

**Wednesday, June 15, 2022**  
**Board of Commissioners**

**Public Meeting Room, 7:00 p.m.**  
**South Whitehall Township Building**  
**4444 Walbert Avenue**  
**Allentown, PA 18104**

**1. CALL TO ORDER**

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**2. PLEDGE OF ALLEGIANCE**

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**3. ANNOUNCEMENTS**

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- A. All public sessions of the South Whitehall Township Board of Commissioners are electronically recorded, filed, and posted to the website for Public access.
- B. Public/Virtual Meeting Rules
- C. Board of Commissioners Met in Executive Session on the following date(s) to discuss Legal and/or Personnel Matters: After the June 1st BOC Meeting, and before the June 15th BOC Meeting.

**4. COURTESY OF THE FLOOR - Public Comment on Non-Agenda Items**

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**5. MINUTES**

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- A. June 1, 2022 - Board of Commissioners Meeting Minutes

**6. PRESENTATIONS**

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**7. ORDINANCES**

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- A. Previously Advertised for Possible Adoption - An Ordinance Reenacting, Amending And Restating Chapter 144 Article IV (Building Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2018 Edition Of The International Building Code As The Building Code Of South Whitehall Township And As Part Of The Municipal Building Code Of South Whitehall Township; Repealer; No Effect On Pending Suits Or Proceedings; Severability; Effective Date Access
- B. Previously Advertised for Possible Adoption - An Ordinance Reenacting, Amending And Restating Chapter 144 Article VI (Residential Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2018 Edition Of The International Residential Code As The Residential Code Of South Whitehall Township And As Part Of The Municipal Building Code Of South Whitehall Township; Repealer; No Effect On Pending Suits Or Proceedings; Severability; Effective Date
- C. Previously Advertised for Possible Adoption - An Ordinance Reenacting, Amending And Restating Chapter 144 Article I (Plumbing Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2018 Edition Of The International Plumbing Code As The Plumbing Code Of South Whitehall Township And As Part Of The Municipal Building Code Of South Whitehall Township; Repealer; No Effect On Pending Suits Or Proceedings; Severability; Effective Date
- D. Previously Advertised for Possible Adoption - An Ordinance Reenacting, Amending, And Restating Chapter 144 Article VIII (Property Maintenance Code) Of The Codified Ordinances Of South Whitehall Township In Its Entirety And Adopting Provisions Of The 2018 Edition Of The International Property Maintenance Code With Local Amendments; Providing For The South Whitehall Township Building Code Appeals Board To Serve As The Board Of Appeals; Providing That State Law Controls Where Requirements Are In Excess Of This Ordinance; And Providing For A Repealer, Continuation And Saving Clause, Severability, And Effective Date

**8. RESOLUTIONS**

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A. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania Appointing Herbert Bender as Interim Township Manager and Establishing Compensation for the Interim Township Manager Position, Effective July 1, 2022

B. A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania Adopting a Fund Balance Policy

**9. MOTIONS**

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A. Motion to Proceed with Purchase of ClearGov Budget Software to Support SWT Budgetary Needs.

B. Motion to Proceed with Account Adjustment over \$2,500.

C. Motion to Approve Budget Transfer within the 2022 Fire Budget from Miscellaneous Supplies Account to Maintenance Service and Repair Account

D. Motion to Approve Budget Transfer within the 2022 Woodlawn Fire Budget from Uniform/Clothing Exchange Account to Miscellaneous Supplies Account

E. Motion to Reject Bids Submitted with Regard to Bid #2022-02 Pole Barn Construction Project

F. Motion to Proceed with Purchase of Supplies to Install Sanitary Sewer Chamber Stacks

**10. CORRESPONDENCE AND INFORMATION ITEMS**

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A. Boards and Commissions - Informational Items/Vacancies

**11. OLD BUSINESS**

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A. Wehr's Dam

B. Comprehensive Plan Update

C. Jordan Creek Greenway, Phase 1 - River Road (Shared Pathway)

**12. DIRECTION/DISCUSSION ITEMS**

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A. Nestle Purina "Will-Serve" letter for Water Supply

B. 2023 Budget Process - Update

**13. COURTESY OF THE FLOOR - Public Comment on Non-Agenda Items**

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**14. MOTION TO AUTHORIZE PAYMENT OF INVOICES & DISBURSEMENTS**

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A. Invoices and Disbursements

**15. EXECUTIVE SESSION**

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**16. ADJOURNMENT**

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## BOARD OF COMMISSIONERS

**PUBLIC MEETING**

**AGENDA-MINUTES**

**June 1, 2022**

**1. CALL TO ORDER: 7:00 p.m.**

**Attendees:**

Commissioner Diane Kelly, President  
Commissioner David M. Kennedy, Vice President  
Commissioner Monica Hodges, Assist. Twp. Secretary  
Commissioner Michael Wolk  
Commissioner Brad Osborne  
Joseph Zator, Twp. Solicitor, Zator Law  
Anthony Tallarida, Twp. Engineer, The Pidcock Co.

Randy Cope, Interim Township Manager/Dir. of Twp. Operations  
Herb Bender, PW Manager  
Mike Elias, PW Utility & MS4 Coordinator  
Mike Kukitz, Parks & Rec Manager  
Scott Boehret, Director of Finance  
Glen Dorney, Chief of Police  
Dave Manhardt, Director, Community Development Dept.  
Gregg Adams, Planner, Community Development Dept.  
Chris Kiskeravage, Twp. Fire Commissioner  
John Frantz, Building Code Official  
Tom Harper, Code Enforcement Program Manager  
Tracy Fehnel, Exec. Assistant

**2. PLEDGE OF ALLEGIANCE**

At this time, Chief Dorney called for a moment of silence for the victims of the May 24, 2022, Robb Elementary School Shooting, in Uvalde, Texas.

**3. ANNOUNCEMENTS:**

- a. All Public sessions of the South Whitehall Township Board of Commissioners are electronically recorded, filed, and posted to the website for Public access.
- b. Public/Virtual Meeting Rules
- c. Board of Commissioners Met in Executive Session on the following dates to discuss Legal and Personnel Matters: May 25<sup>th</sup> and before this evening's meeting, June 1, 2022.
- d. Recognition – Bill MacNair and Alan Tope. Both gentlemen were recognized and thanked for their outstanding service and commitment to SWT. Mr. MacNair served a total of 24 years, from 1998 to 2022, on the PC, ZHB, and Environmental & Pollution Advisory Board. Mr. Tope served a total of 42 years—1980 to 1982 on the PSC and then 1982 to 2022 on the PC.

**4. COURTESY OF THE FLOOR: Public Comment on Non-Agenda Items**

- a. Steven M. Pohl, 1415 Frederick Street, Allentown. Subject: Right-to-Know Request filed with the PD. Interim Township Manager Randy Cope met with him after this evening's meeting was over.

**5. MINUTES:**

- a. **May 18, 2022 – Board of Commissioners Meeting Minutes**

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kennedy, to approve the May 18, 2022, BOC Meeting Minutes as presented. All in favor; none opposed. Motion carried; Vote was 5:0.

6. **PRESENTATIONS:** None.

7. **ORDINANCES:** None.

8. **RESOLUTIONS:**

a. **A Resolution Amending Resolution 2021-48 Granting Preliminary/Final Approval to a Major Plan Entitled “Building Addition 4815 Crackersport Road” to Grant Additional Waivers Pursuant to SALDO Sections 312.13(f)(3) and 312-43**

Dave Manhardt, Director, Community Development Department, explained that this is a project located at 4815 Crackersport Road, which proposes a 13,500 SQF building addition to the existing building on the property. Plan was approved at the BOC Meeting on October 20, 2021. Applicant had 7 conditions, and now down to 2 remaining. Asking for the waivers that revolve around issuance of building permits prior to plan recording.

Attorney Christopher McLean, of Fitzpatrick, Lentz & Bubba, was in attendance on behalf of the Applicant, Triple Net Investments LXIV, LLC. Summary given is correct. Currently working with Solicitor’s Office to wrap up the Agreements, get security and insurance in place. Today we heard from Mr. Tallarida that he was satisfied with the plan. However, Mr. Tallarida said there is one outstanding issue, which relates to PPL & the sidewalk. Sidewalk is proposed to be constructed along Crackersport Road. We have submitted to PPL the request to get a workorder into their system so they can look at it. We do have that workorder. We have started to explain to PPL what we need from them vs. some sort of utility installation or pole relocation, and look at where the sidewalk is and tell us if it is good. We do not know how long that will take. Would like to start construction and have certainly been working to satisfy the conditions. We respectfully request the Board’s consideration of the waiver to allow us to pull the building permit and at least get started on the work. The sidewalk, whether or not PPL has comments, is not going to impact the balance of the work on site, to the building, and reconfiguring the impervious surface internally, so if there is something that comes up, we would be able to adjust that, and get the plans back to the Township and squared away before we have them recorded. Alternate Township Solicitor, Lisa Pereira explained that, from a legal perspective, the Township is protected regardless of setting forth a “date certain” for which it is completed.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Kennedy, to approve A Resolution Amending Resolution 2021-48 Granting Preliminary/Final Approval to a Major Plan Entitled “Building Addition 4815 Crackersport Road” to Grant Additional Waivers Pursuant to SALDO Sections 312.13(f)(3) and 312-43. All in favor; none opposed. Motion carried; Vote was 5:0

b. **A Resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Designating Land Located at Springhouse Road Donated to**

**the Township by David T. Davis and Joanne S. Davis and Naming it “Davis-Smith Open Space”**

Interim Township Manager Randy Cope, explained this resolution has been mutually agreed upon. This is for the 26.87 acres located at Springhouse Road, which was recently dedicated to the Township from Mr. and Mrs. Davis in November 2021. There has been an interest to associate naming rights with this property, which was presented to the Board at a previous meeting. This resolution is for potential consideration and action by the Board this evening. The Board was in agreement, if doner was in agreement, to amend resolution to say, “Davis-Smith Preserved Open Space”.

A MOTION was made by Commissioner Wolk, which was seconded by Commissioner Osborne, to approve a resolution of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, Designating Land Located at Springhouse Road donated to the Township by David T. Davis and Joanne S. Davis and Naming it “Davis-Smith Preserved Open Space” with amendment as stated above. All in favor; none opposed. Motion carried; Vote was 5:0.

