

PROCESS TO CONSTRUCT A HOME IN LEHIGH TOWNSHIP

Letter of Approval from Lehigh Township Municipal Authority: If public connection is required, contact Dave Getz at 610-760-2459, from the Lehigh Township Municipal Authority for requirements and hook-up fee information.

Letter of Approval from the Sewage Enforcement Officer: For the installation of all new on-lot sewage disposal system (including but not limited to repairs, replacements, expansions, or the continuation of an existing system for the replacement of a home), an approval is required by the Township Sewage Enforcement Officer (SEO). Contact Chris Noll at Keystone Consulting Engineers, Inc., at 610-865-4555, for permit information and fees (check payable to Lehigh Township).

Grading Plan: A grading plan is required in accordance with Ordinance 2009-5. You will need to contract with a licensed professional to prepare a grading plan. Four (4) copies of the grading plan shall be submitted to the Township for review by the Township Engineer, submission amount due is five hundred (\$500.00) dollars. The review fee is four hundred (\$400.00) dollars (check payable to Lehigh Township). This covers the cost for the Township Engineer's review of the grading plan. The final grading inspection fee is one hundred dollars (\$100.00). In the event additional reviews and submissions are required, an additional fee of two hundred fifty (\$250.00) dollars for each resubmission/observation per request will be charged. In the event of a final grading reinspection, an additional fee of one hundred (\$100.00) dollars per reinspection will be charged. **A certificate of occupancy will not be issued by the Township until a Foundation Location and Elevation Survey Plan approval letter has been received from the Township Engineer.

Zoning Application: Zoning approval is required for permitted use and setback requirements. The new home construction fee for Lehigh Township is five hundred fifty \$550.00 dollars (check payable to Lehigh Township) which includes the fees for the zoning, driveway and the certificate of occupancy. **Additional fees for accessory structures, decks, patio's, etc. apply.

Site Drawing/Plot Plan: A site drawing for zoning purposes indicating all proposed structures, i.e., single family dwelling and driveway shall be provided. If replacing a home, indicate all existing structures to remain on the property. Please include the dimensions of all structures and the driveway. Indicate the setback information from all property lines for both the home and the driveway. Prior to issuing a zoning and building permit, both of these items need to be staked on the property in order for the setback requirements to be verified by the Zoning Officer.

Driveway Application: The driveway location may be drawn on the same site drawing/plot plan as the proposed home, as it is for zoning purposes. The driveway drawing should show the location of the driveway, dimensions and setbacks from the property lines. **A driveway application shall be submitted for existing driveways as well; please indicate the dimensions and existing setbacks.

Certificate of Occupancy Application: This is required in order to occupy the home. The occupant(s) and/or owner information shall be provided.

Building Inspections: Plan review is required for the construction of your home for code compliance under State law known as the Uniform Construction Code, Act 45. All applications are on file at the Township office or on the Township web site, www.lehightownship.com, under the forms and documents tab. Inspection company building fees are in addition to permit fee(s) charged by Lehigh Township. **A certificate of occupancy will not be issued by the Township until a final inspection report has been received by the building inspection company.

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All of the reviews; building, zoning, sewage, and grading can be reviewed concurrently. So as not to delay the process, it is suggested that you have a licensed professional prepare the septic design and grading plans at the same time the contractor is preparing the single-family dwelling home plan. The grading and building plan reviews take approximately three (3) weeks. Please ensure that the proposed location of the home and driveway are staked clearly on site; along with providing the setback distances from the home and/or driveway to all property lines.



ZONING PERMIT APPLICATION

1069 MUNICIPAL ROAD, WALNUTPORT, PA 18088
PHONE (610) 767-6771 FAX (610) 767-1452

TAX MAP: _____

DATE: _____

PROJECT ADDRESS: _____

APPLICANT NAME: _____

PHONE: _____

APPLICANT ADDRESS: _____

FAX: _____

CITY: _____

STATE: _____

ZIP CODE: _____

EMAIL: _____

APPLICANT SIGNATURE: _____

Signature grants permission for Township staff to access property to check setbacks.

Home Improvement Consumer Protection Act

Effective July 1, 2009, contractors must register with the Office Of Attorney General. To verify contractor registration, contact the Attorney General's office directly at 1-888-520-6680 or www.attorneygeneral.gov

CONTRACTOR NAME: _____

PHONE: _____

BUSINESS ADDRESS: _____

FAX: _____

CITY: _____

STATE: _____

ZIP CODE: _____

EMAIL: _____

PROPERTY OWNER: _____

PHONE: _____

OWNER ADDRESS: _____

FAX: _____

CITY: _____

STATE: _____

ZIP CODE: _____

EMAIL: _____

APPLICATION FOR:

LOT INFORMATION:

GENERAL INFORMATION:

Check all that apply:

- ☐ Electrical
- ☐ Plumbing
- ☐ HVAC
- ☐ Change of Use
- ☐ Change of Occupancy

- ☐ New Building
- ☐ Addition to Building
- ☐ Accessory Structure
- ☐ Exterior Alteration
- ☐ Interior Alteration
- ☐ Razing / Demolition
- ☐ New Commercial Tenant

Lot Area: _____

SETBACKS:

Front Yard Setback: _____

Rear Yard Setback: _____

Right Yard Setback: _____

Left Yard Setback: _____

Check all that apply:

- ☐ Public Water
- ☐ Public Sewer
- ☐ Private Well
- ☐ On-Lot Septic
- ☐ Corner Lot
- ☐ Interior Lot

- ☐ In Flood Plain - Y or N
- If yes, signed & sealed info by licensed professional required.

