TRASH AND ALL OTHER WASTE MATERIAL REMOVED FROM EROSION AND SEDIMENT CONTROL BMPs SHALL BE IN COMPLIANCE WITH LOCAL, STATE AND FEDERAL WASTE REGULATIONS.
8. UPON REACHING FINAL SUB GRADE ELEVATIONS, THE CONSTRUCTION OF THE PARKING LOT AND BUILDING MODIFICATIONS CAN COMMENCE.
9. INSTALL CRITICAL STORMWATER INFRASTRUCTURE.
  - 9.1. INSTALL ALL UNDERGROUND FACILITIES, STORM SEWER STARTING AT THE DOWNSTREAM END AND THEN PROCEEDING UPSTREAM, AND THE INFILTRATION SYSTEM. COMPLETE EARTH MOVING ACTIVITIES TO OBTAIN THE FINAL SHAPE AND ELEVATION OF THE SUBSURFACE BASIN. THE BOTTOM OF THE BASIN WILL NEED TO BE UNIFORM, LEVEL, AND FEEL FROM ROCKS AND DEBRIS.
  - 9.2. TILL SUBGRADE WITHIN THE BOTTOM TO A DEPTH OF AT LEAST 8"; PLACE THE NECESSARY GEOTEXTILE ALONG THE BOTTOM AND THE SIDES OF THE BASIN; ROLLS OF FABRIC SHOULD OVERLAP BY A MINIMUM OF SIXTEEN (16) INCHES WITHIN THE BASIN. PLACE STONE WITHIN THE BOTTOM OF THE BASIN UNTIL THE BOTTOM ELEVATION OF THE STORMTANK BOXES HAS BEEN ACHIEVED.
  - 9.3. INSTALL THE STORMTANK BOXES AND THEN CONTINUE PLACING THE STONE UNTIL THE DEBITS CHAMBER HAS BEEN FORMED. INSTALL INLET PIPES; CARE WILL NEED TO BE GIVEN NOT TO DESTROY THE GEOTEXTILE MATERIAL. INLET PIPES TO BE CONCERNED TO THE INSTALLED INLETS AS SHOWN ON THE PLANS.
  - 9.4. UPON COMPLETION, THE OWNER AND/OR OPERATORS SHALL CONTACT THE CENTRE CONSERVATION DISTRICT FOR AN INSPECTION PRIOR COVERING WITH GEOTEXTILE AND BACK FILLING. COVER THE BASIN WITH THE APPROPRIATE GEOTEXTILE; BACK FILL UNTIL THE APPROPRIATE SUB GRADE ELEVATION HAS BEEN ACHIEVED. INSTALL INLET PROTECTION ON INSTALLED INLETS.
  - 9.5. \*\* NOTE \*\* AREAS TO BE USED FOR INFILTRATION PURPOSES SHALL BE MARKED IN THE FIELD AND DISTURBANCE WITHIN THAT AREA KEPT TO A MINIMUM. ONLY SMALL TRACKED EQUIPMENT WILL BE ALLOWED TO BE USED WITHIN THESE AREAS AS NEEDED. DISC/TILL THE SUBGRADE BEFORE THE PLACEMENT OF ANY TOPSOIL.
  - 9.6. \*\* NOTE \*\* THE SITE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL/IMPORT OF ANY EXCESS FILL MATERIAL OR TOP SOIL AS WELL AS SHALL MAKE SURE THE SITE(S) RECEIVING OR EXPORTING MATERIAL HAS AN APPROVED EROSION AND SEDIMENT CONTROL PLAN THAT MEETS THE CONDITIONS OF CHAPTER 102 AND/OR ANY OTHER STATE AND FEDERAL REGULATIONS.
  - 9.7. \*\* NOTE \*\* THIS IS A CRITICAL STAGE OF CONSTRUCTION. A LICENSED PROFESSIONAL OR THEIR DESIGNEE SHALL BE PRESENT ON SITE. \*\*
10. INSTALL CURBING, PLACE STONE SUBBASE, PIPING LOCATED UNDERNEATH PAVERS AND THE BINDER COURSE. ALL INLET PROTECTION WILL NEED TO BE REPLACED UPON THE COMPLETION OF THE BINDER COURSE.
11. UPON COMPLETION OF THE PROPOSED FACILITY, COMPLETE ANY NECESSARY EARTH MOVING TO OBTAIN FINAL GRADES WITHIN THE SITE. AREAS THAT HAVE ACHIEVED FINAL GRADE WILL NEED TO BE COVERED WITH 6" OF AMENDED TOP SOIL, SEEDED AND MULCHED. ANY ADDITIONAL 3:1 OR STEEPER SLOPES ACHIEVING FINAL GRADE, COVER WITH 6" OF AMENDED TOP SOIL. LINE WITH 575 MATTING, SEED AND MULCH IMMEDIATELY. \*\*THIS IS A CRITICAL STAGE OF CONSTRUCTION. A LICENSED PROFESSIONAL OR THEIR DESIGNEE SHALL BE PRESENT ON SITE. \*\*
12. UPON THE COMPLETION OF ALL EARTH DISTURBANCE ACTIVITIES AND THE DRAINAGE AREA TO THE TEMPORARY BMPs HAVE BEEN PERMANENTLY STABILIZED WITH A UNIFORM 70% VEGETATIVE COVER, THE OWNER AND/OR OPERATOR SHALL CONTACT THE COCD FOR AN INSPECTION PRIOR TO REMOVAL OF REMAINING TEMPORARY BMPs.
13. REMOVE ALL INLET PROTECT AND FLUSH STORMWATER SYSTEM. MILL THE REMAINING EXISTING PARKING AREA LOCATED ON LOT 2A AND PLACE FINAL WEARING COURSE AS WELL AS PERVIOUS PAVERS.
14. AFTER COMPLETION OF FINAL PAVING CONTACT COCD FOR A FINAL INSPECTION. UPON APPROVAL, REMOVE REMAINING SILT SOCKS.

**CRITICAL STAGE OF CONSTRUCTION:**

1. INSTALL ALL UNDERGROUND FACILITIES, STORM SEWER STARTING AT THE DOWNSTREAM END AND THEN PROCEEDING UPSTREAM, AND THE INFILTRATION SYSTEM. COMPLETE EARTH MOVING ACTIVITIES TO OBTAIN THE FINAL SHAPE AND ELEVATION OF THE SUBSURFACE BASIN. THE BOTTOM OF THE BASIN WILL NEED TO BE UNIFORM, LEVEL, AND FEEL FROM ROCKS AND DEBRIS;
2. TILL SUBGRADE WITHIN THE BOTTOM TO A DEPTH OF AT LEAST 8"; PLACE THE NECESSARY GEOTEXTILE ALONG THE BOTTOM AND THE SIDES OF THE BASIN; ROLLS OF FABRIC SHOULD OVERLAP BY A MINIMUM OF SIXTEEN (16) INCHES WITHIN THE BASIN. PLACE STONE WITHIN THE BOTTOM OF THE BASIN UNTIL THE BOTTOM ELEVATION OF THE STORMTANK BOXES HAS BEEN ACHIEVED.
3. INSTALL THE STORMTANK BOXES AND THEN CONTINUE PLACING THE STONE UNTIL THE DEBITS CHAMBER HAS BEEN FORMED. INSTALL INLET PIPES; CARE WILL NEED TO BE GIVEN NOT TO DESTROY THE GEOTEXTILE MATERIAL. INLET PIPES TO BE CONCERNED TO THE INSTALLED INLETS AS SHOWN ON THE PLANS.
4. UPON COMPLETION, THE OWNER AND/OR OPERATORS SHALL CONTACT THE CENTRE CONSERVATION DISTRICT FOR AN INSPECTION PRIOR COVERING WITH GEOTEXTILE AND BACK FILLING. COVER THE BASIN WITH THE APPROPRIATE GEOTEXTILE; BACK FILL UNTIL THE APPROPRIATE SUB GRADE ELEVATION HAS BEEN ACHIEVED. INSTALL INLET PROTECTION ON INSTALLED INLETS.
5. \*\* NOTE \*\* AREAS TO BE USED FOR INFILTRATION PURPOSES SHALL BE MARKED IN THE FIELD AND DISTURBANCE WITHIN THAT AREA KEPT TO A MINIMUM. ONLY SMALL TRACKED EQUIPMENT WILL BE ALLOWED TO BE USED WITHIN THESE AREAS AS NEEDED. DISC/TILL THE SUBGRADE BEFORE THE PLACEMENT OF ANY TOPSOIL.
6. \*\* NOTE \*\* THE SITE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL/IMPORT OF ANY EXCESS FILL MATERIAL OR TOP SOIL AS WELL AS SHALL MAKE SURE THE SITE(S) RECEIVING OR EXPORTING MATERIAL HAS AN APPROVED EROSION AND SEDIMENT CONTROL PLAN THAT MEETS THE CONDITIONS OF CHAPTER 102 AND/OR ANY OTHER STATE AND FEDERAL REGULATIONS.
7. \*\* NOTE \*\* THIS IS A CRITICAL STAGE OF CONSTRUCTION. A LICENSED PROFESSIONAL OR THEIR DESIGNEE SHALL BE PRESENT ON SITE. \*\*

**TEMPORARY SEEDING:**

LIMING RATE FOR TEMPORARY STABILIZATION SHOULD BE (1) TONE OF PULVERIZED AGRICULTURAL LIMESTONE PER ACRE. FERTILIZER RATE FOR TEMPORARY STABILIZATION SHOULD BE 10-20-20 FERTILIZER AT 11 POUNDS PER 1,000 SQUARE YARD. TEMPORARY SEED SHALL BE PENNDOT FORMULA E, ANNUAL RYEGRASS (LOLIUM MULTIFLORUM), APPLIED AT A RATE OF 10 POUNDS PER 1,000 SQUARE YARD. SEED SHALL CONFORM TO THE REQUIREMENTS OF PENNDOT PUBLICATION 408, SECTION 804.

**PERMANENT SEEDING:**

LIMING RATE FOR PERMANENT STABILIZATION SHOULD BE (1) TONE OF PULVERIZED AGRICULTURAL LIMESTONE PER ACRE. FERTILIZER RATE FOR PERMANENT STABILIZATION SHOULD BE 10-20-20 FERTILIZER AT 11 POUNDS PER 1,000 SQUARE YARD. PERMANENT SEED SHALL BE, 10% ANNUAL RYEGRASS, 40% FESCUE, 20% PERENNIAL RYEGRASS, AND 30% BLUEGRASS APPLIED AT A RATE OF 6 POUNDS PER 1,000 SQUARE YARD. SEED SHALL CONFORM TO THE REQUIREMENTS OF PENNDOT PUBLICATION 408, SECTION 804. THE CONTRACTOR SHALL INSPECT SEEDED AREAS THREE (3) WEEKS AFTER APPLICATION. ANY AREA WITH LESS THAN SEVENTY PERCENT (70%) COVERAGE SHALL BE RESEDED.

**MULCHING:**

MULCH MATERIAL SHALL BE HAY OR STRAW AS DEFINED IN SECTION 805 OF PENNDOT PUBLICATION 408 AND SHALL BE FREE FROM FOREIGN MATERIAL, COURSE STEMS, ANY SUBSTANCE TOXIC TO PLANT GROWTH, AND FREE FROM MATURE SEED BEARING STALKS OR ROOTS OF PROHIBITED OR NOXIOUS WEEDS, BOTH AS DEFINED BY LAW. PLACE MULCH IMMEDIATELY AFTER SEEDING IN A UNIFORM CONTINUOUS BLANKET AT A MINIMUM RAE OF 1,200 POUNDS PER SQUARE (3 TONS PER ACRE).

STRAW MULCH SHOULD BE ANCHORED IMMEDIATELY AFTER APPLICATION TO PREVENT BEING WINDBLOWN. A TRACTOR-DRAWN IMPLEMENT MAY BE USED TO "CRIMP" THE STRAW INTO THE SOIL. THIS METHOD IS LIMITED TO SLOPES NO STEEPER THAN 3:1. THE MACHINERY SHOULD BE OPERATED ON THE CONTOUR. (NOTE: CRIMPING OF STRAW BY RUNNING OVER IT WITH TRACKED MACHINERY IS NOT RECOMMENDED.)

ASPHALT, EITHER EMULSIFERS OR CUT-BACK, CONTAINING NO SOLVENTS OR OTHER DILUTING AGENTS TOXIC TO PLANT OR ANIMAL LIFE, UNIFORMLY APPLIED AT THE RATE OF 31 GALLONS PER 1,000 SQUARE YARDS MAY BE USED TO TACK MULCH. SYNTHETIC BINDERS (CHEMICAL BINDERS) MYA BE USED AS RECOMMENDED BY THE MANUFACTURER TO ANCHOR MULCH PROVIDED SUFFICIENT DOCUMENTATION IS PROVIDED TO SHOW THEY ARE NON-TOXIC TO NATIVE PLANT AND ANIMAL SPECIES.

LIGHTWEIGHT PLASTIC, FIBER, OR PAPER NETS MAY BE STAPLED OVER THE MULCH ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.

**MAINTENANCE OF EROSION AND SEDIMENTATION CONTROL FACILITIES:**

1. ALL EROSION AND SEDIMENTATION CONTROL FACILITIES MUST BE MAINTAINED IN OPERATING CONDITION INCLUDING REPLACEMENT OF PLUGGED SEDIMENT SOCK, UNTIL UPSTREAM AREAS ARE STABILIZED WITH A MINIMUM UNIFORM 70% PERENNIAL VEGETATED GROUND COVER.
2. EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE INSPECTED AFTER EACH RUNOFF EVENT AND ON A WEEKLY BASIS.
3. SEDIMENT AT SEDIMENT SOCK MUST BE REMOVED WHEN ACCUMULATIONS REACH 1/2 THE ABOVE GROUND HEIGHT OF THE SOCK. SEDIMENT IN THE SEDIMENT TRAP MUST BE REMOVED WHEN REACHING THE LINE INDICATED ON THE CLEAN OUT STAKE. SEDIMENT REMOVED FROM SEDIMENT SOCK AND TRAPS SHALL BE PLACED IN A DESIGNATED TOPSOIL STOCKPILE AREA. DISPOSAL OF DEBRIS/TRASH AND ALL OTHER WASTE MATERIAL REMOVED FROM EROSION AND SEDIMENT CONTROL BMPs SHALL BE IN COMPLIANCE WITH LOCAL, STATE AND FEDERAL WASTE REGULATIONS.