**9. MOTIONS:**

**a. Motion to Proceed with Crackersport Road Sidewalk Deferral Call-Ins**

Dave Manhardt, Director, Community Development Department, explained that the Sidewalk Deferral Call-In is related to what we heard early in this meeting—4815 Crackersport Road. At the PC Meeting they recommended calling in adjacent deferrals. We have been working on the process—what kind of procedure are we going to follow as we call in these sidewalk deferrals. We have prepared a policies and procedures document, which was enclosed in the packet.

Process:

- Initial Request/Recommendation
- Prepare Background
- Present to BOC for Direction
- Prepare Notification (stating we are calling in deferrals)
- Notification Enforcement – Slight tweak to process as follows--Dave explained that after the motion, and next--the resolution is drafted, we notify the property owner that the resolution will be coming to the BOC, at which time said property owner can come to that particular meeting to discuss with BOC. This will be added to the policies and procedures document.
- Sidewalk Design

It was noted that with 22 miles of potential deferral call-ins, there will be some property owners who have changed. The Township does have a Township Deferral Map, which they review as projects come in.

Brian Hite, Vice Chairman of PC, commented that there are a lot of pedestrians using this road right now, and any time you can get a pedestrian off the road is a safer situation for everyone involved. Also, the pandemic has shown that people want to get out and walk and do it safely. As a walkable community we can be a forerunner of what a Township should

be. Sidewalks should not be deferred unless we have a really unique situation. Additionally, we always tell a developer it is cheaper to put the sidewalks in right away at the land development phase.

A MOTION was made by Commissioner Hodges, which was seconded by Commissioner Osborne, to TABLE this motion in order that Staff can come back to the Board with a formal Policy regarding the sidewalk-deferral process. All in favor; none opposed. Motion carried; Vote was 5:0.

**b. Motion Authorizing Interim Township Manager to Execute the Lehigh County Authority – Emergency Interconnect Agreement**

Interim Township Manager, Randy Cope explained Phil DePoe, PE, from LCA, was in attendance this evening. Staff has been working with LCA for months on this Agreement. Herb Bender, PW Manager, explained the reason for this Agreement is to help LCA with emergency water. This is due to LCA losing a 2M gallon reservoir in their northern area. In the Agreement it states that it will cause no disruption to the residents of SWT. This interconnect will operate on a pressure valve. It will only open as long as our side has at least 40 psi, as the DEP minimum psi regulation is 20. This project will be at no cost to the Township. LCA is taking care of the costs. Water pressure tests have been done on both systems, as well as the water tested. This project is ready to go.

A MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, authorizing interim Township Manager to Execute the Lehigh County Authority – Emergency Interconnect Agreement. All in favor; none opposed. Motion carried; Vote was 5:0.

**10. CORRESPONDENCE AND INFORMATION ITEMS:**

**a. Boards and Commissions – Informational Items/Vacancies**

**CURRENT VACANCIES ON BOARDS/COMMISSIONS:**

1. Civil Service Commission - 1 Alternate Vacancy
2. Green Advisory Council - 1 Vacancy
3. Landscape Shade Tree Commission - 2 Vacancies
4. Park & Recreation Board - 1 Vacancy
5. Environmental Advisory Council - 3 Vacancies

**UPCOMING MEETINGS: Details posted on website.**

- Thursday, May 19<sup>th</sup> – Planning Commission, 7:30 p.m.
- Friday, May 20<sup>th</sup> – Movie in the Park, 8:15 p.m.
- Monday, May 23<sup>rd</sup> – Landscape and Shade Tree Commission, 10:00 a.m.
- Tuesday, May 24<sup>th</sup> – Planning Commission, Special Meeting, 7:30 p.m.
- Wednesday, May 25<sup>th</sup> – Zoning Hearing Board, 7:00 p.m.
- Sunday, May 29<sup>th</sup> – Memorial Day Concert with the Allentown Band, 7:00 p.m.
- Monday, May 30<sup>th</sup> – Memorial Day Holiday – OFFICES CLOSED.

**11. OLD BUSINESS****a. Wehr's Dam**

Township Manager explained that mandatory pre-bid meeting was held at Wehr's Dam. Final questions were submitted by the contractors via PennBid yesterday. June 6<sup>th</sup> will be the official bid opening. Depending how those bids come in, Staff will be bringing recommendation to Board for consideration on June 15<sup>th</sup>. Ideally, would like to start project mid-July, with completion of majority of project by October 15<sup>th</sup>.

**b. Comprehensive Plan Update**

Dave Manhardt, Director, Community Development Department, said there is a CP meeting on June 7<sup>th</sup> where we will be reviewing revised goals and strategies and implementation for community utilities. A Joint BOC/PC - CP Workshop will be held June 16<sup>th</sup> where we will go over community facilities. Michael Baker is now currently on board. Q: When will the first DRAFT chapter of the CP be produced and available to the public? Dave said they will be meeting with Michael Baker June 3<sup>rd</sup> to strategize how this will be rolled out, working on chapters, tasks, and a more detailed timeline. Also Michael Baker will be working on a more defined public engagement strategy, which a draft should be ready for the June 16<sup>th</sup> meeting. Additionally, as we get more information, and as things get completed, they are uploaded to website.

**c. Jordan Creek Greenway, Phase I, from River Road to Cedar Crest Boulevard**

Interim Township Manager Randy Cope explained that the Engineer is working on the four design considerations for the past two weeks and should be able to provide initial concepts to Staff for review. There is some permitting discovery to look at, which cost will be worked into each design considerations. Looking to bring back to the board in the next 2-4 weeks for discussion.

**d.** Dumping on Jordan Road – Two “No Dumping” Signs were ordered and will be posted shortly—one for each end of the street.

**e.** BOC Workshop – To discuss reviewing of ByLaws (last discussed in February) for Boards/Commissions Also need to hold interviews for remaining vacancies on Boards/Commissions. CSC, P&RB, LSTC interviews will be held second hour of the workshop. Tracy will forward applicants to BOC. Will schedule however many will fit into the second hour, and then interview the remaining at a later date. Board was in agreement with this.

**12. DIRECTION/DISCUSSION ITEMS: None.**

**13. COURTESY OF THE FLOOR: Public Comment on Non-Agenda Items**

Robert Hodges, 1707 Penns Crossing. Subject: Land Preservation Committee and inquiry into a piece of property that is for sale.

**14. MOTION TO AUTHORIZE PAYMENT OF INVOICES & DISBURSEMENTS:**

**a. Invoices and Disbursements**

A MOTION was made by Commissioner Hodges, which was seconded by Commissioner Kelly, to approve the payment of all invoices. All in favor; none opposed. Motion carried. Vote 5:0.

**15. EXECUTIVE SESSION: BOC will meet in Executive Session immediately after this meeting concludes in order to discuss personnel-related matters.**

**16. ADJOURNMENT: At 8:11 p.m. a MOTION was made by Commissioner Kennedy, which was seconded by Commissioner Kelly, to adjourn. All in favor; none opposed.**



**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-  
(Duly adopted \_\_\_\_\_, 2022)**

**AN ORDINANCE REENACTING, AMENDING, AND RESTATING  
CHAPTER 144 ARTICLE IV (BUILDING CODE) OF THE  
CODIFIED ORDINANCES OF SOUTH WHITEHALL TOWNSHIP  
IN ITS ENTIRETY AND ADOPTING THE 2018 EDITION OF THE  
INTERNATIONAL BUILDING CODE WITH LOCAL  
AMENDMENTS AS THE BUILDING CODE OF SOUTH  
WHITEHALL TOWNSHIP AND AS PART OF THE MUNICIPAL  
BUILDING CODE OF SOUTH WHITEHALL TOWNSHIP;  
REPEALER; NO EFFECT ON PENDING SUITS OR  
PROCEEDINGS; SEVERABILITY; EFFECTIVE DATE**

**WHEREAS**, by Ordinance No. 797, adopted on June 16, 2004, the Board of Commissioners of South Whitehall Township (the “**Board**”) elected to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.1103 et seq., as amended from time to time, and its regulations; and

**WHEREAS**, by Ordinance No. 797, the Board adopted the Uniform Construction Code contained in 34 PA Code Chapters 401-405, as amended from time to time, as the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 797, the Board preserved the full force and effect of all building code ordinances, or portions of such ordinances (“**Prior Building Code Ordinance**”), which were adopted by South Whitehall Township on or before July 1, 1999, and which equal or exceed the requirements of the Uniform Construction Code; and

**WHEREAS**, Ordinance No. 689 adopted on February 17, 1999 is a Prior Building Code Ordinance in full force and effect pursuant to Ordinance No. 797 and Section 303(b)(1) of the Pennsylvania Construction Code Act; and

**WHEREAS**, by Ordinance No. 956 adopted on August 15, 2012, the Board reenacted the 2009 International Building code with certain requirements from Ordinance No. 689 that exceed the requirements of the Uniform Construction Code, as amended, as the Building Code of South Whitehall Township and as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 1034 adopted on December 19, 2018, the Board reenacted the 2015 International Building Code with certain requirements from Ordinance No. 956 that exceed the requirements of the Uniform Construction Code, as

amended, as the Building Code of South Whitehall Township and as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, the certain requirements of Ordinance No. 1034 that exceed the requirements of the Uniform Construction Code, as amended, are as follows:

**Section 116.4 Violation penalties.** Any person who violates a provision of this Code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the building official, or a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**Section 117.2 Unlawful Continuance.** Any person who continues any work in or about the structure 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 conditions, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be less than \$100.00 and shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**Section 119.6 Disregard of Unsafe Notice.** Upon refusal or neglect of the person served with an “unsafe notice” to comply with the requirements of the order to abate the unsafe condition, the Township Solicitor shall be advised of all the facts and shall institute the appropriate action to compel compliance, including but not limited to an action to abate a nuisance. Any person failing to comply with the requirements of the abatement order shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of civil penalty for each such failure to comply with an abatement order shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that the failure to comply with an abatement order continues shall be deemed to be a separate failure to comply with an abatement order.

In the event that the required repair or demolition is not commenced within the stipulated time, the Code Official shall have the power to post at each entrance a notice warning of an unsafe condition.

No person shall occupy the building or any part thereof or remove or deface the aforementioned “unsafe building” notice until or at such time as all

repairs, demolition or removal ordered by the Code Official have been completed and the Building Certificate of Occupancy has been issued.