NOTE: A site drawing shall be provided with the zoning application. **Please see second page for requirements

DESCRIPTION OF WORK:

☐ COST OF PROPOSED WORK:

FOR OFFICE USE ONLY:

Approved
By: _____

APPROVAL
DATE _____

DENIAL
DATE _____

Comments: _____

FEES:

Township Fee \$ _____

3rd Party Fee \$ _____

(Less Any Deposits)

☐ Township Deposit (-) _____

☐ 3rd Party Deposit (-) _____

BALANCE DUE:

☐ Township

☐ 3rd Party

Ins. Co. _____

☐ CHECK # _____

☐ CASH

ZONING DISTRICT:

- ☐ Agriculture/Rural Res.
- ☐ Blue Mountain Conserv.
- ☐ General Commercial
- ☐ Industrial

- ☐ Neighborhood Comm.
- ☐ Office/Business
- ☐ Resort Commercial
- ☐ Village Residential

- ☐ RESIDENTIAL USE
- ☐ COMMERCIAL USE

ZONING PERMIT NUMBER: _____

BUILDING PERMIT NUMBER: _____

***A \$25.00 non-refundable deposit, to Lehigh Township, is required with the submission of this application. Permit fees are non-refundable after the permit is issued by the Township.



DRIVEWAY PERMIT APPLICATION

(INCLUDES NEW AND RE-PAVING EXISTING)

1069 MUNICIPAL ROAD, WALNUTPORT, PA 18088

PHONE (610) 767-6771 FAX (610) 767-1452

APPLICATION DATE: _____

TAX MAP NO. _____

DRIVEWAY SITE LOCATION: _____

☐ Residential Use - OR - ☐ Commercial Use **COST OF PROPOSED WORK \$** _____

PROPERTY OWNER: _____ PHONE: _____
OWNER ADDRESS: _____ FAX: _____
CITY: _____ STATE: _____ ZIP CODE: _____ EMAIL: _____

CONTRACTOR NAME: _____ PHONE: _____
BUSINESS ADDRESS: _____ FAX: _____
CITY: _____ STATE: _____ ZIP CODE: _____ EMAIL: _____

Applicant agrees that such work will comply with all provisions of the Zoning Ordinance, Building Code, and any and all applicable ordinances of Lehigh Township.

APPLICANT PRINTED NAME: _____

APPLICANT SIGNATURE: _____

START DATE: _____ END DATE: _____

DRIVEWAY WIDTH: _____ DRIVEWAY LENGTH: _____

DRIVEWAY SETBACK: Front: _____ Rear: _____ Left Side: _____ Right Side: _____

All driveways shall be installed in accordance with Section 180-29 of the Zoning Ordinance.

- All driveways shall be placed, constructed and improved so as to provide adequate drainage along the roadway so not as to adversely affect neighboring properties or the municipal or state roadway.
- Driveways shall be a minimum distance of 5 feet from any property line and shall be a minimum of 10 feet in width.
- A site plan (see second page for requirements), shall be provided. The location of the proposed driveway with setbacks to the property line shall also be provided.

FOR OFFICE USE ONLY:

FEES

APPROVALS:	APPROVAL DATE	DENIAL DATE	APPLICATION FEE IS \$50.00
ZONING			

ZONING DISTRICT:

- ☐ Agriculture/Rural Res.
- ☐ Neighborhood Comm.
- ☐ Blue Mountain Conv.
- ☐ Office/Business
- ☐ General Commercial
- ☐ Resort Commercial
- ☐ Industrial
- ☐ Village Residential

**A \$25.00 non-refundable deposit, to Lehigh Township, is required with the submission of this application. Permit fees are non-refundable after the permit is issued by the Township.

FEES: Township Fee \$ _____
(Less Deposit) \$ _____
Balance Due: \$ _____

PERMIT ISSUED BY: _____ DATE: _____ ☐ CASH ☐ CHECK # _____

PERMIT NUMBER: _____

Chapter 180. ZONING

Article III. General Regulations

§ 180-29. Driveways.

A. Permit required; enforcement.

- (1) No new driveway shall be constructed and no existing driveway shall be relocated or modified without first securing a permit from the Township. Applications shall be made to the Zoning Officer for a permit under this section by filling out the appropriate application form and by submitting the required fee established by resolution adopted by the Board of Supervisors, together with any additional information required by the Zoning Officer at the time of submission of the application.
- (2) Construction authorized by Township permit for a driveway shall be performed at such time and in such a manner as to conform to all Township requirements and standards. Such work will be approved only by the designated Township official appointed by the Board of Supervisors and upon receipt of written completion notice from the permittee. Any action inconsistent with the provisions of this section or other pertinent Township ordinances shall be subject to a cease and desist order issued by the Board of Supervisors or its authorized representatives. If at any stage of the work the designated Township official or Zoning Officer determines that the facilities are not being installed in accordance with the approved permit, the Township shall revoke any existing permits until a revised permit is submitted and approved or unless the installation is corrected within 30 days of date of notification by the Township to conform to the approved permit.