**MAINTENANCE PROGRAM:**

1. UNTIL THE SITE IS STABILIZED, ALL EROSION AND SEDIMENT BMPs SHALL BE MAINTAINED PROPERLY. MAINTENANCE SHALL INCLUDE INSPECTIONS OF ALL EROSION AND SEDIMENT BMPs AFTER EACH RUNOFF EVENT AND ON A WEEKLY BASIS. ALL PREVENTATIVE AND REMEDIAL MAINTENANCE WORK, INCLUDING CLEAN OUT, REPAIR, REPLACEMENT, REGRADING, RESEEDING, REMULCHING AND RENETTING MUST BE PERFORMED IMMEDIATELY. IF THE E&S BMPs FAIL TO PERFORM AS EXPECTED, REPLACEMENT BMPs, OR MODIFICATIONS OF THOSE INSTALLED WILL BE REQUIRED.
2. A LOG SHOWING DATES THAT E&S BMPs WERE INSPECTED AS WELL AS ANY DEFICIENCIES FOUND AND THE DATE THEY WERE CORRECTED SHALL BE MAINTAINED ON THE SITE AND BE MADE AVAILABLE TO REGULATORY AGENCY OFFICIALS AT THE TIME OF INSPECTION. INSPECTION NOTES SHOULD ALSO INCLUDE THE TIME OF DAY AND THE NAME OF THE PERSON CONDUCTING THE INSPECTION.

**LONG TERM OPERATIONS AND MAINTENANCE:**

THE OWNER SHALL BE RESPONSIBLE FOR ENSURING THE PROPER OPERATION AND FUNCTION OF THE STORMWATER FACILITIES LOCATED ON THE PROPERTY. THE OPERATION AND MAINTENANCE PROGRAM SHALL INCLUDE THE FOLLOWING:

1. FOLLOWING CONSTRUCTION, ANY DAMAGED OR INCIDENTALLY COMPACTED AREAS SHALL BE RESTORED TO THEIR DESIGN CONDITION PRIOR TO FINAL TOPSOIL AND SEEDING PLACEMENT.
2. AS-BUILT PLANS WILL BE SUBMITTED BY A QUALIFIED PROFESSIONAL FOR ALL STORMWATER FACILITIES PRIOR TO OCCUPANCY, OR THE RELEASE OF THE SURETY BOND. THE MUNICIPALITY RESERVES THE RIGHT TO AUTHORIZE THE MUNICIPAL ENGINEER TO REVIEW SAID AS-BUILT PLANS.
3. STORMWATER FACILITIES SHOULD BE INSPECTED BY THE RESPONSIBLE ENTITY ON THE FOLLOWING BASIS:
  - A. ANNUALLY
  - B. DURING OR IMMEDIATELY AFTER EVERY TEN-YEAR OR GREATER STORM EVENT.
4. MAINTENANCE INSPECTIONS MAY BE PERFORMED BY THE OWNER OR A THIRD PARTY DESIGNATED BY THE OWNER TO ENSURE PROPER FUNCTIONING OF ALL STORMWATER FACILITIES. A WRITTEN LOG SHOWING DATES THAT PCSM FACILITIES WERE INSPECTED AS WELL AS ANY DEFICIENCIES FOUND AND THE DATE THEY WERE CORRECTED SHALL BE MAINTAINED BY THE OWNER OR THIRD PARTY DESIGNATED BY THE OWNER AND BE MADE AVAILABLE TO REGULATORY AGENCY OFFICIALS UPON REQUEST.
5. THE STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED IN THE FOLLOWING MANNER:
  - A. DETENTION/INFILTRATION SYSTEM: KEEP FREE OF DEBRIS AND LEAVES. MINIMIZE COMPACTION OF THE BOTTOM OF THE BED BY REDUCING OR ELIMINATING THE NEED FOR EQUIPMENT WITHIN THE BOTTOM OF THE SYSTEM SO THIS WILL PROMOTE INFILTRATION WITHIN THIS FACILITY. INSPECT BED FOR EXCESSIVE SEDIMENT BUILDUP. REMOVE ACCUMULATED SEDIMENT AND PROPERLY DISPOSE OF AS REQUIRED.
  - B. STORMWATER CONVEYANCE CULVERTS: KEEP FREE OF DEBRIS AND LEAVES BOTH WITHIN THE PIPE AND AT THE INLET AND OUTLET ENDS. INSPECT CULVERT PIPES FOR MISSING OR BROKEN MATERIALS, AND REPLACE OR REPAIR AS REQUIRED. INSPECT THE CULVERTS FOR ACCUMULATED SEDIMENT AND PROPERLY DISPOSE OF WASTE MATERIAL.
6. THE OWNER IS RESPONSIBLE FOR MAINTAINING THE STORMWATER MANAGEMENT FACILITIES IN ACCORDANCE WITH THE APPROVED DESIGN. IF THE CONSERVATION DISTRICT OR PADEP DETERMINES OR MANISAPALITY AT ANY TIME THAT ANY PERMANENT STORMWATER FACILITY HAS BEEN ELIMINATED, ALTERED OR IMPROPERLY MAINTAINED, THE OWNER OF THE FACILITIES SHALL BE ADVISED OF CORRECTIVE MEASURES REQUIRED AND GIVEN 7 DAYS TO INITIATE APPROPRIATE ACTION IN ACCORDANCE WITH A TIME SCHEDULE DICTATED BY THE REGULATORY AGENCY. IF SUCH ACTION IS NOT TAKEN BY THE FACILITY OWNER, THE DEPARTMENT MAY, AT THEIR DISCRETION, INITIATE ENFORCEMENT ACTION.

**MAINTENANCE EASEMENT**

FOR THE PURPOSE OF MAINTENANCE INSPECTION AND RELATED ACTIVITIES AN EASEMENT OF THE PROPERTY NOT TO INCLUDE STRUCTURES INTERIOR IS TO BE MAINTAINED TO PROVIDE ACCESS OF THE INSPECTION OF MAINTENANCE OF STORMWATER FACILITIES

**SINKHOLE MANAGEMENT**

SHOULD A SINKHOLE FORM DURING CONSTRUCTION, DUE TO THE VARYING CHARACTERISTICS OF SINKHOLES, A QUALIFIED AND PROFESSIONAL SOILS SCIENTIST SHALL BE CONTACTED IMMEDIATELY TO EVALUATE THE CONDITION AND RECOMMEND A REPAIR. THE TOWNSHIP AND CENTRE COUNTY CONSERVATION DISTRICT SHALL BE NOTIFIED, AND A REPAIR PLAN SHALL BE SUBMITTED BY THE OWNER FOR APPROVAL PRIOR TO THE COMPLETION OF ANY REPAIR. ADDITIONALLY, THE QUALIFIED PROFESSIONAL SHALL BE PRESENT ON-SITE DURING THE REPAIR. THE CONTRACTOR AND OWNER SHALL ALSO TAKE PROTECTIVE MEASURES TO PREVENT PEDESTRIAN OR VEHICULAR TRAFFIC WITHIN THE VICINITY OF THE SINKHOLE.

**STORMWATER FACILITIES OPERATION AND MAINTENANCE PROGRAM:**

THE OWNER SHALL BE RESPONSIBLE FOR ENSURING THE PROPER OPERATION AND FUNCTION OF THE STORMWATER FACILITIES LOCATED ON THE PROPERTY, AND THE PROGRAM SHALL INCLUDE THE FOLLOWING:

1. FOLLOWING CONSTRUCTION, ANY DAMAGED OR INCIDENTALLY COMPACTED AREAS SHALL BE RESTORED TO THEIR DESIGN CONDITION PRIOR TO FINAL TOPSOIL AND SEEDING PLACEMENT.
2. THE OWNER SHALL COMPLETE A VISUAL INSPECTION AT LEAST ONE YEARLY, AND IMMEDIATELY AFTER MAJOR STORM EVENTS (I.E., 3.83 INCHES OR MORE IN A 48-HOUR PERIOD), AND ONE OF THE INSPECTIONS SHALL BE AFTER LEAVES HAVE FALLEN FROM TREES IN AUTUMN. SUCH A VISUAL INSPECTION SHALL AT LEAST INVOLVE AN EXAMINATION FOR DEBRIS DEPOSITION (SUCH AS DEBRIS MAY INCLUDE, BUT SHALL NOT BE LIMITED TO AGGREGATE MATERIAL, LEAVES, GRASS CLIPPINGS, AND SOIL MATERIAL), SETTLEMENT, SINKHOLES, SEEPS, STRUCTURAL CRACKING, ANIMAL BURROWS, EXCESSIVE VEGETATION, FOUNDATION MOVEMENT, DEAD PLANTINGS, EROSION, DEPRESSIONS, AND WATER RETENTION TIMES THAT EXCEED SEVENTY-TWO (72) HOURS. A VISUAL INSPECTION OF THE TREES AND SHRUBS IN THE BEGINNING AND MIDDLE OF THE GROWING SEASON TO EVALUATE HEALTH OF PLANTINGS AND TO COMPLETE ANY NECESSARY PRUNING. ANY PERENNIAL PLANTINGS SHALL BE CUT DOWN AND CLIPPINGS REMOVED AT THE END OF EACH GROWING SEASON. DURING PERIODS OF EXTENDED DROUGHT (I.E., JULY AND AUGUST), ADDITIONAL WATERING OF PLANTINGS MAY BE REQUIRED. ALL INLET PIPES, OUTLET PIPES, OUTLET INLET, STORM PIPING, AND DRAINAGE STRUCTURES SHALL BE KEPT FREE OF ANY OBSTRUCTIONS AND FOREIGN MATERIAL THAT WOULD CAUSE DISRUPTION OF WATER FLOW IN A MANNER NOT ANTICIPATED FOR THE FACILITY. A WRITTEN REPORT DOCUMENTING EACH INSPECTION SHALL BE RETAINED BY THE DESIGNEE, INCLUDING THE DATE OF INSPECTION, LIST OF ITEMS INSPECTED, NAME AND ORGANIZATION OF THE PERSON CONDUCTING THE INSPECTION, AND A LIST OF MAINTENANCE CORRECTION TASKS PERFORMED.
3. THE OWNER SHALL REMOVE ANY ACCUMULATION OF DEBRIS FROM STORMWATER MANAGEMENT AREAS; MAINTAIN GROUND-COVER VEGETATION WITHIN ANY ABOVE-GROUND STORMWATER MANAGEMENT SYSTEM(S) AND ON BERMS TO A HEIGHT THAT DOES NOT EXCEED SIX (6) INCHES; AND IMMEDIATELY REPAIR ANY EROSION DAMAGE BY REPLACING TOPSOIL ON ALL AREAS THAT EXPERIENCE EROSION, AND SEEDING, MULCHING AND MATTING SUCH AREAS IMMEDIATELY IN ACCORDANCE WITH THE SPECIFICATIONS CONTAINED IN THE APPLICABLE EROSION AND SEDIMENT POLLUTION CONTROL PLAN AND/OR APPROVED POST CONSTRUCTION STORMWATER MANAGEMENT PLAN. VEHICULAR ACCESS IS PROHIBITED WITHIN THE BASINS; AND CARE SHOULD BE TAKEN TO AVOID EXCESSIVE COMPACTION BY MOWERS. DISLOGGED ROCK IN ANY STORMWATER APPROX SHOULD BE RESET IN PLACE. REMOVAL OF SEDIMENT/DEBRIS SHALL TAKE PLACE WHEN THE AREA HAS DRIED, IF POSSIBLE. DETENTION/INFILTRATION AREAS THAT DO NOT DRAIN WITHIN SEVENTY-TWO (72) HOURS SHALL BE EVALUATED BY A QUALIFIED ENGINEER, GEOLOGIST, AND/OR HYDROGEOLOGIST PRIOR TO INITIATING ANY REPAIR AND/OR RECONSTRUCTION ACTIVITIES.
4. THE OWNER SHALL REMOVE TRASH BAGS AND/OR LITTER FROM SUCH OUTLETS DURING PERIODS BETWEEN STORM EVENTS. MAN-MADE TRASH REMOVED FROM ANY FACILITY SHALL BE DISPOSED OF PROPERLY IN CONTAINERS COLLECTED BY A LICENSED COMMERCIAL TRASH HAULER.
5. A WRITTEN REPORT DOCUMENTING EACH INSPECTION SHALL BE RETAINED BY THE DESIGNEE, INCLUDING THE DATE OF INSPECTION, LIST OF ITEMS INSPECTED, NAME AND ORGANIZATION OF THE PERSON CONDUCTING THE INSPECTION, AND A LIST OF MAINTENANCE CORRECTION TASKS PERFORMED.
6. FOR ANY STRUCTURAL FACILITY (PIPE, INLET, MANHOLE), IT MUST BE REPAIRED OR REPLACED IN A TIMELY MANNER IF DAMAGED MORE THAN SUPERFICIALLY, IN A WAY THAT IS A SAFETY HAZARD, IF STRUCTURALLY UNSOUND, OR IF NOT SUBSTANTIALLY PERFORMING AS IT IS INTENDED PER THE ORIGINAL DESIGN. THE OWNER SHALL KEEP A RECORD OF ANY REPAIRED OR REPLACED FACILITY, INCLUDING COSTS, DATES, MATERIALS REMOVED, MATERIALS PLACED, AND THE CONTRACTOR(S) INFORMATION.
7. THE DESIGNEE SHALL IMMEDIATELY NOTIFY THE TOWNSHIP AND CENTRE COUNTY CONSERVATION DISTRICT PRIOR TO INITIATING ANY MAJOR REPAIR ACTIVITIES (SUCH REPAIRS THAT MAY BE REQUIRED AS A RESULT OF SETTLEMENT, SINKHOLES, SEEPS, STRUCTURAL CRACKING, FOUNDATION MOVEMENT, AND WATER RETENTION TIMES THAT EXCEED SEVENTY-TWO HOURS). ALL MAJOR REPAIRS SHALL BE CONDUCTED UNDER THE DIRECTION AND SUPERVISION OF A QUALIFIED ENGINEER, GEOLOGIST, AND/OR HYDROGEOLOGIST.
8. ALL IMPERVIOUS SURFACES SHALL BE MAINTAINED CLEAN OF OIL, FUEL, OR OTHER TOXIC SPILLS, IN ACCORDANCE WITH STATE, FEDERAL OR LOCAL REGULATIONS.
9. THE STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED IN THE FOLLOWING MANNER:
  - a. STORMWATER DETENTION SYSTEM: KEEP FREE OF DEBRIS AND LEAVES. MINIMIZE COMPACTION OF THE BOTTOM OF THE STONE BED BY REDUCING HEAVY EQUIPMENT FROM TRAVERSING THE MATERIAL BASE WITHIN INFILTRATION AND DETENTION AREAS. THE AREA WILL BE TOPPED WITH A MINIMUM LAYER OF 6 INCHES OF TOPSOIL. INSPECT AREA FOR EROSION ISSUES AND REPAIR WITH TOPSOIL, SEED, OR RIP RAP AS REQUIRED. THE REMOVAL OF DEBITS SHALL OCCUR ON A REGULAR BASIS WILE RINSING ANY MATERIAL POSSIBLE FROM THE NONWOVEN GEOTEXTILE. WHEN THE GEOTEXTILE APPEARS TO BE FAILING THE GEOTEXTILE OF THE DEBRIS ROW SHALL BE REPLACED WITH A LIKE PRODUCT AT THE TIME OF REPLACEMENT.
  - b. MUMPED STORM INLETS AND STORM SEWERS: KEEP FREE OF DEBRIS AND LEAVES BOTH WITHIN THE STORM INLET AND EXTERNALLY ABOVE THE GRATE AND STORMWATER COLLECTION AREA. INSPECT STORM INLETS AND STORM SEWERS FOR MISSING OR BROKEN MATERIALS AND REPLACE OR REPAIR AS REQUIRED. INSPECT INLETS FOR ACCUMULATED SEDIMENT AND PROPERLY DISPOSE OF WASTE MATERIAL.