**WHEREAS**, the Board adopted the Township's Codified Ordinances on December 7, 2016 whereby the regulations of Ordinance No. 1034 were codified as Chapter 144, Article IV of said Codified Ordinances; and

**WHEREAS**, certain sections of the 2018 International Building Code require the Board to insert certain information; and

**WHEREAS**, the Board desires to reenact, amend and restate Chapter 144, Article IV in its entirety consistent with the provisions of the International Building Code, 2018 edition, together with certain insertions and the foregoing requirements from Ordinance No. 1034 adopted December 19, 2018 that exceed the requirements of the Uniform Construction Code, as amended.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Commissioners of South Whitehall Township that Chapter 144, Article IV (Building Code) of the Codified Ordinances is hereby reenacted, amended, and restated in its entirety as follows:

## **SECTION 1. RESTATEMENT OF CHAPTER 144, ARTICLE IV**

### **§ 144-17 Adoption of 2018 International Building Code.**

That a certain document, three (3) copies of which are on file in the office of South Whitehall Township, being marked and designated as the International Building Code, 2018 edition, as published by the International Code Council be and is hereby adopted as the Building Code of South Whitehall Township, in the Commonwealth of Pennsylvania, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as hereby provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Department of Community Development of South Whitehall Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section § 144-18 of this Ordinance.

§ 144-18      **Additions, Insertions, and Changes to International Building Code, 2018 edition**

**A. Section 101.1 Title.** Insert “South Whitehall Township” in the space indicated by [NAME OF JURISDICTION].

**B. Section 114.4 “Violation penalties”** shall be changed to read:

**Section 114.4 Violation penalties.** Any person who violates a provision of this Code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**C. Section 115.3 “Unlawful continuance”** shall be changed to read:

**Section 115.3 Unlawful continuance.** Any person who continues any work in or about the structure 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 conditions, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall be not less than \$100.00 and shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**D. Section 115 “Stop Work Order”** shall be amended to add Section 115.4 titled “Disregard of Unsafe Notice” which shall read:

**Section 115.4 Disregard of unsafe notice.** Upon refusal or neglect of the person served with an “unsafe notice” to comply with the requirements of the order to abate the unsafe condition, the Township Solicitor shall be advised of all the facts and shall institute the appropriate action to compel compliance, including but not limited to an action to abate a nuisance. Any person failing to comply with the requirements of the abatement order shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such failure to comply with an abatement order shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that the failure to comply with an abatement order continues shall be deemed to be a separate failure to comply with an abatement order.

In the event that the required repair or demolition is not commenced within the stipulated time, the Code Official shall have the power to post at each entrance a warning notice of an unsafe building condition.

No person shall occupy the building or any part thereof or remove or deface the aforementioned “unsafe building” notice until or at such time as all repairs, demolition or removal ordered by the Code Official have been completed and the Building Certificate of Occupancy has been issued.

**E. Section 1612.3 Establishment of flood hazard areas.** Insert “South Whitehall Township” in the space indicated by [NAME OF JURISDICTION].

**F. Section 1612.3 Establishment of flood hazard areas.** Insert “July 16, 2004” in the space indicated by [DATE OF ISSUANCE].

**§144-18.1 REPEALER**

All parts of Ordinance No. 1034 and all other ordinances, resolutions, or other regulations of the Township in conflict with this Ordinance are hereby expressly repealed, but only to the extent of such conflict.

**§ 144-18.2 NO EFFECT ON PENDING SUITS OR PROCEEDINGS**

Nothing in this Ordinance 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Code or Ordinance.

**SECTION 2. SEVERABILITY**

The provisions of this Ordinance are declared to be severable. If any sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, provisions, or parts of this Ordinance. It is hereby declared the intent of the Board of Commissioners for South Whitehall Township that this Ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 3 EFFECTIVE DATE**

This Ordinance shall be effective immediately.

**DULY ENACTED AND ORDAINED** as an Ordinance this \_\_\_\_\_ of \_\_\_\_\_, 2022 by a majority of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Ordinance, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Ordinance on behalf of the Board.

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

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Diane Kelly, President

ATTEST:

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Scott Boehret, Secretary

**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-**  
**(Duly adopted \_\_\_\_\_, 2022)**

**AN ORDINANCE REENACTING, AMENDING, AND RESTATING  
CHAPTER 144 ARTICLE VI (RESIDENTIAL CODE) OF THE  
CODIFIED ORDINANCES OF SOUTH WHITEHALL TOWNSHIP  
IN ITS ENTIRETY AND ADOPTING THE 2018 EDITION OF THE  
INTERNATIONAL RESIDENTIAL CODE WITH LOCAL  
AMENDMENTS AS PART OF THE MUNICIPAL BUILDING  
CODE OF SOUTH WHITEHALL TOWNSHIP; REPEALER; NO  
EFFECT ON PENDING SUITS OR PROCEEDINGS;  
SEVERABILITY; EFFECTIVE DATE**

**WHEREAS**, by Ordinance No. 797, adopted on June 16, 2004, the Board of Commissioners of South Whitehall Township (the “**Board**”) elected to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.1103 et seq., as amended from time to time, and its regulations; and

**WHEREAS**, by Ordinance No. 797, the Board adopted the Uniform Construction Code contained in 34 PA Code Chapters 401-405, as amended from time to time, as the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 797, the Board preserved the full force and effect of all building code ordinances, or portions of such ordinances (“**Prior Building Code Ordinance**”), which were adopted by South Whitehall Township on or before July 1, 1999, and which equal or exceed the requirements of the Uniform Construction Code; and

**WHEREAS**, Ordinance No. 689 adopted on February 17, 1999 is a Prior Building Code Ordinance in full force and effect pursuant to Ordinance No. 797 and Section 303(b)(1) of the Pennsylvania Construction Code Act; and

**WHEREAS**, Ordinance No. 957 adopted on August 15, 2012, the Board reenacted the 2009 International Residential Code with certain insertions together with certain requirements from Ordinance No. 686 and 689 that exceed the requirements of the Uniform Construction Code, as amended, as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 1035 adopted on December 19, 2018, the Board reenacted the 2015 International Residential Code with certain requirements from Ordinance No. 957 that exceed the requirements of the Uniform Construction Code, as amended, as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, the certain requirements of Ordinance No. 1035 that exceed the requirements of the Uniform Construction Code, as amended, that the Board desires to reenact are as follows:

**Section 609.12.18 Meter valve.** Wherever a new service connection to a central water system is made, or whenever an existing water meter is replaced (other than as exempted below), then a double check-valve assembly shall be installed and maintained in the water distribution piping on the building side of the water meter. The double check-valve assembly shall be identical in size with the meter connection.

Existing water meters in one and two family detached dwellings, as of the date of adoption of this Ordinance, shall be exempt from the double check-valve assembly requirements, for as long as said one or two family use is maintained. Provided, however, that this exemption shall not be applicable to those dwellings where the Code Official has specifically determined in writing that there is an actual, imminent threat to the public health and safety from the lack of a double check-valve assembly; and further provided, that this exemption shall not be applicable to the extent that the Pennsylvania Department of Environmental Protection has issued a final, binding order to the contrary to the Township or others.

**Appendix B Principle No. 6 Use Public Water and Sewer Where Available.** Every building intended for human habitation shall utilize public water and sewer services, if such building is situated within one hundred fifty feet (150') of lines providing such services.

**WHEREAS**, the certain requirements of Ordinance No. 1035 that exceed the requirements of the Uniform Construction Code, as amended, are as follows:

**Section 116.4 Violation penalties.** Any person who violates a provision of this Code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the building official, or a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney's fees. Each day that a violation continues shall be deemed to be a separate violation.

**Section 117.2 Unlawful Continuance.** Any person who continues any work in or about the structure 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 conditions, shall be liable for a civil penalty, upon a finding of liability by the



District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be less than \$100.00 and shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney's fees. Each day that a violation continues shall be deemed to be a separate violation.

**Section 119.6 Disregard of Unsafe Notice.** Upon refusal or neglect of the person served with an "unsafe notice" to comply with the requirements of the order to abate the unsafe condition, the Township Solicitor shall be advised of all the facts and shall institute the appropriate action to compel compliance, including but not limited to an action to abate a nuisance. Any person failing to comply with the requirements of the abatement order shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of civil penalty for each such failure to comply with an abatement order shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney's fees. Each day that the failure to comply with an abatement order continues shall be deemed to be a separate failure to comply with an abatement order.

In the event that the required repair or demolition is not commenced within the stipulated time, the Code Official shall have the power to post at each entrance a notice warning of an unsafe condition.

No person shall occupy the building or any part thereof or remove or deface the aforementioned "unsafe building" notice until or at such time as all repairs, demolition or removal order by the Code Official have been completed and the Building Certificate of Occupancy has been issued.

**WHEREAS**, the Board adopted the Township's Codified Ordinances on December 7, 2016 whereby the regulations of Ordinance No. 1035 and subsequent amendments were codified as Chapter 144, Article VI of said Codified Ordinances; and

**WHEREAS**, the 2018 International Residential Code regulates and governs the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and further provides for the issuance of permits and collection of fees therefor; and

**WHEREAS**, the 2018 International Residential Code contains certain sections that require the Board to insert certain information; and

**WHEREAS**, the Board desires to reenact, amend and restate Chapter 144, Article VI (Residential Code) of the Codified Ordinances in its entirety consistent with the provisions of the 2018 International Residential Code together with certain insertions and

the foregoing requirements from Ordinance No. 1035 adopted on December 19, 2018 that exceed the requirements of the Uniform Construction Code, as amended.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Commissioners of South Whitehall Township that Chapter 144, Article VI (Residential Code) of the Codified Ordinances is hereby reenacted, amended, and restated in its entirety as follows:

**SECTION 1. RESTATEMENT OF CHAPTER 144, ARTICLE IV**

**§ 144-20 Adoption of 2018 International Residential Code.**

That a certain document, three (3) copies of which are on file in the office of the Department of Community Development of South Whitehall Township, being marked and designated as the International Residential Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Residential Code of South Whitehall Township, in the Commonwealth of Pennsylvania, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwelling (townhouses) not more than three stories in height with separate means of egress as herein provided: providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Department of Community Development of South Whitehall Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 144-21 of this Ordinance.