B. All driveways shall be placed, constructed, and improved so as to provide adequate drainage along the roadway so as not to adversely affect neighboring properties and the Township or commonwealth roadways.

C. Driveways shall not be located closer than five feet to any property line and shall be a minimum 10 feet and maximum 22 feet in width.

D. Grades.

[Amended 6-14-2011 by Ord. No. 2011-1]

- (1) Access road and driveway grades shall not exceed 7% when access is to an arterial street or 10% otherwise except that the initial 20 feet from the curbline or edge of shoulder of a public street shall be a maximum of five-percent grade.
[Amended 6-14-2011 by Ord. No. 2011-1]

- (2) (Reserved)

- (3) Any stricter requirements that may be in Chapter 147, Subdivision and Land Development, shall apply.

- E. Drainage. Adequate provisions shall be made to maintain uninterrupted parallel drainage along a public street at the point of driveway entry.
- F. State permit. Where access is to a state highway, a PennDOT highway occupancy permit shall be obtained.
- G. Subdivision. Where driveways are proposed as part of a subdivision or land development, the provisions of Chapter 147, Subdivision and Land Development, shall also be met. If there are any conflicts between the requirements of this chapter and Chapter 147, Subdivision and Land Development, the stricter provisions shall apply.
- H. Sight distance for driveways.
 - (1) A triangular area bounded by the center line of the intersecting driveway and the street center line and a diagonal connecting two points, one of which is on the driveway center line and the other of which is on the street center line, shall be graded and shall be free of sight obstructions, including fences, and vegetation so that vision between the ground level and a height 10 feet above the center-line grades of the driveway and street is not obscured.
 - (2) This sight triangle shall be protected by deed restriction, lease restriction, or plan amendment (whichever method is applicable).
 - (3) The sight triangle point set on the driveway center line shall be 30 feet from the center line intersections of the driveway and the street. The point set on the street center line shall be one of the following distances from the center-line intersection of the driveway and the street:
 - (a) Thirty feet for a driveway serving only one dwelling unit.
 - (b) Fifty feet for all other residential uses.

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

1069 MUNICIPAL ROAD
WALNUTPORT, PA 18088

Phone 610-767-6771

Fax 610-767-1452

APPLICATION FOR OCCUPANCY PERMIT

Please complete the following information and return to the above address.

¹Name _____ Social Security # _____

²Name _____ Social Security # _____

Address _____ Telephone # _____

Previous Address _____

¹Employer & Address _____

²Employer & Address _____

Anticipated Moving Date _____

LEHIGH TOWNSHIP
LIST OF
THIRD PARTY BUILDING INSPECTION AGENCIES

COMPANY

PHONE NUMBER

Commercial & Residential Projects

Keller Zoning & Inspection Service
115 S. Broad Street
Nazareth, PA 18064

Office
610-759-8227

Keycodes Inspection Agency
1307 West Lehigh Street
Bethlehem, PA 18018

Office
610-866-9663

Mailing

PO Box 391
Bethlehem, PA 18016

Lehigh Valley Inspection Service
P. O. Box 423
Orefield, PA 18069

Office
610-395-3827

PROCEDURE AS FOLLOWS:

The Township's procedure is such that the Applicant/Resident will obtain all applications at the Township Building **prior** to start of any work. This ensures the Applicant/Resident has acquired zoning approval and meets all zoning requirements. The basic steps for the building permit process are as follows:

THE PROPERTY OWNER MUST OBTAIN ZONING APPROVAL PRIOR TO ISSUANCE OF A UCC BUILDING PERMIT.

1. A completed zoning application & third-party inspection form shall be submitted.
2. A site drawing showing the location of the proposed construction; along with providing the property setbacks shall be submitted.
3. Three (3) sets of construction drawings shall be submitted.
4. The required Township deposit & third-party deposits shall be submitted to the Township at the time of submittal of the zoning & building application forms. (2 separate checks)
5. Upon approval of the construction documents, the third-party agency will return the documents to the Township with inspection requirements & balance due(s), if any.
6. Township personnel will administer all paperwork, collect all permit fees & issue the zoning & building permits.
7. Township personnel will notify the Applicant when the permit is ready for pick up. Please provide an email address on all applications. Permits will not be issued until balances are paid in full.
8. It is the responsibility of the Applicant to schedule the required inspections with the appropriate third-party agency.
9. A Certificate of Occupancy will not be issued until the final inspection report is received from the third-party agency.