THE OWNER IS RESPONSIBLE FOR MAINTAINING THE STORMWATER MANAGEMENT IN ACCORDANCE WITH THE APPROVED DESIGN. IF THE TOWNSHIP, CONSERVATION DISTRICT, OR DEP DETERMINES AT ANY TIME THAT ANY PERMANENT STORMWATER FACILITY HAS BEEN ELIMINATED, ALTERED, OR IMPROPERLY MAINTAINED, THE OWNER OF THE FACILITIES SHALL BE ADVISED OF CORRECTIVE MEASURES REQUIRED AND GIVEN 7 DAYS TO INITIATE APPROPRIATE ACTION IN ACCORDANCE WITH A TIME SCHEDULE DICTATED BY THE TOWNSHIP. IF SUCH ACTION IS NOT TAKEN BY THE PROPERTY OWNER, THE T

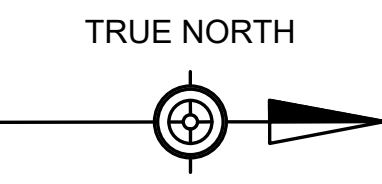


**PROPOSED**

MINOR CONTOUR	---
MAJOR CONTOUR	— 500 —
PROPERTY BOUNDARY	— — — — —
ADJOINER PROPERTY BOUNDARY	— — — — —
PAVED EDGE OF ROAD	— — — — —
CURBING	— — — — —
SIDEWALK	— — — — —
BUILDING	— — — — —
STORMWATER LINE	— — — — —
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	WV
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	SL
UTILITY POLE	UP
GUARDRAIL	GR
SETBACK	— — — — —
SINGLE POST SIGN	PS
DOUBLE POST SIGN	PS
HANDICAP PARKING PAINT	HP
PAINT MARKINGS	PM
SLOPE MATTING	SM
CONCRETE	CON

**EXISTING**

MINOR CONTOUR	---
MAJOR CONTOUR	— 500 —
PROPERTY BOUNDARY	— — — — —
ADJOINER PROPERTY BOUNDARY	— — — — —
PAVED EDGE OF ROAD	— — — — —
CURBING	— — — — —
SIDEWALK	— — — — —
BUILDING	— — — — —
STORMWATER LINE	— — — — —
SANITARY SEWER LINE	SAN
WATER LINE	W
WATER VALVE	WV
UNDERGROUND TELECOM LINE	UC
OVERHEAD TELECOM LINE	OHC
OVERHEAD ELECTRIC LINE	OHE
UNDERGROUND ELECTRIC LINE	UE
SITE LIGHTING	SL
UTILITY POLE	UP
WOOD LINE	WL
SOILS BOUNDARY	SB
SOILS SYMBOL	MhB



**STAHL SHEAFFER  
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SURVEYOR ----- CES  
CADD ----- JJC  
DESIGNER ----- DDC  
MANAGER ----- MRV  
FILE: 21-330 DESIGN\_LANDSCAPE.DWG  
21-330 DESIGN\_LANDSCAPE.DWG

REV 1 - 11/11/22 - TWP COMMENTS  
REV 2 - 03/08/23 - TWP COMMENTS

REVISIONS

**PGH REAL  
ESTATE  
HOLDINGS LLC**

**125 E PINE  
GROVE ROAD  
DEVELOPMENT**

FERGUSON TOWNSHIP,  
CENTRE COUNTY, PA

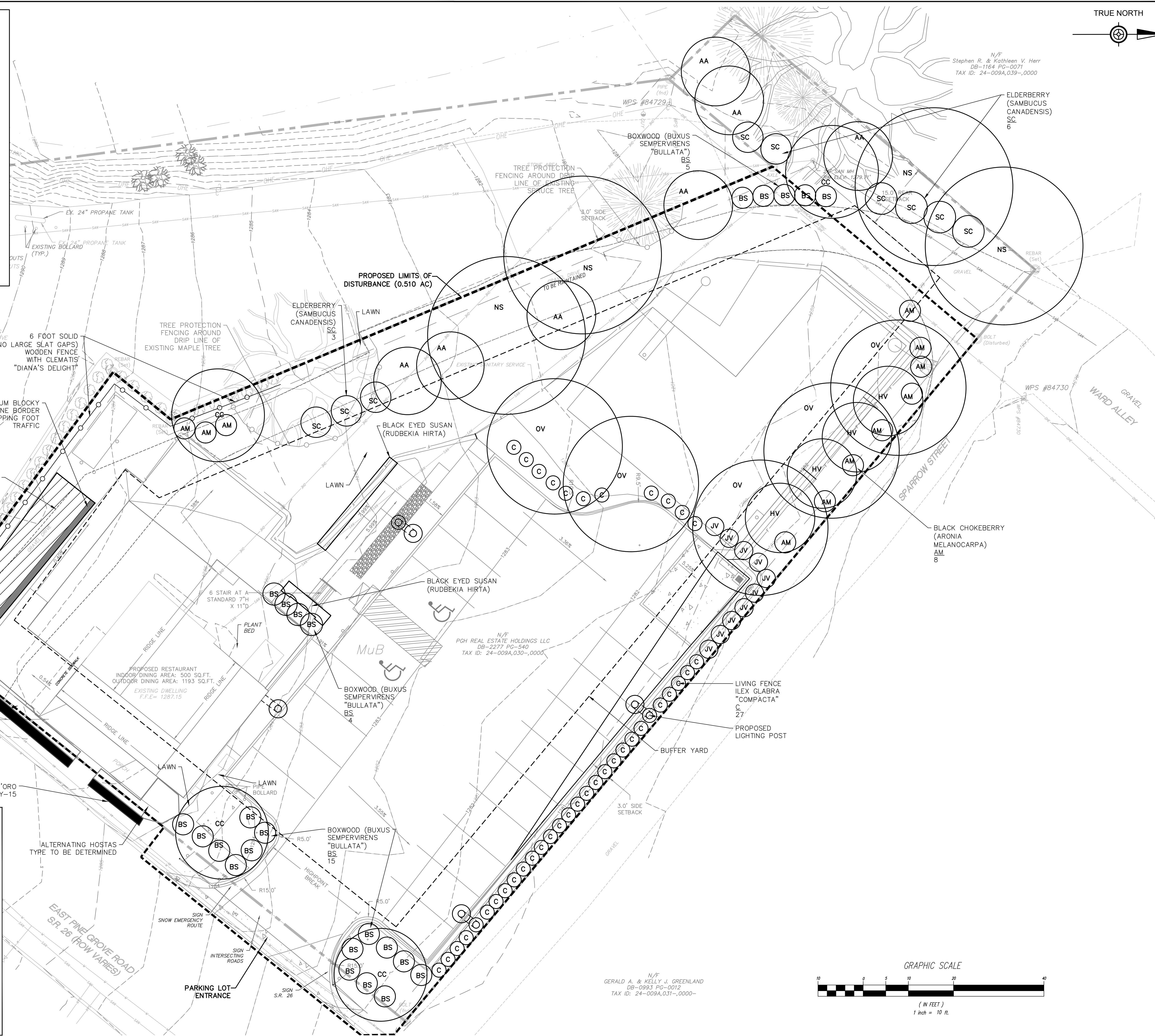
SHEET NAME

**LANDSCAPE  
PLAN**

PROJECT NO.  
**21-330**

DATE  
**03/08/2022**

SHEET NO.  
**L01**



N/F  
Stephen R. & Kathleen V. Herr  
DB-1164 PG-0071  
TAX ID: 24-009A,039--0000

ELDERBERRY  
(SAMBUCUS  
CANADENSIS)  
SC  
6

BOXWOOD (BUXUS  
SEMPERVIRENS  
'BULLATA')  
BS  
5

ELDERBERRY  
(SAMBUCUS  
CANADENSIS)  
SC  
3

BLACK EYED SUSAN  
(RUDBEKIA HIRTA)

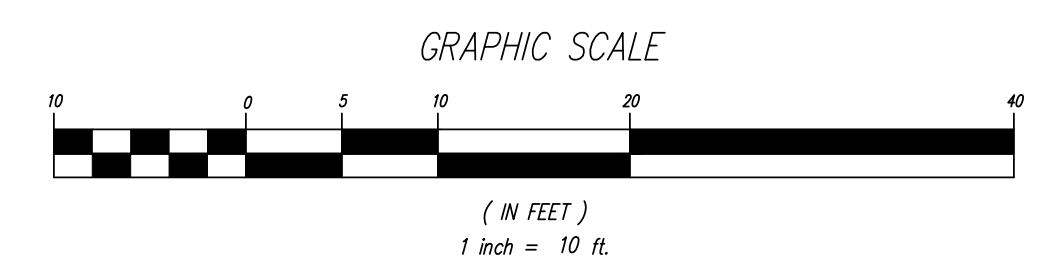
BLACK EYED SUSAN  
(RUDBEKIA HIRTA)

BLACK CHOKEBERRY  
(ARONIA  
MELANOCARPA)  
AM  
8

N/F  
PGH REAL ESTATE HOLDINGS LLC  
DB-2277 PG-540  
TAX ID: 24-009A,030--0000

LIVING FENCE  
ILEX GLABRA  
'COMPACTA'  
C  
27

N/F  
GERALD A. & KELLY J. GREENLAND  
DB-09931 PG-0012  
TAX ID: 24-009A,031--0000--





# ELECTRICAL LEGEND AND ABBREVIATIONS

ABBREVIATIONS	ABBREVIATIONS
A AMPERE(S)	UC UNDERCOUNTER/CABINET
AC ABOVE COUNTER OR AIR CONDITIONER	UG UNDERGROUND
AFG ABOVE FINISHED CEILING	UON UNLESS OTHERWISE NOTED
AFF ABOVE FINISHED FLOOR	V VOLT(S)
AFI ARC FAULT CIRCUIT INTERRUPTER	VA VOLT AMPERES
AHJ AUTHORITY HAVING JURISDICTION	W WATT(S) OR WIRE
AHU AIR HANDLING UNIT	WG WIREGUARD
AIC AMPERES INTERRUPTING CURRENT	WH ELECTRIC WATER HEATER
BFC BELOW FINISHED CEILING	WP WEATHERPROOF
C CONDUIT	XFMR TRANSFORMER
CATV CABLE TELEVISION	
CB CIRCUIT BREAKER	
CKT CIRCUIT	
CT CURRENT TRANSFORMER	
CU CONDENSING UNIT	
DISC DISCONNECT	
DWG(S) DRAWING(S)	
(E) EXISTING, TO REMAIN - MAINTAIN CIRCUIT CONTINUITY TO EXISTING DEVICES. FOR LUMINAIRES, CLEAN LENSES AND REPLACE FAILED LAMPS, UNLESS OTHERWISE NOTED. NEW LAMPS ARE TO MATCH EXISTING LAMP'S COLOR TEMPERATURE. FOR WIRING DEVICES CLEAN FACEPLATES, UNLESS OTHERWISE NOTED.	
EG ELECTRICAL CONTRACTOR OR EMPTY CONDUIT	
EDH ELECTRIC DUCT HEATER	
EF EXHAUST FAN	
EHP ELECTRIC HEATING PANEL	
(ER) EXISTING TO RELOCATE - MAINTAIN CIRCUIT CONTINUITY TO DEVICES. REMOVE, RELOCATE OR REWORK ANY CONDUIT AND WIRING TO FACILITATE NEW CONSTRUCTION. FOR LUMINAIRES EXISTING TO BE RELOCATED, CLEAN LENSES AND REPLACE FAILED LAMPS, UNLESS OTHERWISE NOTED. NEW LAMPS ARE TO MATCH EXISTING LAMP'S COLOR TEMPERATURE. FOR WIRING DEVICES, PROVIDE NEW DEVICE AND FACEPLATE TO MATCH EXISTING COLORS, UNLESS OTHERWISE NOTED.	
EM EMERGENCY	
EPO EMERGENCY POWER OFF	
ENC ELECTRIC WATER COOLER	
ENH ELECTRIC WALL HEATER	
(EX) EXISTING TO BE DEMOLISHED - MAINTAIN CIRCUIT CONTINUITY DURING AND AFTER DEMOLITION TO EXISTING CIRCUITS AND DEVICES TO REMAIN. REMOVE, RELOCATE OR REWORK ANY CONDUIT AND WIRING TO FACILITATE NEW CONSTRUCTION.	
F FUSE	
FLA FULL LOAD AMPS	
G GROUND	
GC GENERAL CONTRACTOR	
GF GROUND FAULT CIRCUIT INTERRUPTER	
HP HORSEPOWER	
IDF INTERMEDIATE DATA FRAME	
ISC SHORT CIRCUIT CURRENT	
KV KILOVOLTS	
KVA KILOVOLT AMPERE(S)	
KW KILOWATT(S)	
LT6 LIGHTING	
MC MECHANICAL CONTRACTOR	
MCA MINIMUM CIRCUIT AMPS	
MCB MAIN CIRCUIT BREAKER	
MDC MAIN DISTRIBUTION CENTER	
MDF MAIN DATA FRAME	
MLO MAIN LUGS ONLY	
NL NIGHT LIGHT/SECURITY LIGHT, CONNECT LIGHTS AHEAD OF LOCAL SWITCHING TO OPERATE CONTINUOUSLY	
NO NORMALLY OPEN	
OAE OR APPROVED EQUAL	
P POLE	
PH PHASE	
PNL PANEL	
REC RECEPTACLE	
(RL) RELOCATE - MAINTAIN CIRCUIT CONTINUITY TO NEW LOCATION OF EXISTING DEVICES(S). REMOVE, RELOCATE OR REWORK ANY CONDUIT AND WIRING TO FACILITATE RELOCATION. FOR LUMINAIRES, CLEAN LENSES AND REPLACE FAILED LAMPS, UNLESS OTHERWISE NOTED. NEW LAMPS ARE TO MATCH EXISTING LAMP'S COLOR TEMPERATURE. FOR WIRING DEVICES, PROVIDE NEW DEVICE AND FACEPLATE TO MATCH EXISTING COLORS, UNLESS OTHERWISE NOTED.	
SCA SHORT CIRCUIT CURRENT AVAILABLE	
SW SWITCH	
TVSS TRANSIENT VOLTAGE SURGE SUPPRESSION	