**§ 144-21 Additions, Insertions, and Changes to International Residential Code, 2018 edition**

**A. Section R101.1 Title.** Insert “South Whitehall Township” in the space indicated by [NAME OF JURISDICTION].

**B. Section R113.4 “Violation penalties”** shall be changed to read:

**R113.4 Violation penalties.** Any person who violates a provision of this Code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

C. **Section R114.2 “Unlawful continuance”** shall be changed to read:

**R114.2 Unlawful continuance.** Any person who continues any work in or about the structure 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 conditions, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall be not less than \$100.00 and shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

D. **Section R114 “Stop Work Order”** shall amended to add **Section R114.3** titled “Disregard of Unsafe Notice” which shall read:

**Section 114.3 Disregard of unsafe notice.** Upon refusal or neglect of the person with an “unsafe notice” to comply with the requirements of the order to abate the unsafe condition, the Township Solicitor shall be advised of all the facts and shall initiate the appropriate action to compel compliance, including but not limited to an action to abate a nuisance. Any person failing to comply with the requirements of the abatement order shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other competent jurisdiction. The amount of the civil penalty for each such failure to comply with an abatement order shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that the failure to comply with an abatement order continues shall be deemed to be a separate failure to comply with an abatement order.

In the event that the required repair or demolition is not commenced within the stipulated time, the Code Official shall have the power to post at each entrance a warning notice of an unsafe building condition.

No person shall occupy the building or any part thereof or remove or deface the aforementioned “unsafe building” notice until or at such time as all repairs, demolition or removal ordered by the Code Official have been completed and the Building Certificate of Occupancy has been issued.

E. **Table R301.2(1).** Insert the following:

**TABLE R301.2(1)**  
**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	30 psf
WIND DESIGN	
Speed (mph)	90 mph
Topographical effects	No
Special wind region	No

Wind-borne debris zone	No
SEISMIC DESIGN CATEGORY	B
SUBJECT TO DAMAGE FROM	
Weathering	Severe
Frost line depth	36"
Termite	Yes
WINTER DESIGN TEMP	9° F
ICE BARRIER UNDERLAYMENT REQUIRED	Yes
FLOOD HAZARDS	Some
AIR FREEZING INDEX	1500
MEAN ANNUAL TEMP	50° F
MANUAL J DESIGN CRITERIA	
Elevation	387 ft
Latitude	40°
Winter heating	9° F
Summer cooling	88° F
Altitude correction factor	1
Indoor design temperature	72° F
Design temperature cooling	75° F
Heating temperature difference	63° F
Cooling temperature difference	13° F
Wind velocity heating	18.6 mph
Wind velocity cooling	None
Coincidental wet bulb	72.7° F
Daily range	22° F
Winter humidity	78.05% RH
Summer humidity	46.56% RH

**F. Section P2602 INDIVIDUAL WATER SUPPLY AND SEWAGE DISPOSAL** shall be amended to read as follows:

**P2602.1.1 Public water supply and public sewer supply.** Every building intended for human habitation shall utilize public water and sewer services, if such building is situated within one hundred fifty feet (150') of lines providing such service.

**G. P2603.5.1 Sewer depth.** Insert "36 inches" in the spaces indicated by [NUMBER].

**H. SECTION P2902 PROTECTION OF POTABLE WATER SUPPLY** shall be amended to include subsection **P2902.5.6** which shall read as follows:

**P2902.5.6 Meter valve.** Wherever a new service connection to a central water system is made, or whenever an existing water meter is replaced (other than as exempted below), then a double check-valve assembly shall

be installed and maintained in the water distribution piping on the building side of the water meter. The double check-valve assembly shall be identical in size with the meter connection.

Existing water meters in one and two family detached dwellings. As of the date of adoption of this Ordinance, shall be exempt from the double check-valve assembly requirements, for as long as said one or two family use is maintained. Provided, however, that this exemption shall not be applicable to those dwellings where the Code Official has specifically determined in writing that there is an actual, imminent threat to the public health and safety from the lack of a double check-valve assembly; and further provided, that this exemption shall not be applicable to the extent that the Pennsylvania Department of Environmental Protection has issued a final, binding order to the contrary to the Township or others.

**§144-22 REPEALER**

All parts of Ordinance No. 1035 and all other ordinances, resolutions, or other regulations of the Township in conflict with this Ordinance are hereby expressly repealed, but only to the extent of such conflict.

**§ 144-23 NO EFFECT ON PENDING SUITS OR PROCEEDINGS**

Nothing in this Ordinance 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Code or Ordinance.

**SECTION 2. SEVERABILITY**

The provisions of this ordinance are declared to be severable. If any sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, provisions, or parts of this Ordinance. It is hereby declared the intent of the Board of Commissioners for South Whitehall Township that this Ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 3 EFFECTIVE DATE**

This Ordinance shall be effective immediately.

**DULY ENACTED AND ORDAINED** as an Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by a majority of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Ordinance, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Ordinance on behalf of the Board.

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

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Diane Kelly, President

ATTEST:

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Scott Boehret, Secretary

**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-  
(Duly adopted \_\_\_\_\_, 2022)**

**AN ORDINANCE REENACTING, AMENDING, AND RESTATING  
CHAPTER 144 ARTICLE I (PLUMBING CODE) OF THE CODIFIED  
ORDINANCES OF SOUTH WHITEHALL TOWNSHIP IN ITS  
ENTIRETY AND ADOPTING THE 2018 EDITION OF THE  
INTERNATIONAL PLUMBING CODE WITH LOCAL AMENDMENTS  
AS THE PLUMBING CODE OF SOUTH WHITEHALL TOWNSHIP AND  
AS PART OF THE MUNICIPAL BUILDING CODE OF SOUTH  
WHITEHALL TOWNSHIP; REPEALER; NO EFFECT ON PENDING  
SUITS OR PROCEEDINGS; SEVERABILITY; EFFECTIVE DATE**

**WHEREAS**, by Ordinance No. 797, adopted on June 16, 2004, the Board of Commissioners of South Whitehall Township (the “**Board**”) elected to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§ 7210.1103 et seq., as amended from time to time, and its regulations; and

**WHEREAS**, by Ordinance No. 797, the Board adopted the Uniform Construction Code contained in 34 PA Code Chapters 401-405, as amended from time to time, as the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 797, the Board preserved the full force and effect of all building code ordinances, or portions of such ordinances (“**Prior Building Code Ordinance**”), which were adopted by South Whitehall Township on or before July 1, 1999, and which equal or exceed the requirements of the Uniform Construction Code; and

**WHEREAS**, Ordinance No. 686 adopted on February 17, 1999 is a Prior Building Code Ordinance in full force and effect pursuant to Ordinance No. 797 and Section 303(b)(1) of the Pennsylvania Construction Code Act; and

**WHEREAS**, by Ordinance No. 955 adopted on August 15, 2012, the Board reenacted the 2009 International Plumbing Code with certain requirements from Ordinance No. 686 that exceed the requirements of the Uniform Construction Code, as amended, as the Plumbing Code of South Whitehall Township and as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS**, by Ordinance No. 1042 adopted on April 17, 2019, the Board reenacted the 2015 International Plumbing Code with certain requirements from Ordinance No. 686 that exceed the requirements of the Uniform Construction Code, as amended, as the Plumbing Code of South Whitehall Township and as part of the Municipal Building Code of South Whitehall Township; and

**WHEREAS,** the certain requirements of Ordinance No. 686 that exceed the requirements of the Uniform Construction Code, as amended, are as follows:

**Section 18.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the Code Official shall request the Township Solicitor to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

**Section 108.4 Violation penalties.** Any person who violates a provision of this Code, this Ordinance, or the rules or regulations promulgated hereunder, or who fails to comply with any of the requirements thereof, or who installs plumbing work in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be less than \$100.00 and shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney's fees. Each day that a violation continues shall be deemed to be a separate violation.

**Section 108.5 Stop work orders.** Upon notice from the Code Official, work on any plumbing system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. Any person who continues any plumbing work in or about a structure 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 for a civil penalty, upon a finding of liability by the District Justice or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall be not less than \$100.00 and shall not be more than \$1,000.00 plus costs of the enforcement action including reasonable attorney's fees. Each day that the violation continues shall be deemed to be a separate violation.

**Section 108.6 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the Township Solicitor from instituting appropriate action to prevent unlawful construction or 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 plumbing on or about any premises. Despite the assessment of a penalty in the form of a fine against the violator, the violation itself must still be corrected. Failure to make the necessary corrections will result in the violator being subject to additional penalties as described in the preceding section.

**Section 609.12.8 Meter valve.** Wherever a new service connection to a central water system is made, or whenever an existing water meter is replaced (other than exempted below), then a double check-valve assembly shall be installed and maintained in the



water distribution piping on the building side of the water meter. The double check-valve assembly shall be identical in size with the meter connection.

Existing water meters in one and two family detached dwellings, as of the date of this Ordinance, shall be exempt from this double check-valve assembly requirement, for as long as said one or two family use is maintained. Provided, however, that this exemption shall not be applicable to those dwellings where the Code Official has determined that there is an actual, imminent threat to the public health and safety from the lack of a double check-valve assembly; and further provided, that this exemption shall not be applicable to the extent that the Pennsylvania Department of Environmental Protection has issued a final, binding order to the Township or others to the contrary.

**Appendix B Principle No. 6 Use of Public Water and Sewer Where Available.** Every building intended for human habitation shall utilize public water and sewer services, if such building is situated within one hundred fifty feet (150') of lines providing such services.

**WHEREAS**, Section 4 of Ordinance No. 686 sets forth requirements related to certification and licensing of plumbers; and

**WHEREAS**, the Board desires to remove the certification and certain of the licensing requirements and procedures, and to amend other licensing provisions that had previously been adopted as part of Ordinance No. 686; and

**WHEREAS**, the Board adopted the Township's Codified Ordinances on December 7, 2016 whereby the regulations of Ordinance No. 955 and subsequent amendments were codified as Chapter 144, Article I (Plumbing Code) of said Codified Ordinances; and

**WHEREAS**, the 2018 edition of the International Plumbing Code regulates and governs the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems and provides for the issuance of permits and collection of fees therefor; and

**WHEREAS**, the 2018 edition of the International Plumbing Code contains certain sections that require the Board to insert certain information; and

**WHEREAS**, the Board desires to reenact, amend and restate Chapter 144, Article I (Plumbing Code) in its entirety consistent with the provisions of the International Plumbing Code, 2018 edition, together with certain insertions, and selected licensing provisions from Ordinance No. 686 adopted February 17, 1999 that exceed the requirements of the Uniform Construction Code, as amended.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Commissioners of South Whitehall Township that Chapter 144, Article I (Plumbing Code) of the Codified Ordinances is hereby reenacted, amended, and restated in its entirety as follows:

## SECTION 1. RESTATEMENT OF CHAPTER 144, ARTICLE I

### § 144-1 Adoption of 2018 International Plumbing Code.

That a certain document, three (3) copies of which are on file in the office of South Whitehall Township, being marked and designated as the International Plumbing Code, 2018 edition, as published by the International Code Council be and is hereby adopted as the Plumbing Code of South Whitehall Township, in the Commonwealth of Pennsylvania, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Department of Community Development of South Whitehall Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 144-2 of this Ordinance.