ORDINANCE 2009-5 CHECKLIST

- Plan size - minimum 8-1/2" x 11"
- Scale not less than 1" = 50'
- Subdivision name and lot number
- Tax Map Parcel # and ID #
- Zoning District
- Date of plan and all revisions, north arrow, graphic scale, legend
- Lot size in acres and square feet
- Name, address, phone number and license number of Professional Engineer (P.E.) or Land Surveyor (P.L.S.)
- Property-line metes and bounds
- Existing and proposed rights-of-ways/easements/restricted areas
- Building setback dimensions

Grading/Erosion and Sediment Control Plan: For purposes of obtaining a Building Permit, the applicant shall provide a plan including but not limited to the following additional requirements:

- | | |
|----------------------|---|
| General Information: | Contour interval not more than 2' |
| | Time schedule of anticipated starting and completion dates of development sequence |
| | Chapter 102, 60 day Stabilization, Foundation Location and Elevation, and "As-Built" |
| Existing Features: | Topography |
| | Vegetation/Major trees |
| | Water Courses/Flood limits and elevations/wetlands/stream buffers |
| | Manmade Features |
| | Soil Types/carbonate geology features |
| | Average lot slope |
| Proposed Features: | Structure location with building dimensions, stake locations, driveway and patios and/or decks |
| | Building offsets and floor elevations |
| | Proposed finished contours and surface water flow arrows |
| | Spot elevations at building corners |
| | Waste disposal systems and reserved waste disposal system areas or septic lateral |
| | Wells or water lateral and valve |
| | Soil erosion and sedimentation control measures to be established prior to construction and including temporary topsoil stockpile locations |
| | Stormwater management facilities with supporting calculations (if applicable) |

Foundation Location/Elevation Plan: For purposes of obtaining authorization to proceed with framing, the applicant shall provide a plan including but not limited to the following additional requirements:

- | | |
|---------------------------|--|
| Constructed Improvements: | Structure location with footprint dimensions |
| | Building offset dimensions |
| | Top of foundation and garage elevations |
| | Date of field survey work |

Certificate of Occupancy: For purposes of obtaining a Certificate of Occupancy, the applicant shall provide all sign-offs, application forms and final site inspection request at least one week prior to the anticipated need of the permit. In the event it is determined by the Township that improvements have deviated from the proposed plan, an As-built plot plan/grading plan may be required. NOTE: Any changes from the approved Grading Permit Plan and application requiring as-built information may incur additional delay in processing your Certificate of Occupancy.

- | | |
|---------------------------|--|
| Constructed Improvements: | All physical improvements including but not limited to structure location with dimensions, decks, walks, driveways, inlets |
| | Building dimensions, offsets, finished floor and garage elevations |
| | Date of survey field work |

See ordinance for complete requirements.

LEHIGH TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2009-5

AN ORDINANCE OF THE TOWNSHIP OF LEHIGH, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING REGULATIONS AND STANDARDS TO GOVERN AND REGULATE THE GRADING OF LAND, THE MODIFICATION OF NATURAL TERRAIN, THE ALTERATION OF DRAINAGE, THE MAINTENANCE OF DRAINAGE NECESSARY TO CONTROL SOIL EROSION, THE ISSUANCE OF GRADING PERMITS, PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING FOR PENALTIES IN THE EVENT OF VIOLATION THEREOF.

WHEREAS, the Board of Supervisors of Lehigh Township, Northampton County, Pennsylvania, (hereinafter referred to as "Township") has determined that the public health, safety, and welfare will be advanced by regulating the modification of natural terrain and the alteration of drainage by providing for regulations related to runoff, grading, erosion and sedimentation control; and

WHEREAS, this Ordinance is authorized by the provisions of the Second Class Township Code and this Ordinance implements Title 25, Rules and Regulations, Part I, Commonwealth of Pennsylvania, Department of Environmental Resources, Subpart C, Protection of Natural Resources, Article II, Water Resources, Chapter 102, Erosion Control, and it is also in support of the efforts of the Northampton County Conservation District.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Lehigh Township Board of Supervisors of Northampton County, Pennsylvania as follows:

SECTION 1: TITLE.

The name of the Ordinance shall be the Lehigh Township Earth Disturbance Ordinance.

SECTION 2: REGULATED ACTIVITIES.

Earth moving and grading including, but not limited to, removal of vegetation and/or changes in topography are activities regulated by this Ordinance.

Earth moving and grading activities shall be subject to the requirement of State Soil Erosion and Sediment Pollution Control Regulations, the Township Zoning Ordinance (Chapter 180), the Township Subdivision and Land Development Ordinance (Chapter 147), the Township Flood Plain Ordinance (Chapter 93), the Township Stormwater Management Ordinance (Chapter 138), and the Act 167 Ordinance (Ordinance 2007-4) whether or not it is regulated by the Ordinance.

A Grading Permit shall be required pursuant to this Ordinance except in the following circumstances

- A. Earth disturbance for the purposes of normally recurring agricultural operations,

gardening and topsoil preparation for planting of grass or other vegetative groundcover; or