ABBREVIATIONS	ABBREVIATIONS
??-?? EQUIPMENT DESIGNATION	
REVISION DESIGNATION	
KEY NOTE DESIGNATION	
DETAIL REFERENCE	
FLOOR BOX KEY	
<b>SITE SYMBOLS</b>	
— E-UG — UNDERGROUND ELECTRIC	
— E-OH — OVERHEAD ELECTRIC	
---- C-UG ---- UNDERGROUND COMMUNICATION	
— TEC-OH — OVERHEAD COMMUNICATION	
— W — UNDERGROUND WATER	
— G — UNDERGROUND GAS	
— S — UNDERGROUND STORM	
■ DIRECT BURIED ELECTRICAL HANDHOLE	
<b>LIGHTING SYMBOLS</b>	
○ CEILING LUMINAIRE - SURFACE MOUNTED	
⊗ CEILING LUMINAIRE - RECESSED	
⊙ WALL MOUNTED LUMINAIRE	
⊕ PENDANT MOUNTED LUMINAIRE	
⊙ WALL WASH LUMINAIRE - SURFACE MOUNTED	
⊗ WALL WASH LUMINAIRE - RECESSED	
⊙ PHOTO CELL	
LED/FLUORESCENT LUMINAIRE - SURFACE MOUNTED RI INDICATES FIXTURE TYPE	
LED/FLUORESCENT LUMINAIRE - RECESSED	
LINEAR PENDANT LUMINAIRE (FILLED CIRCLE INDICATES POWER FEED END) (LENGTH AS SHOWN ON DRAWING)	
FLUORESCENT STRIP LUMINAIRE/UNDER CABINET LUMINAIRE (LENGTH AS SHOWN ON DRAWING)	
FLUORESCENT COVE OR SLOT LUMINAIRE (LENGTH AS SHOWN ON DRAWING)	
LINEAR WALL MOUNT WITH INTEGRAL OCC SENSOR	
COMBINATION EXIT SIGN AND DUAL-HEAD EMERG LUMINAIRE	
SINGLE FACE EXIT LUMINAIRE - CEILING MOUNTED	
DUAL FACE EXIT LUMINAIRE - CEILING MOUNTED	
SINGLE FACE EXIT LUMINAIRE - WALL MOUNTED	
DUAL FACE EXIT LUMINAIRE - WALL MOUNTED	
EGRESS ARROWS	
TRACK LIGHTING (NUMBER OF HEADS AS SHOWN ON DRAWING)	
REMOTE EMERGENCY LIGHTING HEAD	
EMERGENCY LUMINAIRE WITH INTEGRAL BATTERY PACK	
NIGHT-LIGHT LUMINAIRE	
NIGHT LIGHT LUMINAIRE, THROUGH THE WALL MOUNTING	
POLE MOUNTED LUMINAIRE	
POST-TOP LUMINAIRE	
POST-TOP TWIN HEAD LUMINAIRE	
BOLLARD LUMINAIRE	
IN-GRADE FLOOD LUMINAIRE	
ABOVE-GRADE FLOOD LUMINAIRE	
STEP-LIGHT LUMINAIRE	
EXTERIOR WALL MOUNTED SITE LUMINAIRE	
UNSWITCHED NIGHTLIGHT FIXTURE	

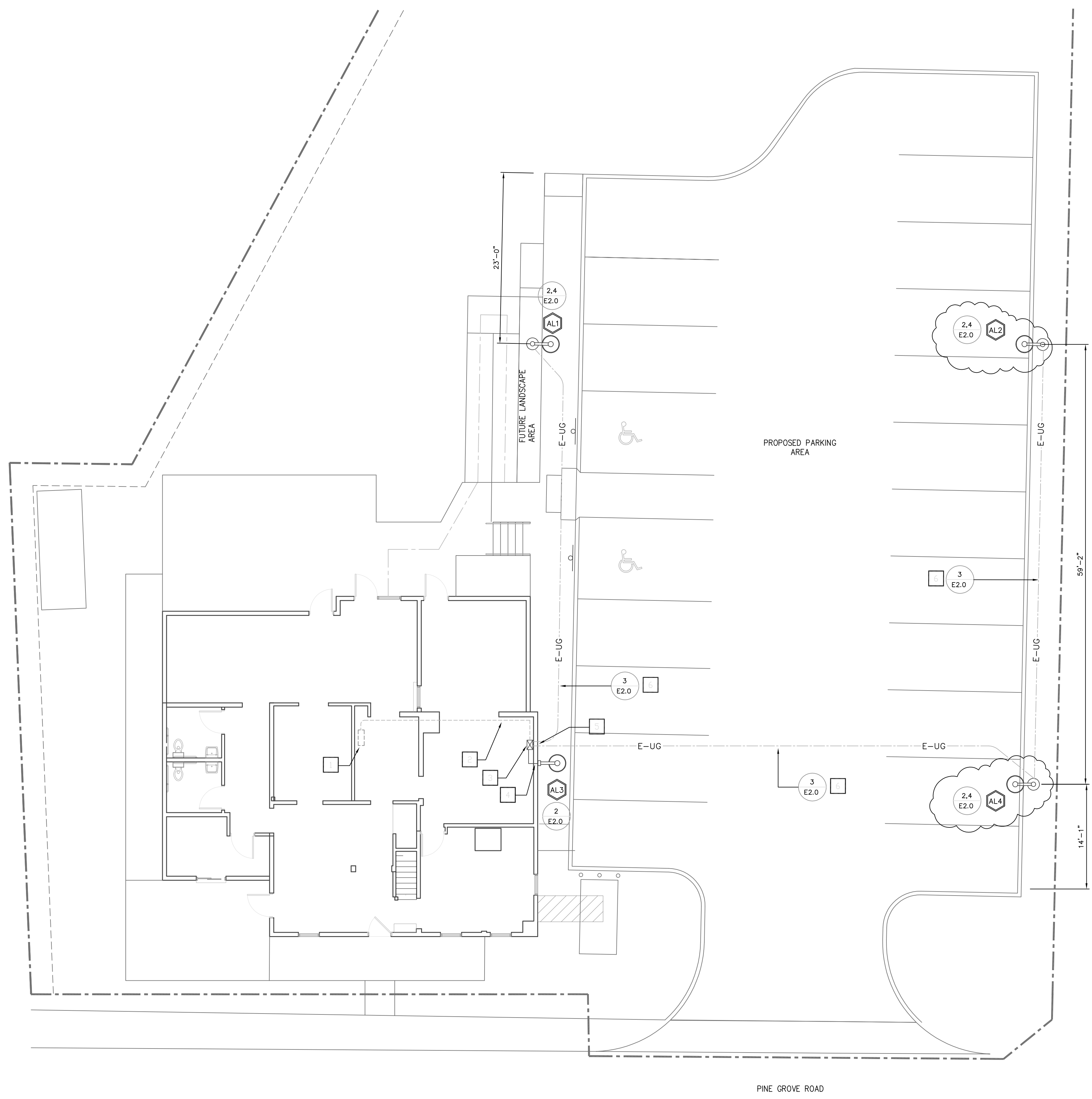
LIGHTING CONTROL SYMBOLS	POWER SYMBOLS
Ⓢ SINGLE POLE SWITCH (+48" AFF, UON)	☐ SURFACE MOUNTED PANELBOARD OR LOADCENTER
Ⓢ₃ THREE-WAY SWITCH (+48" AFF, UON)	☐ FLUSH MOUNTED PANELBOARD OR LOADCENTER
Ⓢ₄ FOUR-WAY SWITCH (+48" AFF, UON)	Ⓢ SINGLE RECEPTACLE (+18" AFF, UON)
Ⓢₓ FAN AND/OR FANLIGHT SWITCH (+48" AFF, UON)	Ⓢ₂ₐ 20A 120V 5-20R DUPLEX RECEPTACLE (+18" AFF, UON) (T = TVSS)
Ⓢₓ KEY OPERATED SWITCH (+48" AFF, UON)	Ⓢ₂ₐ 20A 120V 5-20R 6FCI PROTECTED DUPLEX RECEPT (+18" AFF, UON)
Ⓢₓ SWITCH WITH PILOT LIGHT (ILLUMINATED WHEN ON) (+48" AFF, UON)	Ⓢ₂ₐ 20A 120V 5-20R AFCI PROTECTED DUPLEX RECEPT (+18" AFF, UON)
Ⓢₓₜ TIMER SWITCH (+48" AFF, UON)	Ⓢ₂ₐ 20A 120V 5-20R QUAD RECEPTACLE (+18" AFF, UON)
☑ LIGHTING CONTACTOR	Ⓢ₂ₐ 20A 120V 5-20R 6FCI PROTECTED QUAD RECEPTACLE (+18" AFF, UON)
☑ PHOTOELECTRIC CELL	Ⓢ₂ₐ ISOLATED GROUND DUPLEX RECEPTACLE SPLIT WIRED AND/OR SWITCHED RECEPTACLE (+18" AFF, UON)
Ⓢₓ TIME CLOCK	☑ CEILING MOUNTED DUPLEX RECEPTACLE ('CR' = CORD REEL DEVICE)
Ⓢₓ DIMMER SWITCH (+48" AFF, UON)- DIMMER STYLE SHALL MATCH STYLE OF TOGGLE SWITCH STYLE CHOSEN BY ARCHITECT. PROVIDE DIMMER-TYPE COMPATIBLE WITH LAMP SOURCE AND RATED FOR CONNECTED LOAD)	Ⓢ₂ₐ RECESSED CLOCK RECEPTACLE (+48" AFF, UON)
Ⓢₓₒ₂ DUAL RELAY OCCUPANCY SENSOR SWITCH (+48" AFF, UON)	☑ IN-FLOOR DUPLEX RECEPTACLE
Ⓢₓₒ₃ THREE-WAY OCCUPANCY SENSOR SWITCH (+48" AFF, UON)	☑ IN-FLOOR DOUBLE DUPLEX RECEPTACLE
Ⓢₓₒ₄ DIGITAL LIGHTING CONTROL SYSTEM WALL SWITCH (+48" AFF, UON) - = NUMBER OF BUTTONS REQUIRED	☑ IN-FLOOR COMBINATION RECEPTACLE/TELEPHONE/ DATA DEVICE
Ⓢₓₒ₅ DIGITAL LIGHTING CONTROL SYSTEM DIMMER SWITCH (+48" AFF, UON)	☑ 4" SQ BOX WITH 1" CONDUIT TO ABOVE CL6
Ⓢₓₒ₆ DIGITAL LIGHTING CONTROL SYSTEM SCENE SWITCH (+48" AFF, UON)	⊙ JUNCTION BOX
Ⓢₓₒ₇ DIGITAL LIGHTING CONTROL SYSTEM WALL SWITCH OCCUPANCY SENSOR, DUAL TECH (+48" AFF, UON) - = NUMBER OF BUTTONS REQUIRED	⊙ WALL MOUNTED JUNCTION BOX
Ⓢₓₒ₈ DIGITAL LIGHTING CONTROL SYSTEM PARTITION SWITCH (+48" AFF, UON)	Ⓢ MOTOR
Ⓢₓₒ₉ OCCUPANCY SENSOR - LINE VOLTAGE	Ⓢₓ HP RATED TOGGLE SWITCH (+48" AFF, UON)
Ⓢₓₒ₁₀ OCCUPANCY SENSOR - LOW-VOLTAGE	☑ PUSH BUTTON, TYPE AS NOTED (+48" AFF, UON)
Ⓢₓₒ₁₁ OCCUPANCY SENSOR POWER PACK	☑ FULL BOX
	☑ PLUGMOLD (LENGTH AS SHOWN ON DRAWING)
	☑ SURFACE RACEWAY (+18" AFF, UON) (LENGTH AS SHOWN ON DRAWING)
	☑ CABLE TRAY (LENGTH AS SHOWN ON DRAWING)
	☑ CONDUIT END BUSHING
	☑ CONDUIT UP
	☑ CONDUIT DOWN
	☑ CONDUIT BREAK SYMBOL
	Ⓢ GROUND ROD
	Ⓢₓ MULTI-SERVICE TEL/POWER POWER POLE
	▽ PHONE/DATA OUTLET
	☑ WIRELESS ACCESS POINT (POWER OVER ETHERNET) POE