### § 144-2 Additions, Amendments, Insertions, Deletions and Changes to International Plumbing Code, 2018 edition

#### A. Section 101.1 “Title” shall be amended to read:

**Section 101.1 Title.** These regulations shall be known as the “Plumbing Code of South Whitehall Township” herein referred to as “this Code.”

#### B. Section 106.6.2 “Fee schedule” shall be amended to read:

**Section 106.6.2 Fee schedule.** The fees for all plumbing work shall be as indicated in the schedule enacted by Resolution of the Board of Commissioners of South Whitehall Township and kept on file in the office of the Department of Community Development of South Whitehall Township for public inspection.

#### C. Section 106.6.3 “Fee refunds” shall be amended to read:

**Section 106.6.3 Fee refunds.** The Code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than fifty percent (50%) of the permit fee paid where work has been done under a permit issued in accordance with this Code.
3. Not more than one hundred percent (100%) of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The Code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

- D. Section 106 Permits** shall include Section 106.7 which shall be entitled “**Additional ordinance No. 686 Requirements – Permit application and licensing:** *(This Section included pursuant to portions of Ordinance No. 686 adopted February 17, 1999.)*”

**Section 106.7.1 Application for permit – responsible persons.** The full names and addresses of the owner, lessee, applicant, and the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application. *(Subsection 106.7.1 included pursuant to part of Subsection 106.3 of Section 3 of Ordinance No. 686 adopted February 17, 1999.)*

**Section 106.7.2 Licensing.** The following are the transition provisions for licensing from the prior ordinances, including (but not limited to) Ordinance No. 686 and the previous (now repealed) corresponding provisions of this Code, which shall apply from and after June 1, 2019:

- (a) **General.** The provisions of this Subsection 106.7.2 shall control the licensing of Master and Journeymen Plumbers who engage in plumbing, as defined by this Code, in South Whitehall Township.
- (b) **No new licenses, transition, renewal and termination.** It is hereby declared to be the intent of the Board that no new licenses shall be granted, and that while existing licenses shall be “grandfathered” subject to the provisions of this Subsection 106.7.2, such existing licenses shall be phased out by attrition through expiration, non-renewal, revocation, termination, surrender, lapse, death or retirement of the license holder, or otherwise.
  - (1) **No new licenses.** After June 1, 2019, no new licenses for either Master or Journeyman Plumbers shall be issued by the Township.
  - (2) **Existing licenses.** Existing licenses shall continue to be valid and effective, subject to such licenses being renewed in accordance with this Subsection 106.7.2, and the holder of such license not being in violation of the provisions of this Subsection 106.7.
  - (3) **Term of license and renewal.** Every existing and outstanding license shall expire on the 31<sup>st</sup> day of December of each year. Each Licensee may renew said license by filing for re-registration between December 1 and December 31 of the year preceding the year for which the license is to be renewed.

- (4) **Form.** Any person desiring to renew a license shall make application for the same on forms prepared and provided by the Township.
- (5) **Effect of failure to renew license.** If any existing license is not timely renewed in accordance with this Subsection 106.7.2, then such license shall be deemed to have expired, lapsed, and automatically terminated, and shall not be renewed or reissued. The former holder of such license shall not be entitled to obtain a new or replacement license.
- (6) **Revocation.** The Township’s Building Code Board of Appeals (“**Appeals Board**”) may revoke any license if the Appeals Board affirmatively finds that the license was obtained through non-disclosure, misstatement or misrepresentation of a material fact, or if a Licensee has violated any of the provisions, rules, or regulations of this Code or Ordinance. Before a license may be revoked, the Licensee shall be notified, in writing, of the charges against him or her and shall be entitled to a hearing by the Appeals Board not sooner than five (5) days after Licensee’s receipt of notice. Notification shall be either hand-delivered or sent via certified mail to the address on record on the license application. Evidence that such notice was sent to the address of record shall constitute proper notification, notwithstanding the relocation of the Licensee, unless another or forwarding address was provided to the Township by the Licensee. The Licensee shall be given an opportunity to present testimony, oral or written, and other evidence, and shall have the right to cross-examine any and all witnesses. All testimony shall be given under oath or affirmation. The decision of the Appeals Board shall be based on the evidence produced at the hearing and shall be made, in writing, as part of the record. A person whose license has been revoked shall not be permitted to be re-licensed.
- (7) **Licensing appeals.** All appeals and hearings regarding plumber’s licensing matters, including but not limited to registration, fees, revocation, suspension, or any other decisions or determination, shall be held before the South Whitehall Township Building Code Appeals Board (“**Appeals Board**”), as established by the Municipal Building Code of South Whitehall Township, as amended from time to time. Such hearings may be initially informal, without a stenographic recording, and a full and complete record need not be kept by said Appeals Board. In any event, the Appeals Board’s decision shall be certified in writing by the Appeals Board’s Secretary to both appellant and Code Official.

Provided that any party to any such appeal or hearing (including but not limited to the appellant of the Code Official) may nevertheless request that such appeal or hearing be held initially in a formal manner, or reheard as of right in such a formal manner, with all testimony stenographically recorded and a full and complete record of the proceedings kept. The

party making such a request shall furnish written notice to that effect to all other parties to such appeal or hearing, at least ten (10) days before the commencement of such hearing or appeal. The party making such a request shall also agree to pay all of the costs thereof in accordance with **Section 553.-Hearing and Record** of Chapter 5 – Practice and Procedure, Subchapter B. – Practice and Procedure of Local Agencies of the Pennsylvania “Local Agency Law,” codified at Title 2 of Purdon’s Pennsylvania Consolidated Statutes Annotated, **Section 553. - Hearing and Record** (2 Pa.C.S.A. Sec. 553), as amended from time to time.

All additional, further or subsequent appeals, hearings, or rehearings, from any decision or determination under this Code by the Appeals Board, shall be to the Lehigh County Court of Common Pleas. All such appeals, hearings, or rehearings shall be on the basis of a full and complete record of the prior proceedings before the Appeals Board, pursuant to Chapter 7 – Judicial Review, Subchapter B. – Judicial Review of Local Agency Action, Sections 751 *et seq.*, of the Pennsylvania “Local Agency Law”, codified at Title 2 of Purdon’s Pennsylvania Consolidated Statutes Annotated, Section 751 (2 Pa.C.S.A. Sec. 751) *et seq.*, particularly **Section 754. – Disposition of Appeal, (b) Complete Record** (2 Pa.C.S.A. Sec.754), each as amended from time to time.

- (8) Transferability and use of Licensee’s name by another.** No license issued hereunder shall be transferrable to any other person or entity. No person who has obtained a license hereunder shall allow his or her name and/or license to be used by another person for the purposes of obtaining permits to engage in or practice plumbing within the Township or elsewhere. Any violation of this restriction shall be sufficient cause, without more, for forfeiture, revocation, and termination of the license of the person who permitted such use of his or her license.
- (9) Change of name or address.** Every Licensee shall notify the Township, in writing, of any change in the Licensee’s name or address within thirty (30) days of such change. Any such change shall be noted on the Licensee’s license, as well as the official records maintained by the Township.
- (10) Fees for licensing.** Any and all licensing fees for the renewal of only existing and outstanding licenses, as prescribed in this Section, shall be established by Ordinance or Resolution, duly adopted by the Township’s Board of Commissioners.

(Subsection 106.7.2 included pursuant to portions of Section 3 of Ordinance No. 686 adopted on February 17, 1999.)

**E. Section 108.3 “Prosecution of violation”** shall be amended to read:

**108.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the Code Official shall request the Township Solicitor to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

**F. Section 108.4 “Violation penalties”** shall be amended to read:

**108.4 Violation penalties.** Any person who violates a provision of this Code, this Ordinance, or the rules or regulations promulgated hereunder, or who fails to comply with any of the requirements thereof, or who installs plumbing work in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be liable for a civil penalty, upon a finding of liability by the District Justice, or any other court of competent jurisdiction. The amount of the civil penalty for each such violation shall not be more than \$1,000 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**G. Section 108.5 “Stop work orders”** shall be amended to read:

**108.5 Stop work orders.** Upon notice from the Code official, work on any plumbing system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code official shall not be required to give a written notice prior to stopping the work. Any person who continues any plumbing work in or about a structure 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 for a civil penalty, upon a finding of liability by the District Justice or any other court of competent jurisdiction. The amount of civil penalty for each such violation shall be not less than \$100.00 and shall be not more than \$1,000.00 plus costs of the enforcement action including reasonable attorney’s fees. Each day that a violation continues shall be deemed to be a separate violation.

**H. Section 108.6 “Abatement of violation”** shall be amended to read:

**108.6 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the Township Solicitor from instituting appropriate action to prevent unlawful construction or 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 plumbing on or about any premises.

Despite the assessment of a penalty in the form of a fine against the violator, the violation itself must still be corrected. Failure to make the necessary corrections will result in the violator being subject to additional penalties as described in the preceding section.

**I. Section 305.4.1 “Sewer depth”** shall be amended to read as follows:

**305.4.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of thirty-six inches (914.4 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of thirty-six inches (914 mm) below grade.

**J. Section 602 “Water Required”** shall be amended to include:

**602.4 Public water supply.** Every building intended for human habitation shall utilize public water and sewer services, if such building is situated within one hundred fifty feet (150’) of lines providing such services.

**K. Section 608 “Protection of Potable Water Supply”** shall be amended to include:

**608.14.10 Meter valve.** Wherever a new service connection to a central water system is made, or whenever an existing water meter is replaced (other than as exempted below), then a double check-valve assembly shall be installed and maintained in the water distribution piping on the building side of the water meter. The double check-valve assembly shall be identical in size with the meter connection. Existing water meters in one and two family detached dwellings, as of the date of adoption of this Ordinance, shall be exempt from this double check-valve assembly requirement, for as long as said one or two family use is maintained. Provided, however, that this exemption shall not be applicable to those dwellings where the Code Official has determined that there is an actual, imminent threat to the public health and safety from the lack of a double check-valve assembly; and further provided, that this exemption shall not be applicable to the extent that the Pennsylvania Department of Environmental Protection has issued a final, binding order to the Township or others to the contrary.