- B. Earth disturbance for the purposes of residential accessory structures or residential accessory uses where the aggregate area to be stripped of vegetation at any one time does not exceed the following criteria:
1. 1,000 square feet, or
 2. 1,500 square feet for lots smaller than one (1) acre in size when the earth disturbance is no closer than twenty (20) feet to a lot line, top of bank of any stream or watercourse, wetland, riparian corridor, slope greater than 15%.
 3. 2,000 square feet for lots of one (1) acre in size or larger, but smaller than three (3) acres in size when the earth disturbance is no closer than fifty (50) feet to lot line, top of bank of any stream or watercourse, wetland, riparian corridor, or slope greater than 15%.
 4. 4,000 square feet for lots of three (3) acres in size or larger, but smaller than five (5) acres when the earth disturbance is no closer than fifty (50) feet to a lot line, top of bank of any stream or watercourse, wetland, riparian corridor, or slope greater than 15%.
- C. Earth disturbance, up to a limit of one (1) acre (43,560 square feet), for any purpose, no closer than one hundred (100) feet to a lot line top of bank of any stream or watercourse, wetland, riparian corridor, or slope that is greater than 15% regardless of the size of the lot.
- D. Earth disturbance for Single Family dwellings on lots over one (1) acre in size, but less than five (5) acres, provided that no part of the lot exceeds 10% slope and the aggregate area of disturbance is less an 3,000 square feet, and provided that the earth disturbance is no closer than fifty (50) feet to a lot line, top of bank of any stream or watercourse, wetland, or riparian corridor.
- E. Earth disturbance necessary for the construction or repair of public utilities, public facilities, and/or roads by public agencies and/or Public Utility Commission regulated utility companies.
- F. General site grading being performed in accordance with the approved grading plan for a subdivision or land development. Any variation of the approved Grading Plan, and/or the development of individual lots, not excepted by Section 2 of this Ordinance, shall require the review and approval of a revised Grading Plan and/or an approved Grading Plan for each individual lot.
- G. Earth disturbance necessary for the construction of aboveground swimming pools.
- H. The discharge of stormwater roof drains, sump pump drains, and any other stormwater outlet pipe or structure to the surface of the ground provided that the outlet is located at least twenty-five (25) feet from the property line and a standard

splash pad or apron shall be provided to disperse the flow.

SECTION 3: UNLAWFUL ACTS.

Except as provided in Section 2, it shall be unlawful for any person, firm, or corporation to undertake any of the following activities without first securing a permit.

- A. To remove vegetated ground cover or improved ground cover;
- B. To cut, fill, or change the existing grade of any land,
- C. To disturb, modify, block, divert or affect the existing overland or subsurface flow of stormwater; or
- D. To construct, erect or install any dam, ditch, culvert, drainpipe, bridge or any other obstruction affecting the drainage of any property, or portion thereof.

SECTION 4: EFFECT ON OTHER PERMITS AND DEFINITIONS.

Whenever any proposed activity requires a building and/or driveway permit, no such Building Permit or Driveway Permit shall be issued unless the permit required hereunder has been issued. The plans and applications required herein may be combined, when applicable, with plans and application materials submitted for building and/or driveway permits.

The definition of terms used shall be the definition used by the Township in the:

Township Zoning Ordinance
Township Stormwater Management Ordinance
Township Subdivision and Land Development Ordinance
Township Floodplain Management Ordinance

Except as specifically defined or described herein.

SECTION 5: APPLICATION FOR A PERMIT.

- A. Any person, firm, or corporation proposing to engage in activity requiring a permit hereunder shall apply for a permit by written application which shall include the Applicant's agreement to comply with the Applicant's plans and supporting documents and this Ordinance, upon issuance of the permit.
- B. The Applicant shall consult the Lehigh Township Zoning Ordinance (Chapter 180), Subdivision and Land Development Ordinance (Chapter 147), Flood Plain Ordinances (Chapter 83) and Township Stormwater Management Ordinance (Chapter 138) as prepared, and as may be amended, which govern the development of land and land use within the Township prior to making application for a permit under the Ordinance.
- C. A separate application shall be required for each earth disturbance operation. Three (3) copies of all the documents referred to below shall be submitted with each application. The application forms submitted shall consist of the forms

provided by the Township together with the required fees. All applications shall be submitted to the Township Zoning Officer who shall retain one (1) for Township records and forward two (2) copies of all documents to the Township Engineers for initial plan review.

- D. The Board of Supervisors of Lehigh Township shall determine the fees for such permits, from time to time, by Resolution.
- E. Any application for an Earth Disturbance Permit shall be accompanied by a plan showing the following:
 - 1) A Topographic Survey Plan of the site, at a suitable scale of no less than 1" = 50' and contour interval of no more than 2'-0", prepared by a Registered Professional Land Surveyor or Registered Professional Engineer, including a boundary line survey, the location and description of vegetative cover, the general location of all major trees (as defined by the Township Zoning Ordinance) and any other pertinent existing natural or manmade features. Interpolated contours from USGS maps or any other similar source are not acceptable. The plan size shall be a minimum, 8½" x 14".
 - 2) This Topographic Survey Plan shall also show existing rights-of-way and easements.
 - 3) A Site Improvement and Grading Plan of the same size and scale as Subsection (1) hereof, showing and describing all changes to the site including final contours, structures, paving, waste disposal systems, and wells. This improvement and grading information may be combined on the topographic survey when all information can be clearly and legibly shown.

This Site Improvement and Grading Plan shall show (on one or more plans) the following:

- a) Existing and ultimate rights-of-way and easements.
- b) 100-year Floodplain limit and elevation and riparian corridors or buffers.
- c) The limits of Major Trees (as defined by the Township Zoning Ordinance) to be removed. Plans should identify the age and general condition of woodland areas (i.e. successional growth, mixed deciduous, coniferous, etc.)
- d) Portions of the property sloped 15 percent to 20 percent, 20 percent to 30 percent, and steeper than 30 percent.
- e) Watercourses, ponds, lakes, vernal ponds, and wetlands (if any).
- f) Existing and proposed stormwater management facilities. If new

stormwater management facilities are proposed, the engineering calculations used to design those facilities shall also be provided.