POWER SYMBOLS	FIRE ALARM SYMBOLS
☐ CIRCUIT BREAKER	Ⓢ WALL MOUNTED STROBE ONLY NOTIFICATION APPLIANCE (IS INDICATES CANDELA RATING)
☐ FUSE	Ⓢ WALL MOUNTED COMBINATION STROBE/HORN NOTIFICATION APPLIANCE
☐ SWITCH	Ⓢ WALL MOUNTED EXTERIOR WEATHERPROOF COMBINATION STROBE/ HORN
☐ DRAW-OUT CIRCUIT BREAKER	Ⓢ COMB SMOKE/CO DETECTOR
☐ CIRCUIT BREAKER WITH GROUND FAULT PROTECTION	Ⓢ COMB SMOKE/CO DETECTOR WITH AUDIBLE BASE
☐ FUSED SWITCH WITH GROUND FAULT PROTECTION	Ⓢ HEAT DETECTOR
Ⓢ METER	Ⓢ DUCT SMOKE DETECTOR
Ⓢ AMMETER	Ⓢ MANUAL PULL STATION-DUAL ACTION
Ⓢ VOLTMETER	Ⓢ INDIVIDUAL ADDRESSABLE MODULE WITH RELAY
Ⓢ CURRENT TRANSFORMER	Ⓢ FIRE ALARM CONTROL PANEL
Ⓢ POTENTIAL TRANSFORMER	Ⓢ FIRE ALARM ANNUCIATOR PANEL
Ⓢ ENGINE GENERATOR SET	
Ⓢ AUTOMATIC TRANSFER SWITCH	
☐ ENCLOSED CIRCUIT BREAKER	
☐ DISCONNECT SWITCH	
☐ FUSED DISCONNECT SWITCH	
☐ MOTOR STARTER	
Ⓢ SHUNT TRIP ELEVATOR DISCONNECT SWITCH	
Ⓢ DRY TYPE TRANSFORMER	
Ⓢ CURRENT TRANSFORMER	
Ⓢ UTILITY POLE	
Ⓢ GROUNDING ELECTRODE CONDUCTOR	
Ⓢ GROUND BUSS	
Ⓢ GROUND ROD	
Ⓢ MAN HOLE	
Ⓢ HAND HOLE	
Ⓢ FEEDER SIZE TAG, SEE FEEDER SCHEDULE	
Ⓢ PANELBOARD	
Ⓢ LOAD CENTER	

GENERAL NOTES
(THESE NOTES APPLY TO ALL ELECTRICAL DRAWINGS)
A. IT IS THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR TO VISIT THE SITE, PRIOR TO BID, TO VERIFY DIMENSIONS AND BECOME FAMILIAR WITH THE EXISTING CONDITIONS. NO EXTRAS WILL BE GIVEN FOR ADDITIONAL WORK WHICH IS REQUIRED DUE TO CONTRACTOR'S FAILURE TO FAMILIARIZE HIMSELF WITH THE SITE AND FACILITIES.
B. THE ELECTRICAL CONTRACTOR SHALL COORDINATE PHASING OF THE WORK WITH THE GENERAL CONTRACTOR AND THE ARCHITECT.
C. THE ELECTRICAL CONTRACTOR SHALL VERIFY ALL ROUGH-IN REQUIREMENTS FOR ELECTRICALLY OPERATED EQUIPMENT WITH THE EQUIPMENT SUPPLIERS.
D. COORDINATE ELECTRICAL DEVICE LOCATIONS WITH CHAIR RAILS, CORNER GUARDS, DOOR TRIMS, ETC. NOTIFY ARCHITECT OF CONFLICTING LOCATIONS.
E. WHERE USED IN THESE DRAWINGS, THE TERM "PROVIDE" SHALL IMPLY "FURNISH AND INSTALL".
F. ALL WORK SHALL COMPLY WITH THE LATEST ADOPTED STATE AND LOCAL CODES, AS WELL AS FEDERAL, STATE, AND MUNICIPAL REGULATIONS.
G. THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF ALL FIELD DIMENSIONS, LOCATIONS AND CONDITIONS PRIOR TO THE PURCHASE OF ANY MATERIALS AND COMMENCEMENT OF WORK. NOTIFY THE ARCHITECT OF ALL DISCREPANCIES THAT WILL AFFECT THE WORK FOR RESOLUTION.

GENERAL ELEC SITE NOTES
1. CONTRACTOR SHALL THOROUGHLY FAMILIARIZE HIMSELF WITH THE CONTRACT DOCUMENTS SO THAT HE CLEARLY UNDERSTANDS HIS RESPONSIBILITY IN RELATIONSHIP TO THE WORK TO BE PERFORMED.
2. THE PROJECT DRAWINGS ARE GENERALLY DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE PERFORMED. HOWEVER, THE DRAWINGS ARE NOT INTENDED TO SHOW EVERY CONDUIT, FITTING, BOX, EQUIPMENT OR APPURTENANCE REQUIRED TO BE FURNISHED AND INSTALLED OR DISCONNECTED AND REMOVED.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACTUAL LOCATIONS OF FACILITIES AND VERIFICATION OF DIMENSIONS. IN ADDITION, CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND FOR THE COORDINATION OF WORK OF HIS TRADE SO THAT WORK OF ALL TRADES WILL BE PERFORMED IN AN ORDERLY MANNER AND WITH THE LEAST INTERFERENCE.
4. ALL WORK BY THE CONTRACTOR SHALL BE PERFORMED IN A NEAT, WORKMANLIKE MANNER, SO AS NOT TO DAMAGE ANY NEW OR EXISTING SURFACE, BUILDING COMPONENTS, EQUIPMENT, ETC. WHERE DAMAGE OF SUCH OCCURS, THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND LABOR NECESSARY FOR THE COMPLETE RESTORATION OF THE DAMAGED EQUIPMENT OR SURFACE.
5. ALL ELECTRICAL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE 2017 NATIONAL ELECTRICAL CODE.
6. ALL UNDERGROUND RACEWAYS SHALL BE SCHEDULE 40 PVC, AT INDICATED BURIAL DEPTHS. EXTERIOR RACEWAYS ROUTED ABOVE GROUND SHALL BE GALVANIZED RIGID STEEL, CONVERTED UNDERGROUND, PRIOR TO VERTICAL SNEEP. MINIMUM BURIAL DEPTH OF 6" IS PERMITTED USING RIGID STEEL CONDUITS IF DEEMED NECESSARY.
7. CONTRACTOR SHALL COORDINATE THE ROUTING OF THE UNDERGROUND RACEWAYS WITH THE OWNER PRIOR TO EXCAVATION.
8. CONTRACTOR SHALL PATCH ALL EXISTING BITUMINOUS & CONCRETE SURFACES DISTURBED BY WORK OF THIS PROJECT.
9. CONTRACTOR SHALL REPLACE ALL DAMAGED LANDSCAPE MATERIALS INCLUDING, BUT NOT LIMITED TO: GRASS, SHRUBBERY, PLANTS, TREES AND OTHERS AS INDICATED OR DIRECTED IN THE FIELD.
10. CONTRACTOR SHALL PROVIDE ALL NECESSARY POLES, FIXTURES AND ACCESSORIES AS SPECIFIED.
11. CONTRACTOR SHALL COORDINATE FINAL LOCATION OF POLE BASES IN FIELD WITH THE FINAL SITE LIGHTING PLANS. CONTRACTOR SHALL STAKE PROPOSED POLE LOCATIONS AND VERIFY THE LOCATIONS WITH THE OWNER PRIOR TO AUGURING.
12. EXISTING LIGHTING SYSTEMS SHALL BE MAINTAINED OPERATIONAL THROUGHOUT CONSTRUCTION PERIOD UNTIL SUCH TIME THAT ALL NEW FIXTURES ARE OPERATIONAL. TEMPORARY LIGHTING SYSTEMS SHALL BE PROVIDED WHERE NECESSARY.
13. ALL EQUIPMENT SHALL BE UL LISTED AND LABELED.
14. CONTRACTOR SHALL CONTACT THE PA ONE-CALL SYSTEM (800-242-1176) A MINIMUM OF FOUR (4) WORKING DAYS PRIOR TO ANY EXCAVATION.
<b>CONTRACT RESPONSIBILITIES</b>
ALL WORK INDICATED ON THESE DRAWINGS AND RELATED SPECIFICATIONS IS INTENDED TO BE PERFORMED BY THE ELECTRICAL CONTRACTOR UNLESS OTHERWISE NOTED.

<b>POWER-UP ELECTRICAL DESIGN SERVICES, LLC</b> 802 Brush Oaks Dr Altoona, PA 16602 P: (814) 207-8432 mackm@powerupelectricaldesign.com	
<b>PGH Real Estate Holdings, LLC</b> <b>Parking Lot Lighting</b> 125 East Pine Grove Rd Pine Grove Mills, Pa 16868	
Project No.:	2022-42
Drawn By:	mwm
Checked By:	MWM
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Sheet Title	LEGEND AND GENERAL NOTES
Sheet No.	E0.1



1 PARTIAL SITE PLAN - SITE LIGHTING  
 E1.0 SCALE: 1/8" = 1'-0"  
 SCALE: 1/8" = 1'-0"

**GENERAL NOTES** (THIS SHEET ONLY)

- A. REFER TO DWG E0.1 FOR GENERAL NOTES THAT APPLY TO ALL DRAWINGS.
- B. ALL RACEWAYS SHALL INCLUDE AN INSULATED EQUIPMENT GROUNDING CONDUCTOR FOR ALL BRANCH CIRCUITS AND FEEDERS. CONDUIT IS NOT PERMITTED TO ACT AS AN EQUIPMENT GROUNDING CONDUCTOR UNLESS OTHERWISE NOTED.
- C. CONTRACTOR SHALL DERATE CONDUCTORS WHERE FOUR (4) OR MORE CURRENT CARRYING CONDUCTORS ARE INSTALLED IN ANY SINGLE RACEWAY. INCREASE CONDUCTOR SIZE IN ACCORDANCE WITH NEC ART 315.B.2.9.
- D. BRANCH CIRCUITS SHALL CONSIST OF CONDUCTORS NO SMALLER THAN 12AWG FOR 20 AMP CIRCUITRY.
- E. ELECTRICAL CONTRACTOR SHALL COORDINATE ALL ROUGH-INS WITH OTHER TRADES FOR ALL ELECTRICAL SERVICES REQUIRED BY OTHER TRADES.
- F. ALL UNDERGROUND RACEWAYS SHALL BE INSTALLED A MINIMUM 24" BELOW FINISHED GRADE WITH LOCATOR TAPE BURIED 1'-0" BFG.

**KEY NOTES**

- 1 EXISTING ELECTRICAL SERVICE PANEL TO REMAIN. PROVIDE NEW AREA LIGHTING BRANCH CIRCUIT BREAKER AND REVISE EXISTING SCHEDULE. ALL NEW OVERCURRENT PROTECTIVE DEVICES SHALL MATCH EXISTING MFR AND TYPES FOR NEW AREA LIGHTING BRANCH CIRCUIT.
- 2 INSTALL NEW AREA LIGHTING BRANCH CIRCUIT IN 3/4" EMT CONDUIT ALONG BASEMENT WALL FROM EXISTING SERVICE PANEL TO LOCATION OF NEW JUNCTION BOX. INSTALL AS HIGH AS POSSIBLE ON BASEMENT WALL.
- 3 INSTALL NEW 12"x12"x4" SCREW COVER JUNCTION BOX AT ELEVATION ON BASEMENT WALL TO INTERCEPT EXTERIOR UNDERGROUND RACEWAY ENTRIES INTO BUILDING.
- 4 INSTALL BUILDING MOUNTED AREA LIGHTING CONDUIT ON EXTERIOR WALL UP TO FIXTURE LOCATION UNLESS FISHING IN INTERIOR WALLS IS POSSIBLE.
- 5 ALL BUILDING EXTERIOR WALL PENETRATIONS SHALL BE SEALED WATERTIGHT.
- 6 NEW UNDERGROUND DIRECT BURIED AREA LIGHTING BRANCH CIRCUIT CONSISTING OF ONE (1) 1" PVC SCH40 DIRECT BURIED CONDUIT. REFER TO DIAGRAMS FOR CONDUCTOR INFORMATION.