**L. Section 701 “General”** shall be amended to include:

**701.2.1 Public sewer supply.** Every building intended for human habitation shall utilize public water and sewer services, if such building is situated within one hundred fifty feet (150’) of lines providing such services.

**M. Section 903.1 “Roof extension”** shall be amended to read as follows:

**903.1 Roof extensions.** Open vent pipes that extend through a roof shall be terminated not less than six inches (152 mm) above the roof. Where a roof is to

be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than seven (7) feet (2134 mm) above the roof.

**§144-3 REPEALER**

All parts of Ordinance No. 1042 and all other ordinances, resolutions, or other regulations of the Township in conflict with this Ordinance are hereby expressly repealed, but only to the extent of such conflict.

**§ 144-4 NO EFFECT ON PENDING SUITS OR PROCEEDINGS**

Nothing in this Ordinance 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Code or Ordinance.

**SECTION 2. SEVERABILITY**

The provisions of this Ordinance are declared to be severable. If any provision, sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, phrases, or parts of this Ordinance. It is hereby declared the intent of the Board of Commissioners for South Whitehall Township that this Ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 3. EFFECTIVE DATE**

This Ordinance shall be effective immediately.

**DULY ENACTED AND ORDAINED** as an Ordinance this \_\_\_\_\_, 2022 by a majority of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Ordinance, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Ordinance on behalf of the Board.

**ATTEST:**

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Scott Boehret, Secretary

\_\_\_\_\_  
Diane Kelly, President



TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. \_\_\_\_\_  
(Duly adopted \_\_\_\_\_, 2022)

**AN ORDINANCE REENACTING, AMENDING, AND RESTATING CHAPTER 144 ARTICLE VIII (PROPERTY MAINTENANCE CODE) OF THE CODIFIED ORDINANCES OF SOUTH WHITEHALL TOWNSHIP IN ITS ENTIRETY AND ADOPTING PROVISIONS OF THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH LOCAL AMENDMENTS; PROVIDING FOR THE SOUTH WHITEHALL TOWNSHIP BUILDING CODE APPEALS BOARD TO SERVE AS THE BOARD OF APPEALS; PROVIDING THAT STATE LAW CONTROLS WHERE REQUIREMENTS ARE IN EXCESS OF THIS ORDINANCE; AND PROVIDING FOR A REPEALER, CONTINUATION AND SAVING CLAUSE, SEVERABILITY, AND EFFECTIVE DATE**

**WHEREAS**, the South Whitehall Township ("**Township**") is a political subdivision, municipal corporation, and First Class Township of the Commonwealth of Pennsylvania, being a body both corporate and politic, situated in Lehigh County, duly established and lawfully existing under and pursuant to the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. 55101 et seq., as amended; and

**WHEREAS**, by Ordinance No. 992 adopted on February 4, 2015, the Board of Commissioners of the Township (the "**Board**") adopted the 2009 edition of the International Property Maintenance Code with local amendments to regulate and govern the conditions and maintenance of all property, building, and structures; provide standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; provide for the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Township; and provide for the issuance of permits and collection of fees therefor; and

**WHEREAS**, by Ordinance No. 1041 adopted on February 20, 2019, the Board reenacted the 2015 International Property Maintenance Code with certain local amendments; and

**WHEREAS**, the Board now desires to adopt the 2018 edition of the International Property Maintenance Code with local amendments; and

**WHEREAS**, the Township is authorized and empowered to adopt, enact, and establish this Ordinance, Code, and the rules and regulations promulgated hereunder, by virtue of the First Class Township Code (53 Pa. Stat. Ann. § 55101 et seq.).

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Commissioners of South Whitehall Township, Lehigh County, Commonwealth of Pennsylvania as follows:

**SECTION 1. RESTATEMENT OF CHAPTER 144, ARTICLE VIII**

**§ 144-28 Adoption of Property Maintenance Code**

That a certain document, three (3) copies of which are on file in the office of the Township Secretary of South Whitehall Township, being marked and designated as the International Property Maintenance Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of South Whitehall in the Commonwealth of Pennsylvania, for regulating and governing the conditions and maintenance of all property, buildings and structures; providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures are herein provided; providing for the issuance of permits and collection of fees therefore and each and all the regulations, provisions, penalties, conditions and terms of the Property Maintenance Code on file in the office of the Township are hereby referred to, adopted, and made a part hereof, as if fully set forth in in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 144-29 of this Ordinance.

**§ 144-29 Additions, Insertions, and Changes to International Property Maintenance Code, 2018 Edition**

The following additions, insertions, and modifications shall be made in the 2018 International Property Maintenance Code at the sections hereinafter indicated, and any section not referenced herein is adopted in its entirety.

A. Section 101.1 shall read:

**101.1 Title.** These regulations shall be known as the "Property Maintenance Code of the South Whitehall Township", hereinafter referred to as "this code."

B. Section 102.3 shall read:

**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 Pennsylvania Uniform Construction Code, as amended. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the South Whitehall Township Zoning Ordinance, as amended.

C. Section 103.2 shall read:

**103.2 Appointment.** The code official shall be appointed by the South Whitehall Township Board of Commissioners by resolution and shall serve at the pleasure of the Board of Commissioners.

D. Section 103.5 shall read:

**103.5 Fees.** The fees for activities and services performed by the Township in carrying out its responsibilities under this code shall be as indicated in the South Whitehall Township Fee Schedule.

E. Section 106.3 first sentence shall read:

**106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a violation of this code and shall be subject to the violation penalties provided in Section 106.4 and the violation shall be deemed a strict liability offense.

F. Section 106.4 shall read:

**106.4 Violation penalties.** Persons who shall violate any provision of this code, or shall fail to comply therewith, or with any of the requirements thereof, shall be guilty of a summary offense, punishable by a fine of up to One Thousand Dollars (\$1,000.00), plus costs of the enforcement action including reasonable attorney's fees or, in default of payment, may be sentenced to imprisonment for up to ninety (90) days. Each day that a violation continues after due notice has been served shall be deemed a separate offense punishable by a separate fine as set forth herein.

G. Section 112.4 shall read:

**112.4 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 for a fine of up to One Thousand Dollars (\$1,000) plus costs of the enforcement action, if any, including reasonable attorney's fees or, in default of payment, may be sentenced to imprisonment for up to ninety (90) days.

H. Section 201.3 shall read:

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, South Whitehall Township Zoning Ordinance, International Plumbing Code, International Mechanical Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

I. The following shall be inserted in Section 302.4 of the Code, where applicable:  
"Twelve (12) inches".

J. Section 302.8 shall read:

**302.8 Motor Vehicles.** See South Whitehall Township Ordinance No. 714.

- K. The words "capable of" shall be inserted before "containing water" in the first full sentence of Section 303.2 of the code.
- L. The following shall be inserted in Section 304.14 of the code, where applicable: First insertion: "April 1<sup>st</sup> ; Second Insertion: "October 31<sup>st</sup> .
- M. Section 404.4.2 Access from bedroom shall be deleted in its entirety.
- N. The following shall be inserted in Section 602.3 of the code, where applicable: First insertion: "September 15<sup>th</sup> ; Second Insertion: "May 15<sup>th</sup> .
- O. The following shall be inserted in Section 602.4 of the code, where applicable: First insertion: "September 15<sup>th</sup> ; Second Insertion: "May 15<sup>th</sup> .
- P. Section 606 Elevators, Escalators and Dumbwaiters of the code shall be deleted in its entirety.

**§ 144-30 Board of Appeals**

The South Whitehall Township Building Code Appeals Board, established pursuant to the Township Building Code and reestablished by resolution of the Board of Commissioners, shall fulfill the purpose of the board of appeals as set forth in the code in conformity with its requirements and relevant provisions.

**§ 144-31 Repealer**

Ordinance No. 992 and all other ordinances, resolutions and other regulations of the Township, or any parts of ordinances, resolutions, and other regulations of the Township, in conflict herewith are hereby repealed. All other provisions of the ordinances, resolutions and other regulations of the Township of South Whitehall, Lehigh County, Pennsylvania shall remain in full force and effect.

**§ 144-32 Continuation and Saving Clause**

The provisions of this Ordinance and of the code hereby adopted, insofar as they are the same as those Ordinances and/or codes in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and codes, and not as new enactments. Nothing in this Ordinance or in the International Property Maintenance Code 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 code, act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this code or Ordinance.

**§ 144-33 Severability**

The provisions of this Ordinance are declared to be severable. If any article, section, subsection, paragraph, clause, phrase or provision of this code or this Ordinance or the application thereof is held invalid or ineffective, in whole or in part, the invalidity shall not affect any other article, section, subsection, paragraph, clause, phrase or provision or application of this code or this Ordinance, and the remaining provisions shall be given full force and effect as completely as if the part or parts held invalid had not been included herein.

**§ 144-34 State Law and Regulations**

In all matters that are regulated by the law of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, or other ordinances of the Township, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Ordinance.

**§ 144-35 Effective Date**

This Ordinance shall be effective immediately.

**DULY ENACTED AND ORDAINED** as an Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, **2022** by a majority of the Board of Commissioners of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Ordinance, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Ordinance on behalf of the Board.

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

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**Diane Kelly, President**

**ATTEST:**

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**Scott Boehret, Secretary**



**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2022-\_\_  
(Duly Adopted June 15, 2022)**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF SOUTH WHITEHALL TOWNSHIP, LEHIGH COUNTY,  
PENNSYLVANIA APPOINTING HERBERT BENDER AS  
INTERIM TOWNSHIP MANAGER AND ESTABLISHING  
COMPENSATION FOR THE INTERIM TOWNSHIP  
MANAGER POSITION EFFECTIVE JULY 1, 2022**

**WHEREAS**, the Office of Township Manager was established by Ordinance 45 on April 13, 1966, which was subsequently amended via Ordinance No. 22 (enacted August 4, 2010), Ordinance No. 948 (enacted April 18, 2012), Ordinance No. 989 (enacted November 5, 2014), and Ordinance No. 1001 (enacted September 16, 2015); and

**WHEREAS**, the Office of Township Manager is codified in Chapter 50, Article I of the Code of the Township of South Whitehall; and

**WHEREAS**, the previous Interim Township Manager resigned employment with the Township effective July 1, 2022; and

**WHEREAS**, the Board of Commissioners has determined that it is in the best interest of the Township and appropriate to name Herbert Bender to the position of Interim Township Manager and to provide for compensation that reflects the duties and responsibilities of the position.