- g) The design location and grading associated with any proposed on lot sewage disposal system.
- h) The area reserved for providing a replacement on lot sewage disposal system (if required).
- i) Landscape buffers or screens.
- j) Any upstream watershed draining onto the property, with a clear description of how stormwater runoff from the upstream watershed will be accommodated.
- k) Limits of disturbance and disturbance ratios for areas of steep slopes.
- l) Limits and amounts of existing and proposed impervious cover with coverage ratios.
- m) Existing and Proposed downspouts and sump pump discharge points.

Incidental improvements such as mailboxes, electric, or telephone boxes do not need to be shown.

- 4) A written description of soil erosion and sedimentation control measures (with appropriate plans and specifications), in accordance with Section 44 of Chapter 102, Title 25, Rules and Regulations, Part I, Commonwealth of Pennsylvania Department of Environmental Protection, Subpart C, Protection of Natural Resources, Article II, Water Resources, Chapter 102, Erosion Control, which shall be in conformity with the standards and specifications of the Lehigh Township Ordinances.
- 5) If the proposed activity requires the submission and implementation of a Stormwater Management Plan in accordance with the Township Stormwater Management Ordinance such plan and supporting calculations shall be prepared by a Registered Professional Engineer and shall be submitted with this application for the Earth Disturbance Permit.
- 6) A time schedule stating the anticipated starting and completion dates of the development sequence, the expected date of completion of construction of each of the measures referred to in Subsection (4) herein, and the time of exposure of each area prior to the completion of such measures.

- F. The Site Plans required herein shall also be prepared to demonstrate all salient features of the property and other specific requirements of other Ordinances and regulations of the Township, if applicable, that include but are not limited to:
- 1) Floodplain Regulations
 - 2) On lot Sewage Regulations
 - 3) Zoning Ordinance Requirements
 - 4) Driveway Regulations
 - 5) Stormwater Management Regulations
 - 6) Subdivision and Land Development – Construction Standards

SECTION 6: NO ASSUMPTION OF LIABILITY.

- A. It is recognized that earth disturbance creates risks of runoff and soil erosion damage. This Ordinance establishes guidelines for reducing these risks, but in all cases the property owner and their designers, agents, and contractors shall be responsible for any damage directly or indirectly caused by any activity regulated by this Ordinance.
- B. The public is hereby notified that the Township, Township employees, and Township consultants undertake no responsibility for loss of property, loss of life or personal injury due to activities regulated by this Ordinance, even if all regulations and Ordinances of the Township are followed.

SECTION 7: SPECIFICATIONS AND REQUIREMENTS.

The following provisions apply for all activity governed by the provisions of this Ordinance:

- A. All drainage facilities proposed shall be designed in accordance with the Township Stormwater Management Ordinance.
- B. Lots shall be graded to secure proper drainage away from buildings and, to the extent possible, away from street areas, except streets where curbs, storm sewer piping system, or roadside swales exist.
- C. All drainage provisions shall be designed to efficiently carry surface waters to the nearest street (if curbs, adequately sized storm sewer piping system or swales exist), storm drain, or natural watercourse. If the aforementioned facilities do not exist, then in that event, stormwater shall be evenly dispersed over the lot so as to best promote infiltration of stormwater into the ground within the boundaries of the subject lot and to minimize impacts to adjacent properties and roads. The design shall clearly indicate how this will be achieved.
- D. The Permittee shall construct and/or install such drainage structures and/or pipes

which are necessary to prevent erosion damage and to satisfactorily manage surface waters in accordance with Title 25, Rules and Regulations, Part I, Commonwealth of Pennsylvania Department of Environmental Protection, Sub Part C. Protection of Natural Resources, Article II, Water Resources, Chapter 102, Erosion Control. Any drainage system not operating as planned shall be corrected at the expense of the Applicant.

- E. No person, firm, or corporation shall modify, fill, excavate, or re-grade the land in any manner as to endanger or damage any adjoining public street, sidewalk, alley, or any other public or private property without protecting such property from settling, cracking, erosion, sediment, stormwater pooling, or other physical damage or personal injury which might result. Such activity without such protection will constitute a violation punishable by the provisions of this Ordinance.
- F. No person, firm, or corporation shall deposit or place any debris or other material whatsoever, or cause such to be thrown or placed, in any drainage ditch or drainage structure in such a manner as to obstruct free flow.
- G. Stockpiled topsoil shall be protected from erosion.
- H. All disturbed areas shall be seeded, sodded, and/or planted or otherwise protected from erosion within sixty (60) days of ground breaking, and shall be watered, tendered, and maintained until growth is well established. If State regulations require a shorter time, the shorter time shall be required.
- I. All permanent grading shall be designed and undertaken to meet the following criteria:
 - 1) Provide positive surface drainage away from on-site sewage disposal systems; and
 - 2) Provide positive surface drainage away from buildings and structures (except for structures designed for acceptance of that drainage; and
 - 3) Provide that no cutting or filling, either temporarily or permanently, shall be allowed to occur within five feet (5') of any property line, except at locations where specific grading and/or drainage easements exist for the purposes of such grading, and/or is shown on a Grading Plan approved as part of a subdivision of lots.
- J. The Permittee shall limit stormwater runoff rate and concentration from the subject lot to other lands in a manner that will minimize risk of damage to downstream property owners in accordance with the Township Stormwater Management Ordinance.
- K. The existing points of concentrated or sheet flow drainage discharge onto adjacent property receiving stormwater runoff from a watershed of twenty-five hundred (2,500) square feet or more shall not be altered without written approval of the affected property owner(s). If the Developer verifies that they have made

reasonable attempts to secure such approval and verifies that such approval will not be granted by the affected property owner(s), the Township Board of Supervisors may waive this requirement with the receipt of the following documentation:

- 1) Documentation of the Developer's request for affected owner's approval.
- 2) Documentation from the Developer's Engineer certifying that the alterations proposed will not adversely affect the downstream property owner.
- 3) An indemnification and Hold Harmless Agreement from the Developer proposed as a Covenant running with the land.

All such documentation must be provided to the satisfaction of the Township Board of Supervisors.

SECTION 8: APPROVAL OF PERMITS.

The Township shall review and approve Earth Disturbance Applications and Plans on the form provided by the Township for that purpose. No Earth Disturbance Permit, Building Permit, or Driveway Permit shall be issued by the Township until such time as an Earth Disturbance Application and Plans have been found to be acceptable to the Township. Furthermore, no Certificate of Occupancy Permit shall be issued by the Township until such time as the Township Zoning Officer determines that all earth disturbance has been completed in general conformity with the approved Site Improvement and Grading Plan.

In all cases, the Permittee shall be required to undertake all earth moving and grading activities in accordance with this Ordinance and the approved Site Improvement and Grading Plan, whether or not inspection by the Township is provided and whether or not a Certificate of Occupancy is issued.

SECTION 9: REGULATIONS FOR PERMIT HOLDERS AND OTHERS.

- A. The Permittee is responsible for any property damage or personal injury caused by activity authorized by the permit.
- B. No person, firm, or corporation shall modify, fill, excavate, pave, or grade land in any manner as to endanger or damage public or private property, or to cause physical damage or personal injury. All precautions will be taken to prevent any damage to adjoining streets, sidewalks, building, and other structures which could be caused by settling, cracking, erosion or sediment.
- C. No person, firm, or corporation shall fail to adequately maintain in good operating order, any stormwater management facility on its premises. All watercourses, drainage ditches, culverts, drainpipes, structures, and other stormwater management facilities shall be kept open and operating at all times.
- D. The Owner, from time to time, of any property on which any work has been done pursuant to a permit issued under this Ordinance shall continuously maintain and

- repair all graded surface and anti-erosion devices such as retaining walls, drainage structures or means, plants and ground cover, installed or completed.
- E. The Permittee shall make adequate provision for dust control.
 - F. All plans and specifications accompanying any permit application shall include provisions for both temporary and permanent grading and stabilization.
 - G. The installation and maintenance of erosion and sediment pollution control measures shall be accomplished in accordance with standards and specifications established by the Northampton County Conservation District and Lehigh Township Zoning Ordinance Section 180-47
 - H. The issuance of an Earth Disturbance Permit shall not negate the Owner and/or Permittee's responsibility for obtaining any other permits or approvals from any agency, including the Lehigh Township, which may have jurisdiction over any aspect of the project.
 - I. Property corners to be set prior to final inspection.

SECTION 10: INSPECTIONS.

- A. Inspections by the Township may be carried out on a random basis at the option of the Township.
- B. If the construction of a building or structure is occurring immediately after the initial earth moving and grading activity; (1) no excavation for footings shall commence until after the building permit approval; (2) immediately following construction of the foundation wall, and prior to the erection of the superstructure of any building, the Permittee shall provide the Township with three (3) copies of a "Foundation Location and Elevation Survey" bearing a certification from the permittee's licensed Engineer or Surveyor indicating compliance with the approved plan; and (3) no further construction above the foundation wall will be permitted until the Township has issued approval of the aforementioned Foundation Plan.
- C. A final inspection may, at the option of the Township, be conducted by the Township to verify compliance with this Ordinance.
- D. If the construction of a building or structure is occurring immediately after the initial earth moving and grading activity; (1) no excavation for footings shall commence until after the building permit approval; (2) immediately following construction of the foundation wall, and prior to the erection of the superstructure of any building, the Permittee shall provide the Township with three (3) copies of a "Foundation Location and Elevation Survey" bearing a certification from the permittee's licensed Engineer or Surveyor indicating compliance with the approved plan; and (3) no further construction above the foundation wall will be permitted until the Township has issued approval of the aforementioned Foundation Plan.