**POWER-UP ELECTRICAL DESIGN SERVICES, LLC**  
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 mackm@powerupelectricaldesign.com

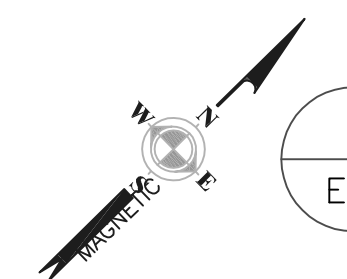
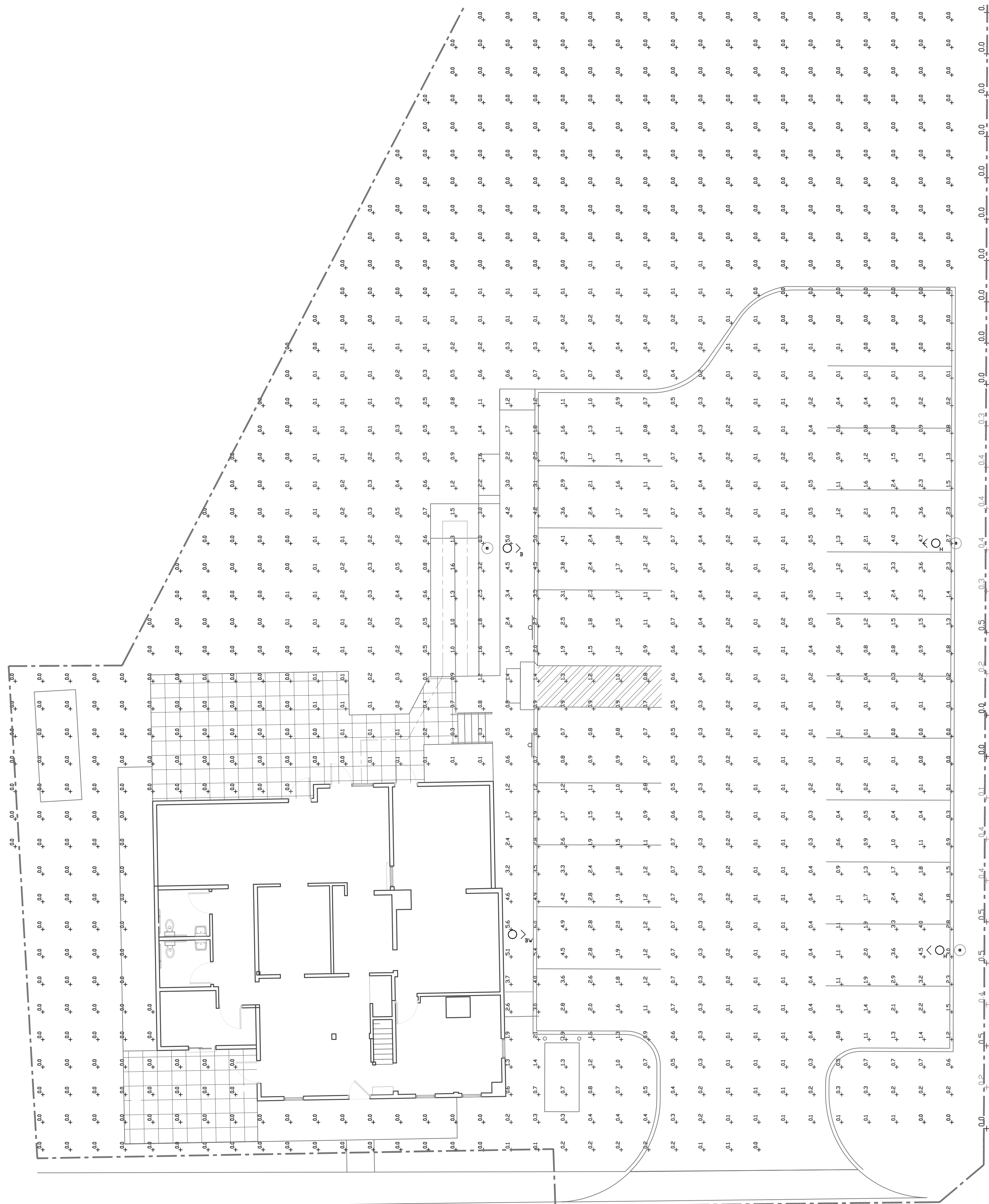
**PGH Real Estate Holdings, LLC**  
**Parking Lot Lighting**  
 125 East Pine Grove Rd  
 Pine Grove Mills, Pa 16868

		FERGUSON TOWNSHIP REVIEW	
	11-10-22		
	10-4-22	FINAL - ISSUED TO OWNER	
	9-29-22	99% OWNER REVIEW	
			SUBMISSIONS

Project No.: 2022-42  
 Drawn By: mwm  
 Checked By: MWM

Sheet Title  
**SITE PLAN**

Sheet No.  
 E1.0



1 SITE LIGHTING PHOTOMETRICS  
E1.1 SCALE: NONE

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
FULL SITE	+	0.5 fc	6.0 fc	0.0 fc	N/A	N/A
SPARROW ST	+	0.1 fc	0.5 fc	0.0 fc	N/A	N/A
ADJACENT HOUSE GLARE SIDE(Copy)	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A

Symbol	Label	Image	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power	Polar Plot
<>	A		0	Lumca	CP04XX 12,LED05 20W 120V L4 30K	Concept	1	2170	0.89	21.9	Max 937cd
<>	B		1	Lumca	CP04XX 24,LED05 40W 120V L4 30K	Concept	1	4339	0.89	42	Max 1874cd
<>	H		2	Lumca	CP04XX 12,LED05 20W 120V L4 30K-95S	Concept	1	1738	0.89	21.79	Max 874cd
<>	BW		1	Lumca	CP04XX 24,LED05 40W 120V L4 30K	Concept	1	4339	0.89	42	Max 1874cd

NOTES FOR PLAN REVIEWER

THE PREVIOUS SUBMISSION TO FERGUSON TOWNSHIP WAS REJECTED BASED ON LIGHTING LEVEL CALCULATIONS AT THE PROPERTY LINE EXCEEDING THE FERGUSON TOWNSHIP LIGHTING ORDINANCE REQUIREMENTS.

THE DESIGNER HAS REVIEWED THE CALCULATIONS AND THE FOLLOWING CHANGES WERE MADE TO MEET THE MAINTAINED MAXIMUM LIGHTING LEVELS AT THE PROPERTY LINE BASED ON TABLE 127 OF SECTION 4-127 IN THE ORDINANCE (0.5FC MAX MAINTAINED):

FIXTURE SUPPORT ARM LENGTHS WERE CONFIRMED AND MORE ACCURATELY REPRESENTED IN THE CALCULATION. FIXTURE SPACING FROM POLE TO CENTER OF LAMP INCREASED BY 1'-0".

POLE BASE LOCATIONS WERE READJUSTED TO BE AS FAR AWAY FROM THE PROPERTY LINE AS POSSIBLE WHILE NOT INFRINGING ON THE PHYSICAL CURBS OF THE PARKING AREA.

BASED ON THE SLOPING GRADE AT THE SITE, CALCULATION LEVELS ARE MORE ACCURATELY PRESENTED BASED ON THE KNOWN GRADE SLOPING FROM WEST-TO-EAST ON THE SITE. THIS WAS RECREATED IN THE CALCULATION SOFTWARE.

POLE HEIGHTS WERE NOT CHANGED AS THE DESIGNER IS STRIVING TO NOT IMPOSE LAMP GLARE INTO THE ADJACENT RESIDENCE WINDOWS WHILE MEETING THE TOWNSHIP'S REQUIREMENTS.

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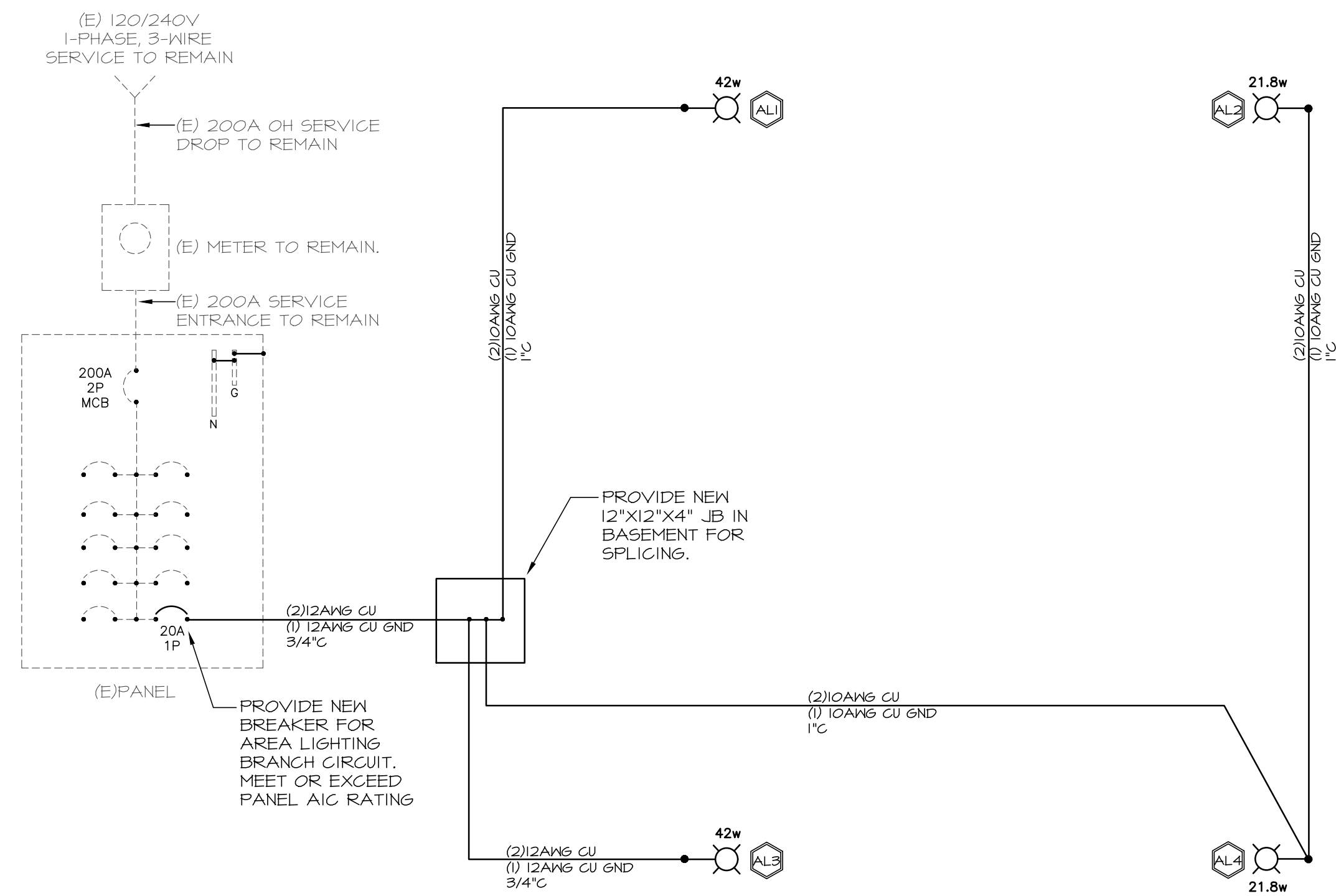
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11-10-22	FERGUSON TOWNSHIP REVIEW
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Drawn By: mwm  
Checked By: MWM

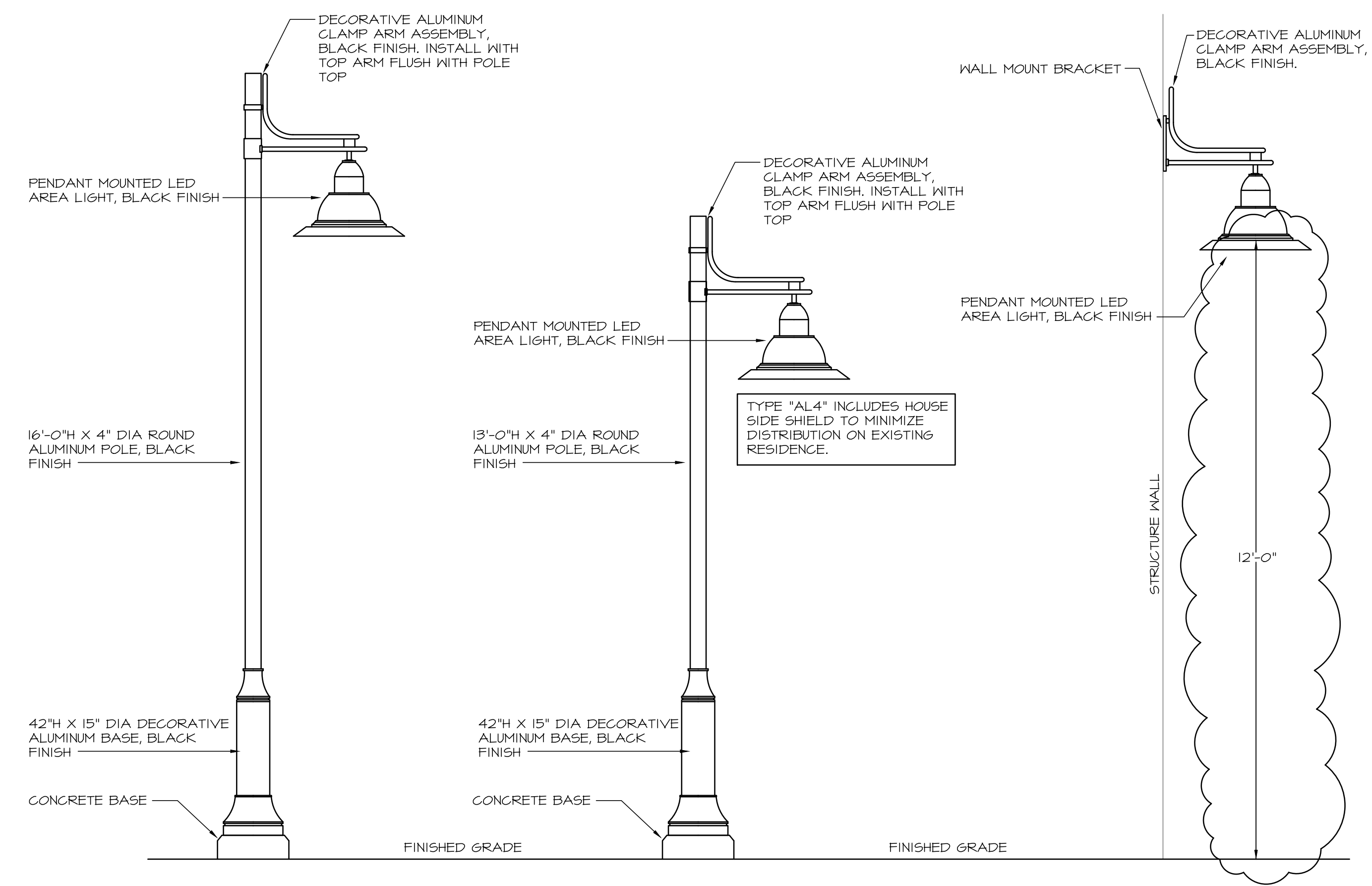
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Sheet Title  
LIGHTING CALCULATIONS