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED**, by the Board of Commissioners of South Whitehall Township, as follows:

1. Herbert Bender is hereby appointed as the Interim Township Manager effective July 1, 2022.
2. Effective as of July 1, 2022, Herbert Bender, as the Interim Township Manager, shall receive base yearly compensation in the amount of One Hundred Fourteen Thousand (\$114,000) together with an additional sum of One Thousand Dollars (\$1,000) per month. The compensation shall be subject to all applicable and legal withholdings as more fully set forth in the Township Employee Handbook.
3. The aforementioned appointment and compensation shall remain in effect only until such time as a permanent Township Manager has been hired by the Board of Commissioners and has commenced working for the Township, or until the Board of Commissioners otherwise directs.

**DULY ADOPTED** this 15<sup>th</sup> day of **June 2022**, by a majority of the Board of Commissioners of the Township of South Whitehall Township, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Resolution, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, or Secretary in the absence of both the President and Vice-President, execute this Resolution on behalf of the Board.

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

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Diane Kelly, President

**ATTEST:**

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Scott Boehret, Twp. Secretary



**TOWNSHIP OF SOUTH WHITEHALL  
LEHIGH COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2022 - \_\_  
(Duly Adopted June 15, 2022)**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF SOUTH WHITEHALL TOWNSHIP, LEHIGH COUNTY,  
PENNSYLVANIA ADOPTING A FUND BALANCE POLICY**

**WHEREAS**, South Whitehall Township (“**Township**”) is a political subdivision, municipal corporation, and First Class Township of the Commonwealth of Pennsylvania, being a body both corporate and politic, situated in Lehigh County, duly established and lawfully existing under and pursuant to the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §§ 55101 et seq., as amended; and

**WHEREAS**, the Township Board of Commissioners desires to adopt a policy for the purpose of establishing a target level of fund balance for the Township; and

**WHEREAS**, the Fund Balance Policy attached hereto and incorporated herein as Exhibit “A” inter alia establishes a target level of fund balance in the General Fund between 20 and 30% of yearly General Fund revenues measured on a GAAP basis; and

**WHEREAS**, the Township Board of Commissioners believes it is in the best interest of the Township to adopt the Fund Balance Policy.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, as follows:

SECTION 1. The Board of Commissioners of the Township of South Whitehall adopts the Fund Balance Policy, which is attached hereto and incorporated herein as Exhibit “A”.

SECTION 2. This Resolution and the Fund Balance Policy shall become effective immediately upon enactment.

**DULY ADOPTED** this 15<sup>th</sup> day of June, 2022 by a majority of the Board of Commissioners of the Township of South Whitehall, Lehigh County, Pennsylvania, at a duly advertised meeting of the Board of Commissioners at which a quorum was present. As part of this Resolution, the Board of Commissioners has directed that the President, or Vice-President in the absence of the President, execute this Resolution on behalf of the Board.

ATTEST:

**TOWNSHIP OF SOUTH WHITEHALL  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Scott Boehret, Secretary

By: \_\_\_\_\_  
David M. Kennedy, Vice President

# EXHIBIT “A”

## South Whitehall Township

### Fund Balance Policy

#### Purpose

The purpose of this policy is to establish a target level of fund balance for South Whitehall Township. This policy will establish a process and criteria for the continued evaluation of this target level as conditions warrant and will address target fund balances for reserve and business-type funds as well. The policy will also establish standard classifications for various types of fund balances.

This policy shall establish a process for reaching and maintaining the target level of unassigned fund balance in the General Fund, and the priority for the use of amounts more than the target. Finally, this policy shall provide a mechanism for monitoring and reporting the Township's fund balance.

#### Definitions and Classifications

*Fund Balance* is a term used to describe the net assets of governmental funds. It is calculated as the difference between the assets and liabilities reported in a governmental fund and reported in the annual audit of the Township's fiscal operations.

Governmental fund balance is reported in five classifications that comprise a hierarchy based primarily on the extent to which the Township is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The five classifications of fund balances are defined as follows.

- **Non-spendable** fund balance includes amounts that are not in a spendable form (inventory, for example) or are required to be maintained intact.
- **Restricted** fund balance includes amounts that can be spent only for the specific purposes stipulated by external resource providers (for example, grant providers), constitutionally, or through enabling legislation (that is, legislation that creates a new revenue source and restricts its use). Effectively, restrictions may be changed or lifted only with the consent of resource providers.
- **Committed** fund balance includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
- **Assigned** fund balance comprises amounts intended to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official to which the governing body delegates the authority. In governmental funds other than the General Fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.

- **Unassigned** fund balance is the residual classification for the general fund and includes all amounts not contained in the other classifications. Unassigned amounts are technically available for any purpose.

The committed, assigned, and unassigned classifications are often referred to, in the aggregate, as the *unrestricted fund balance*.

GAAP means generally accepted accounting principles in the United States. The Director of Finance, in accordance with GAAP, shall report fund balance in the appropriate classifications and make the appropriate disclosures in the Township's financial statements. Unless classified as restricted or committed, the following balances shall be classified as assigned per GAAP or as required by this policy.

**Background and Considerations** Fund balance is intended to serve as a measure of financial resources in a governmental fund. The Township's Board of Commissioners, management, credit rating services, and citizens monitor the levels of fund balances as important indicators of the Township's economic condition. While the credit rating services have always analyzed fund balance as part of their evaluation of creditworthiness, these services have recently focused increased attention on evaluating appropriate fund balance levels due to concerns reflected in the credit markets.

Finally, the Township has also recognized the need to improve its overall fund balance and as a related effect, its overall liquidity. While a strong fund balance for the General Fund is certainly a priority, it does little good if it is offset by weak or balances elsewhere. Similarly, creating a schedule of expenses for the Capital Projects Fund will enable the Township to build up internal balances to fund future projects, rather than being forced to borrow to replace assets.

All these events have prompted South Whitehall Township to evaluate its circumstances and develop this policy. In establishing an appropriate level of fund balance, SWT has considered the following factors:

*Property tax base.* The property tax is the largest revenue source of the Township's general fund. It is the source of revenue backing the Township's general obligation debt. The dependence of the Township on large taxpayers and changes in the overall collection rate are important factors in assessing the stability of this revenue source.

*Admission tax revenues.* Resources must be considered in terms of the percentage each comprises of the total budget, as well as the reliability and stability of these resources. In SWT, this has historically been about ten percent of our total General Fund Budget, specifically from the Dorney Park Admission Tax. As such, this factor affects the need for a higher fund balance.

*Exposure to significant outlays.* The Township shall consider its potential exposure to significant one-time outlays, either resulting from a disaster, immediate capital needs, state budget cuts or other events. While better insulated than many communities, the Township still needs to allocate amounts of fund balance to cover these contingencies.

*Debt profile.* It is essential that the Township have sufficient capacity to make its debt service payments. Sufficient capacity must be maintained in the event of interruptions or reductions in revenue flow, or in the event of unforeseen expenditures. In determining the appropriate capacity, the Township will consider its existing debt service profile as well as its future debt service profile as developed in the

Township's capital improvement program. Debt service shall be reviewed in total as well as net of any other revenues that may be used to result in a net amount to be funded from property taxes.

*Liquidity.* An adequate level of fund balance should be maintained to ensure sufficient liquidity especially considering the timing of tax revenues. The potential drain on General Fund resources from other funds, as well as the availability of resources in other funds, should be considered.

*Budget management.* Budgetary variances are an indicator of an ability to manage the Township's financial affairs. A consistent pattern of positive budgetary variances along with moderate increases in the growth of the annual operating budget can be viewed as evidence of strong budgetary management. Evidence of weak budgetary management would necessitate a review of the appropriate levels of fund balance.

*Encumbrances.* Amounts encumbered at year-end by purchase order or another means (carry forward authorizations by the BOC) shall be classified as assigned.

*Capital Budget.* Amounts designated in the first year of the Township's capital improvement program as either appropriations or advances to other funds shall be classified as assigned.

*Professional Judgment.* Amounts the Township Manager and Director of Finance determine, in their professional judgment, represent the Township's intended use of fund balance.

### **Policy Administration.**

The Board of Commissioners has the overall authority and accountability for the Fund Balance Policy.

This policy shall be amended from time to time by a majority vote of the Board of Commissioners to assure continued compliance with Generally Accepted Accounting Principles.

Annually the Director of Finance with the assistance of the Township Manager shall report the Township's fund balances to the BOC and the classification of the various components in accordance with GAAP and this policy.

The Township Manager and Director of Finance shall annually review this policy and report to the BOC the considerations used in establishing the unassigned fund balance target. The Director of Finance shall report to the BOC whether changes in those considerations or additional considerations have been identified that would change the recommended level of unassigned fund balance.

Additionally, the Township Manager will set target levels for reserve funds on a yearly basis and report to the BOC. Should the Township fall below the target level, the Township Manager shall present a plan to the BOC to restore the unassigned fund balance to the target level within three (3) years.

**GFOA Best Practice.** The Government Finance Officers Association (GFOA) has established a best practice that recommends, “At a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.” GFOA’s best practice also states, “governments may deem it appropriate to exclude from consideration resources that have been committed or assigned to some other purpose and focus on unassigned fund balance rather than unrestricted fund balance.”

### **General Fund**

As such, it is the **Policy of South Whitehall Township** to maintain unassigned fund balance in the General Fund between 20% and 30% of yearly General Fund revenues measured on a GAAP basis. If the unassigned fund balance drops below the minimum level of 20%, the Township Manager will develop a plan to present to the BOC for approval, implemented through the annual budgetary process, to bring the balance to the target level over a period of no more than three (3) years. If the unassigned fund balance goes above the level of 30%, a similar plan will be developed for consideration by the BOC to bring the level down, perhaps utilizing transfers to fund the Long-Term Capital Improvement Plan, pre-paying on pension obligations, pre-paying on debt, or likewise.

### **Regarding Proprietary Funds and Net Position**

Enterprise Funds (Water, Sewer, and Refuse) do not use the term “Fund Balance. Instead, they use the term “Net Position”. The following classifications, defined by governmental accounting standards, exist to improve the usefulness of net position information.

*Net investment in capital assets* - the net amount invested in capital assets (original costs, net of accumulated depreciation and capital-related debt)

*Restricted Net position* – amount of net position for which limitations have been placed by creditors, grantors, contributors, laws, and regulations.

Internal actions through legislation (which is legally enforceable) and constitutional provisions may also lead to restricted net position. From time to time, the BOC may deem it appropriate to restrict a portion of net position for a future capital project as identified.