- E. A final inspection may, at the option of the Township, be conducted by the Township to verify compliance with this Ordinance.
- F. In all cases, however, the Permittee shall be required to undertake all earth moving and grading activities in accordance with this Ordinance and the approved Site Improvement and Grading Plan, whether or not inspection by the Township is provided. As-built Plans shall be required prior to the issuance of a Certificate of Occupancy if the Owner or Permittee is seeking any change to the
- G. When weather conditions or time of year prevent the Permittee from completing all earth moving and grading activities prior to a request for an Occupancy Permit, the Township, on a case by case basis, may issue a temporary Occupancy Permit upon satisfaction of all of the following criteria:
 - 1) All final earth moving and soil stabilization that can be completed is completed,
 - 2) Temporary soil erosion and sediment pollution control facilities are properly installed and in good repair,
 - 3) Temporary seeding and mulching of disturbed areas is complete,
 - 4) The Owner provides an agreement to the satisfaction of the Township Solicitor to guarantee completion of the earth disturbance within six (6) months of the date of the agreement.

SECTION 11: REVOCATION OR SUSPENSION.

Any permit issued under this Ordinance may be revoked or suspended by the Township after notice by the Township for:

- A. Failure to carry out the soil erosion control or stormwater control measures described in the application documents and/or failure to satisfy the provisions of the earth moving and grading and restoration time schedule described in the application documents or within such reasonable extensions as may be granted by the Township.
- B. Violation of any other condition of the permits.
- C. Violation of any provision of this Ordinance or any other applicable law, Ordinance, rule, or regulation relating to the work; or
- D. Existence of any condition or the doing of any act constituting or creating a nuisance, hazard, or endangering human life or the property of others.

SECTION 12: MODIFICATIONS OF WAIVER PROVISIONS.

The provisions of this Ordinance are intended as minimum standards for the protection of public health, safety, welfare or the residents and inhabitants of the Township. The Planning

Commission may grant a modification of the requirements of one or more provisions of this Ordinance if the Planning Commission concludes that the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed. Financial hardship alone shall not be sufficient justification for granting such modification.

All requests for a modification shall be in writing to the Planning Commission. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions and the minimum modification necessary.

The requested modification shall represent the least modification to address the hardship.

All such modification requests shall be approved or disapproved by the Planning Commission. A written record of the action shall be kept for all modification requests.

SECTION 13: REMEDIES.

If the Township authorities determine that a violation exists, a Notice of Violation shall be issued. Unless the violation is determined by the Township to require immediate correction the property owner shall have thirty (30) days to bring the property into compliance with this Ordinance. During this period of time the property owner shall not conduct any activity on the property until proposed corrective measures have been approved by the appropriate Township authorities. If after thirty (30) days from the date of receipt of the thirty (30) day Notice of Violation the violation has not been corrected the Township may proceed with enforcement of the Ordinance as set forth below.

In the case of any paving, filling, stripping, grading or regrading; any disturbing, modifying, blocking, or diverting the overland or subsurface flow or stormwater; or any construction, erection, and installation of any dam, ditch, culvert, drainpipe, bridge, or any other structure or obstruction affecting the drainage of any premises, in violation of this Ordinance, or any regulations made pursuant hereto, the proper Township authorities, in addition to other remedies provided by law, may institute any appropriate action or proceedings against the Permittee and/or Owner to prevent such unlawful activities; to restrain correct or abate such violations; to prevent the use of the applicable premises; to prevent any illegal act, conduct of business or use in or about such premises. In addition, upon a violation of this Ordinance without a permit and/or upon the failure of any permit holder to complete the control measures specified in approved application, the Township may, after revoking such permit, proceed to complete such measures itself, and recover the cost thereof from the Permittee and/or Owner.

SECTION 14: PENALTIES.

For any and every violation of the provisions of this Ordinance, 1) the Permittee, Owner, Agent, or Contractor where such violation has been committed or shall exist; (2) the Lessee or Tenant of an entire building or entire premises where such violation has been committed or shall exist; (3) the Permittee, Owner, Agent, Contractor, Lessee or Tenant or any part of a building or premises in which part such violation has been committed or shall exist; and (4) the Permittee, Owner, Agent, Architect, Contractor or any other person who knowingly commits, takes part, or assists in any such violation or who maintains any building or premises in which any such violation exists; shall be liable on conviction thereof before a District Justice to pay a fine or

penalty not to exceed One Thousand (\$1,000.00) Dollars for each and every offense. Any such enforcement action shall be brought before a District Justice in the same manner provided for the enforcement of summary offenses under the PA Rules of Criminal Procedure. Whenever such person, or persons, shall have notified by the Township Zoning Officer, Township Engineer, or the Township Board of Supervisors, or the Township Solicitor, by service of a complaint in a prosecution, or by registered mail, that a violation of this Ordinance is being committed, each day's continuance of such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines and penalties shall be collected as like fines or penalties are now collected by law.

SECTION 15: VALIDITY.

If any section, subsection, paragraph, clause, or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or in part as it was the intent of Board of Supervisors to adopt said Ordinance even if said provision was not included.

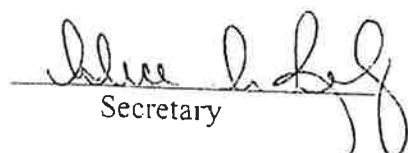
SECTION 16: REPEALER.

All other Ordinances or parts thereof which are contradictory with the provisions hereof, are repealed to the extent of such inconsistencies.


ENACTED and ORDAINED this 8th day of Sept, 2009.

ATTEST:

LEHIGH TOWNSHIP


Secretary

BY:


Chairman, Board of Supervisors