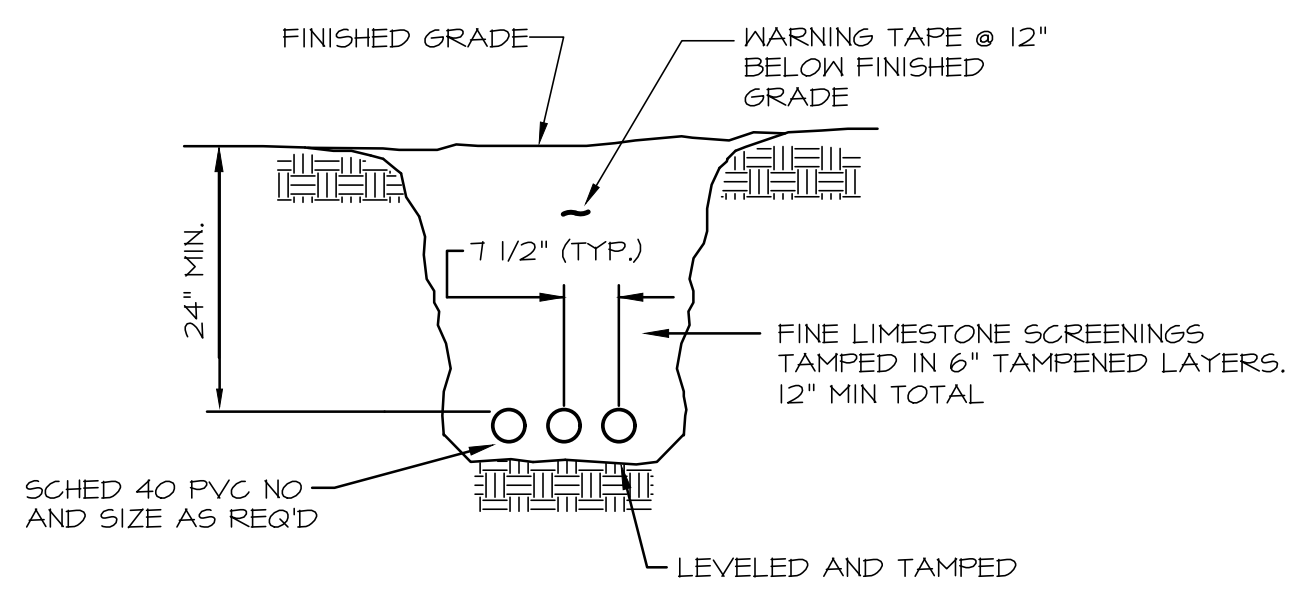
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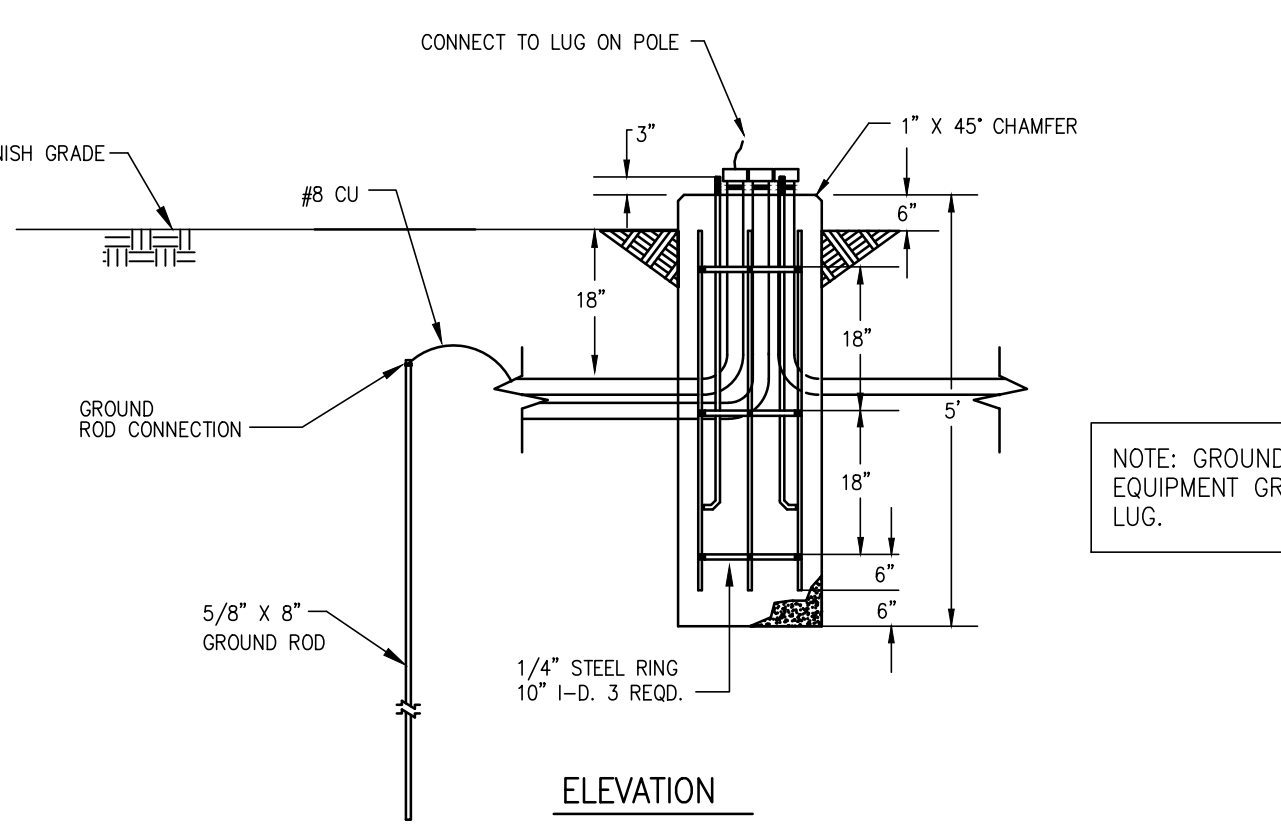
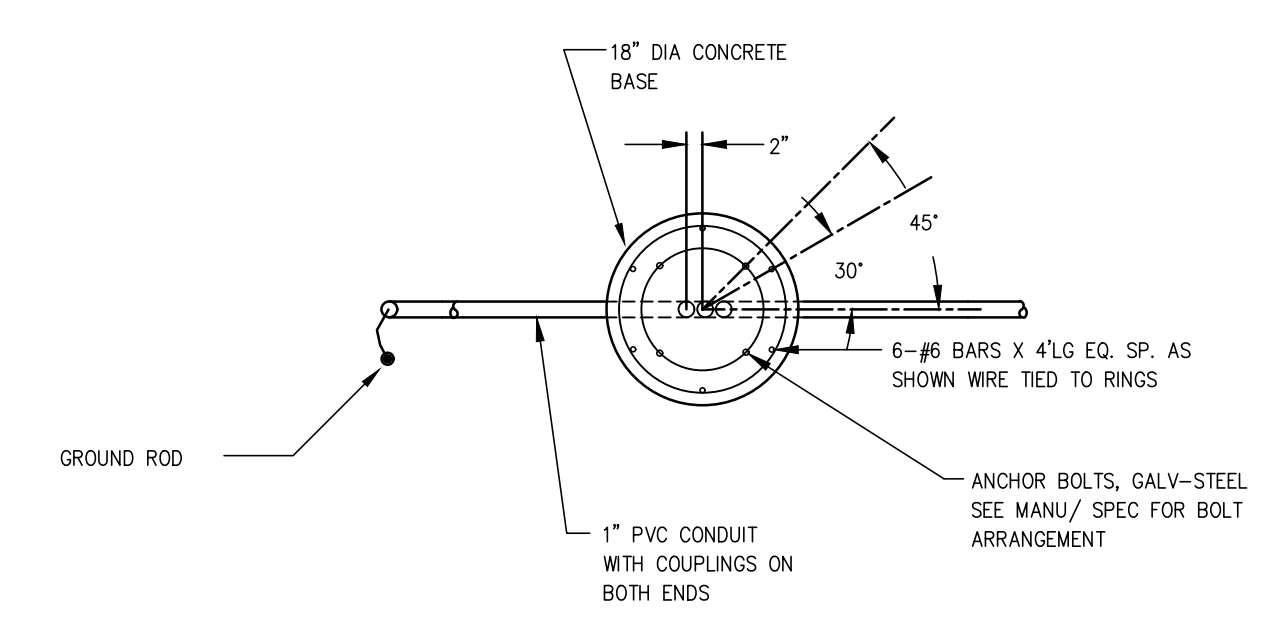
**1 PARTIAL BUILDING 1-LINE DIAGRAM**  
 SCALE: NONE



**2 SITE LIGHTING ASSEMBLY DETAILS**  
 SCALE: NONE



**3 DIRECT BURIED CONDUIT DETAIL**  
 SCALE: NONE NOTE: NUMBER OF CONDUITS MAY VARY



**4 LIGHT POLE BASE DETAIL**  
 SCALE: NONE

**SITE LIGHTING FIXTURE SCHEDULE**

FIXTURE DESIGNATION	ASSEMBLY/FIXTURE DESCRIPTION	LUMINAIRE INFORMATION					POLE/MOUNTING INFORMATION					REMARKS	
		NUMBER OF LAMPS AND RESPECTIVE WATTAGE	LUMINAIRE MANUFACTURER	LUMINAIRE MODEL NUMBER	VOLTAGE	LUMINAIRE MOUNTING	ASSY WATTAGE	TOTAL QTY	TOTAL WATTAGE	POLE/MOUNT DESCRIPTION	POLE DIMENSIONS		POLE/MOUNT MFR/MODEL
AL1	SINGLE ARM POLE MOUNTED LED AREA LIGHT TYPE IV DISTRIBUTION	40 WATT 3000K LED	LUMCA	CPM0406-EKF-24LED05-40W-30K-L4-120-BK-BTP	120	SINGLE ARM	42	1	42	16'-0", 4"DIA ROUND STRAIGHT ALUMINUM W/ DECORATIVE BASE AND ARM	16'H 4"DIA .188\"/>		
AL2	SINGLE ARM POLE MOUNTED LED AREA LIGHT TYPE IV DISTRIBUTION	20 WATT 3000K LED	LUMCA	CPM0406-EKF-12LED05-20W-30K-L4-120-BK-BTP	120	SINGLE ARM	22	1	22	13'-0", 4"DIA ROUND STRAIGHT ALUMINUM W/ DECORATIVE BASE AND ARM	13'H 4"DIA .188\"/>		
AL3	SINGLE ARM WALL MOUNTED LED AREA LIGHT TYPE IV DISTRIBUTION	40 WATT 3000K LED	LUMCA	CPM0406-EKF-24LED05-40W-30K-L4-120-BK-BTP	120	SINGLE ARM	42	1	42	DECORATIVE ARM WITH WALL MOUNT BRACKET	N/A	ARM: LUMCA MA-CF42-BK	ARM AND FIXTURE TO BE BLACK FINISH PROVIDE BUTTON TYPE PHOTOCELL ON LUMINAIRE, 12'-0\"/>
AL4	SINGLE ARM POLE MOUNTED LED AREA LIGHT TYPE IV DISTRIBUTION WITH HOUSE SIDE SHIELD	20 WATT 3000K LED	LUMCA	CPM0406-EKF-12LED05-20W-30K-L4-120-BK-BTP-HSS	120	SINGLE ARM	22	1	22	13'-0", 4"DIA ROUND STRAIGHT ALUMINUM W/ DECORATIVE BASE AND ARM	13'H 4"DIA .188\"/>		

NOTE: ALL LED LAMPS SHALL INCORPORATE A MIN 70 CRI

NOTE: GROUNDING ELECTRODE CONDUCTOR AND CIRCUIT EQUIPMENT GROUND WIRE SHALL BE BONDED AT POLE LUG.

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 Drawn By: mwm  
 Checked By: MWM

Sheet Title  
**DETAILS AND DIAGRAMS**

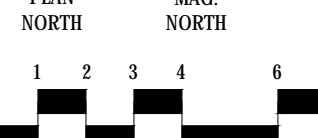
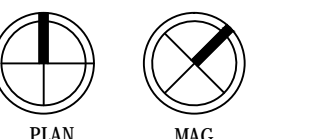
Sheet No.  
**E2.0**

REVISIONS		
DELTA	DATE	DESCRIPTION

PGH / 125 PINE GROVE ROAD RESTAURANT  
125 EAST PINE GROVE ROAD  
PINE GROVE MILLS, PA 16888

OWNER:

PROFESSIONAL SEAL



PLAN ORIENTATION / GRAPHIC SCALE

MARCH 21, 2023

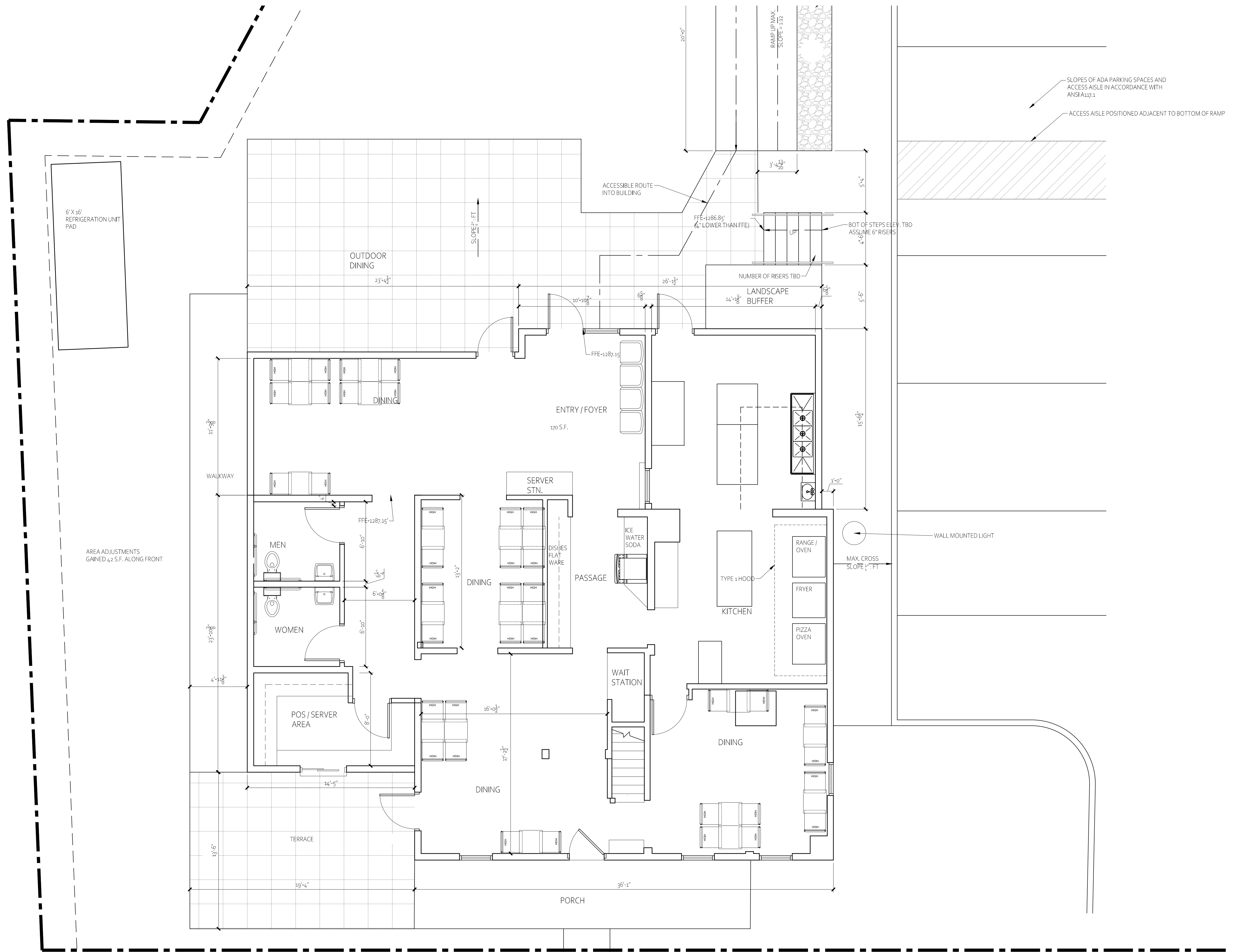
DATE

FIRST FLOOR PLAN

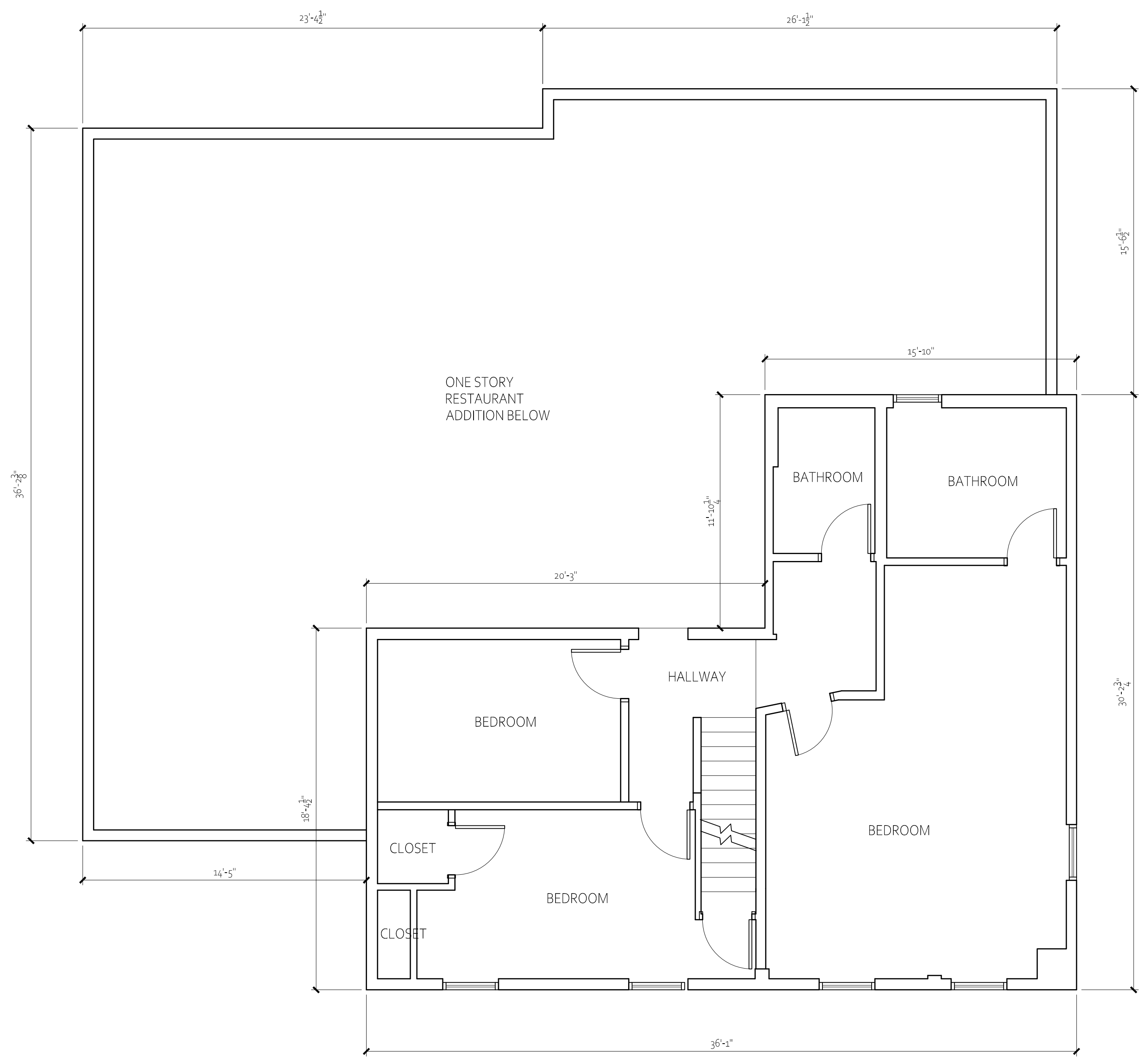
SHEET NAME

A201

DRAWING NUMBER



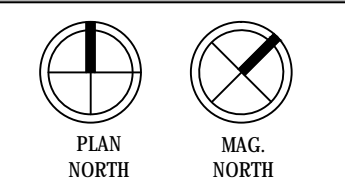
REVISIONS		
DELTA	DATE	DESCRIPTION



PGH / 125 PINE GROVE ROAD RESTAURANT  
125 EAST PINE GROVE ROAD  
PINE GROVE MILLS, PA 16888

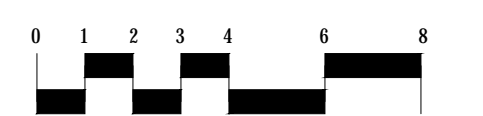
OWNER:

PROFESSIONAL SEAL



PLAN NORTH

MAG. NORTH



PLAN ORIENTATION / GRAPHIC SCALE

MARCH 21, 2023

DATE

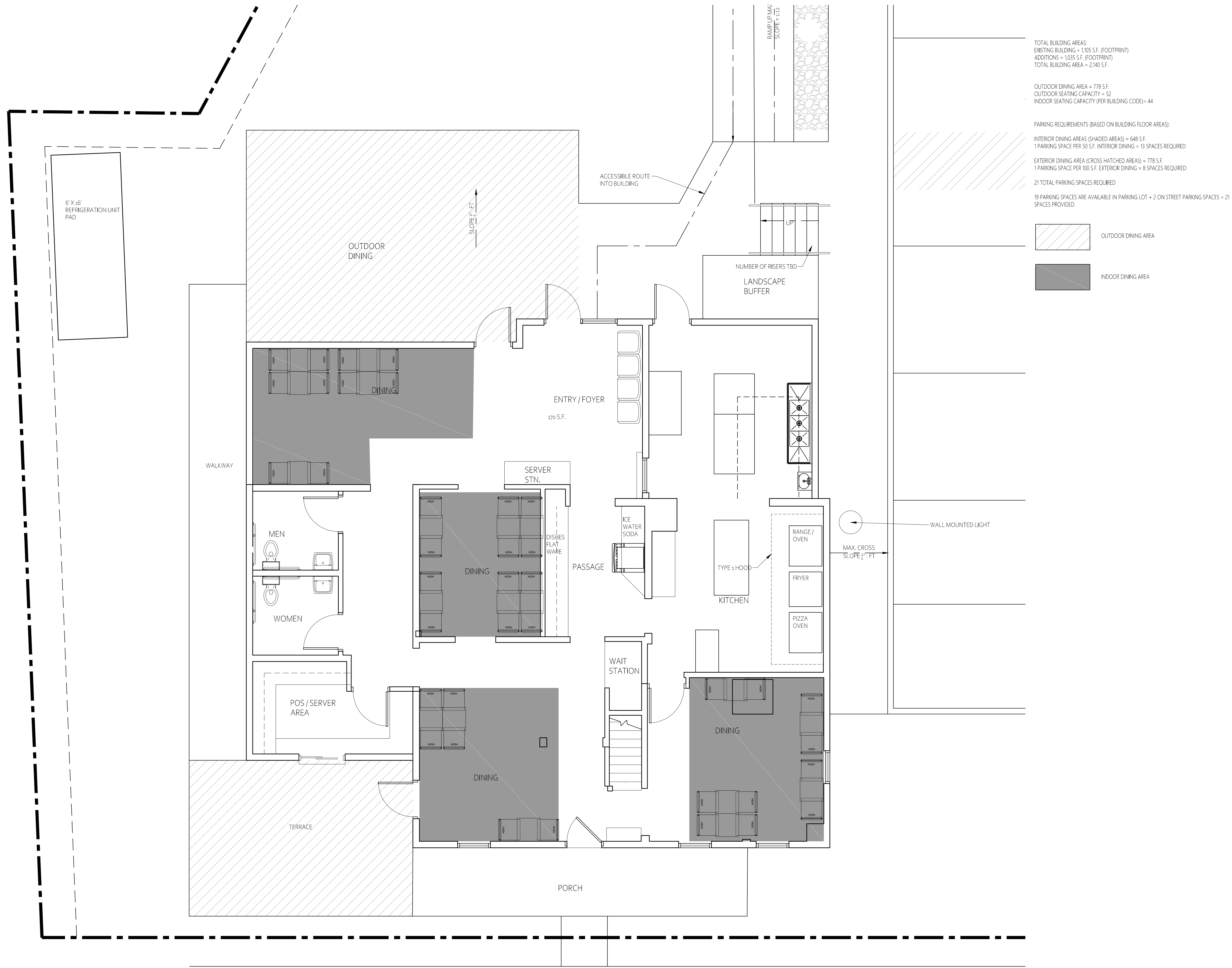
SECOND FLOOR  
PLAN

SHEET NAME

A202

DRAWING NUMBER





TOTAL BUILDING AREAS:  
 EXISTING BUILDING = 1,105 S.F. (FOOTPRINT)  
 ADDITIONS = 1,035 S.F. (FOOTPRINT)  
 TOTAL BUILDING AREA = 2,140 S.F.

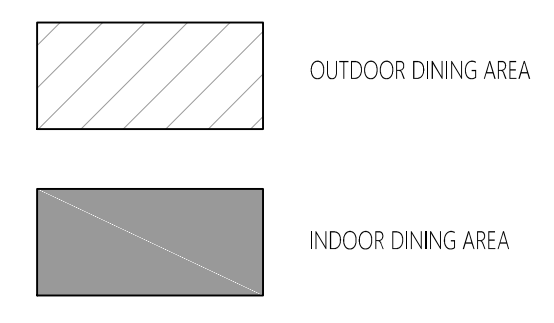
OUTDOOR DINING AREA = 778 S.F.  
 OUTDOOR SEATING CAPACITY = 52  
 INDOOR SEATING CAPACITY (PER BUILDING CODE) = 44

PARKING REQUIREMENTS (BASED ON BUILDING FLOOR AREAS):  
 INTERIOR DINING AREAS (SHADED AREAS) = 648 S.F.  
 1 PARKING SPACE PER 50 S.F. INTERIOR DINING = 13 SPACES REQUIRED

EXTERIOR DINING AREA (CROSS HATCHED AREAS) = 778 S.F.  
 1 PARKING SPACE PER 100 S.F. EXTERIOR DINING = 8 SPACES REQUIRED

21 TOTAL PARKING SPACES REQUIRED

19 PARKING SPACES ARE AVAILABLE IN PARKING LOT + 2 ON STREET PARKING SPACES = 21 SPACES PROVIDED.

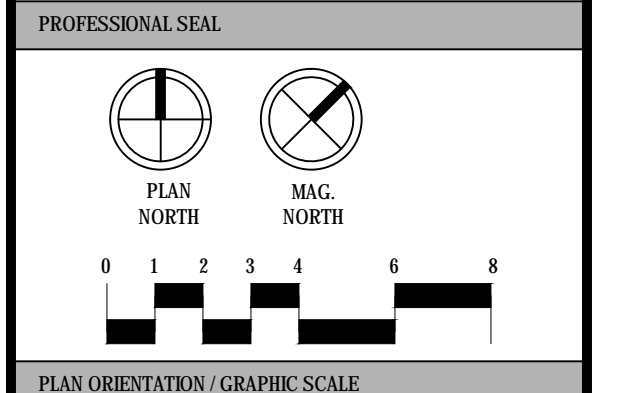


**1** PARKING AND OCCUPANCY ANALYSIS PLAN  
 SCALE: 1/8" = 1'-0"

REVISIONS		
DATE	DATE	DESCRIPTION

**PGH / 125 PINE GROVE ROAD RESTAURANT**  
 125 EAST PINE GROVE ROAD  
 PINE GROVE MILLS, PA 16888

OWNER:



PLAN ORIENTATION / GRAPHIC SCALE

MARCH 21, 2023  
 DATE

**PARKING ANALYSIS PLAN**  
 SHEET NAME

**C100**  
 DRAWING NUMBER