*Unrestricted Net position*– the amount of net position that is not restricted or invested in capital assets, net of related debt.

The Township receives much of its enterprise fund revenues through user fees tied to billing charges. Some of these fees are fixed, and some are consumption-based. The fixed fees have little predictability risk, due to their static nature. However, the consumption-based charges have a high risk of fluctuations, depending on weather, or other factors.

Additionally, due to the nature of the relationship between South Whitehall Township and Lehigh County Authority and the 1973 Agreement, it is imperative that the Township build its unrestricted net position to mitigate the rising cost estimate of the future Kline's Island expansion.

#### **Water Fund**

Based on the specific risk factors for the Water Fund listed above, it is the policy of South Whitehall Township to have an unrestricted Net Position equal to or greater than \$5 million.

#### **Sewer Fund**

Based on the specific risk factors for the Sewer Fund as listed above, it is the policy of South Whitehall Township to have an unrestricted Net Position equal to or greater than \$10 million, until the Kline's Island expansion is resolved.

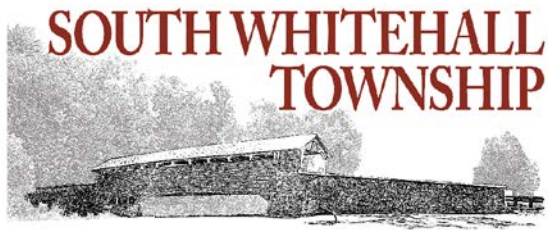
#### **Refuse Fund**

It is our Policy to achieve and maintain a Net Position of at least 2 months of operating expenses. (per the 2021 year, this would be equal to approximately \$447,000)

Proposed budgets, or budget revisions approved by the BOC, will maintains these levels of reserve. However, if the provisions described herein fall below the allotted thresholds, due to unforeseen revenue or expenditure fluctuations, the Township Manager and Director of Finance will develop a restoration plan in accordance with this policy to present to the BOC for approval.







**MEMORANDUM FOR  
AGENDA ITEMS**

<b>TO:</b>	Board of Commissioners
<b>FROM:</b>	Scott Boehret, Director of Finance/Finance Committee
<b>DATE:</b>	6/15/2022
<b>SUBJECT:</b>	Budget Software
<b>COPY TO:</b>	Randy Cope, Interim Township Manager

- **Background Information and/or Justification of Expense:**

As part of our ongoing efforts to improve the Finance Department, we are requesting the BOC approve the purchase of a budget software which will be used to prepare all SWT Budgets prospectively, beginning with the 2023.

ClearGov is the budget software being requested. This is a cloud-based software that will allow SWT to have a centralized location for the entire budget process. A website based digital budget book, both pre-built and custom reports, tools for multi-year and multi-scenario decision making are among the many benefits of this product.

The upfront cost is \$18,600, which includes the prorated 2022 services fees along with implementation costs. Service fees for subsequent years will start at \$26,400, increasing by 3% each year after.

Implementation will take 4 weeks, which will fall well within our deadlines for this year.

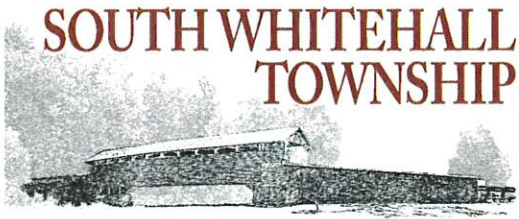
- **Action Requested:**

Approval (by motion) for the purchase of the ClearGov Budget software in the amount of \$18,600 for the 2022 year.

- **Budget Line Item (if applicable):**

01-40-402-0000-000-000-0000-02-40450 (budgeted for \$200,000 in 2022)





## INTEROFFICE MEMORANDUM

---

**TO:** Board of Commissioners, Interim Township Manager  
**FROM:** Tricia Dickert – Assistant Finance Director  
**DATE:** May 25, 2022  
**SUBJECT:** Account Adjustment over \$2,500.00

---

Commissioners,

The Finance Department seeks your approval on adjusting two invoices whose total is above the \$2,500.00 threshold where such approval can be sought by the Township Manager.

Project: 3411 Hamilton Blvd – Tapping Fees

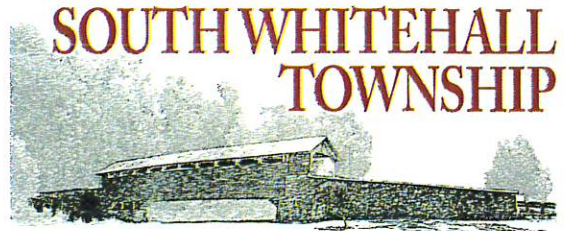
On 4/26/2017, invoices 9780 (\$1,724.32) and 9781 (2,726.64) were issued to Joseph Rossowski (CID 7939), owner of Dorneyville Dental for the above project.

On 5/9/2017, Authority Engineer SSM updated the calculation for the Tapping Fees on this project.

On 6/20/2017, new invoices 10152 (\$974.40) and 10161 (\$1,537.80) were issued to Dorneyville Dental (CID 362), for the same project, based on SSM's re-calculation. Subsequently, these invoices were paid in full on 6/22/2017.

The Finance Department seeks approval by the Board of Commissioners for adjusting/removing the original invoices (9780/9781) from CID 7939, which totals \$4,450.96.

# General Billing Invoice Adjustment Verification Form



## Section 1

### Fund:

- Water                       General  
 Sewer                         Capital  
 Refuse  
 Fire  
 Other: \_\_\_\_\_

Invoice Number(s) 9780 + 9781 - Need to adjust

### Reason:

Duplicate billing for w/s tapping fees for the project at 3411 Hamilton Blvd. Invoices 9780+9781 were issued on 4/26/17 for CID 7939 (Joseph Rossowski). Authority engineer SSM updated the calculation for w/s tapping on 5/9/17. New bills were issued on 6/20/17 under CID 362 (Dorneyville Dental) + paid w/check 0193 on 6/22/17.

**REQUIRED Attachment(s) : Attach any and all supporting documentation**

### Originator:

Prepared by D. Valles Date 4/19/22

Amount of Adjustment(s) 4450.96

## Section 2

Approved By (Scott Boehret, Director of Finance) \_\_\_\_\_ Date \_\_\_\_\_

Approved By (Randy Cope, Interim Township Manager) \_\_\_\_\_ Date \_\_\_\_\_



**South Whitehall Township Authority**

ATTN: ACCOUNTS RECEIVABLE  
4444 Walbert Avenue  
Allentown, PA 18104-1699  
(610) 398-0401 • Fax (610) 395-6243  
AccountsRec@Southwhitehall.com

**INVOICE**

Invoice Date	Invoice No.
04/26/2017	9780
Customer Number	
7939	
Invoice Total Due	
\$1,724.32	
Due Date	
05/26/2017	

JOSEPH ROSSOWSKI  
2715 ALLISON LANE  
ALLENTOWN, PA 18104

**Due upon receipt**

WATER TAP CONNECTION FEE  
FOR DORNEY DENTAL BLDG @ 3411  
HAMILTON BLVD

Description	Quantity	Price	UOM	Original Bill	Adjustment	Paid	Amount Due
WATER CONNECTION TAP IN FEE	1.00	\$1,724.32	EACH	\$1,724.32	\$0.00	\$0.00	\$1,724.32
Please include Invoice Number on your check. Make Checks Payable to: South Whitehall Township Authority					Invoice Total:	\$1,724.32	

JOSEPH ROSSOWSKI  
2715 ALLISON LANE  
ALLENTOWN, PA 18104

WATER TAP CONNECTION FEE  
FOR DORNEY DENTAL BLDG @  
3411 HAMILTON BLVD

4780



## Inter-Office Memorandum

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**To:** Accounts Receivable Clerk

**From:** Gerald J. Harbison

**Subject:** Request for Invoicing:  
Commercial Water & Sewer Connection Fees  
Building Addition for Dorneyville Dental @ 3411 Hamilton Boulevard  
Building Permit Application No. 2017000248

**Date:** April 21, 2017

**CC:** P. Pineada, R. Bickel, L. LaBarre, Board of Authority, Property File

---

Please accept this memo as a request to prepare invoices for a water connection fee in the amount of \$1,724.32 and a sewer connection fee in the amount of \$2,726.64 required for Dorneyville Dental's additions at 3411 Hamilton Boulevard. The invoices are to be sent to:

Joseph and Susan Rossowski  
2715 Allison Lane  
Allentown, PA 18104

The dollar amounts are based on the attached worksheet

April 21, 2017

**CALCULATION SHEET FOR NON-RESIDENTIAL TAPPING FEES**

**PROJECT:** 3,263 ft<sup>2</sup> additions to Dorneyville Dental Building @ 3411 Hamilton Blvd  
Building Permit No. 2017000248

**NOTES:**

1. Tapping fees are being assessed for addition to medical building (BOA Resolution No. 2016-5)

**PART A.  
DETERMINING PRESUMED SYSTEM FLOW (PSF)**

<b>TOTAL PRESUMED SYSTEM FLOW CALCULATION</b>					
<i>Use Category</i>	<i>Size Factor (Square Feet)</i>	<i>X</i>	<i>Flow Rate GPD</i>	<i>=</i>	<i>Presumed Flow GPD</i>
Office	1,228	X	.0625	=	76.75
Storage	1,168	X	.0555	=	64.82
Total PSF					141.57



**PART B.  
DETERMINING CONNECTION (TAPPING) FEES  
\*FOR BUILDING USE INTENSIFICATION – EXISTING TAP**

<b>CONNECTION FEE CALCULATION</b>					
<i>Utility Type</i>	<i>Presumed System Flow In Gallons</i>	<i>X</i>	<i>Price Per Gallon</i>	<i>=</i>	<i>Fee</i>
Water	141.57	X	12.18	=	\$1,724.32
Sewer	141.57	X	19.26	=	\$2,726.64



**South Whitehall Township Authority**

ATTN: ACCOUNTS RECEIVABLE  
 4444 Walbert Avenue  
 Allentown, PA 18104-1699  
 (610) 398-0401 • Fax (610) 395-6243  
 AccountsRec@Southwhitehall.com

**INVOICE**

Invoice Date	Invoice No.
04/26/2017	9781
Customer Number	
7939	
Invoice Total Due	
\$2,726.64	
Due Date	
05/26/2017	

JOSEPH ROSSOWSKI  
 2715 ALLISON LANE  
 ALLENTOWN, PA 18104

**Due upon receipt**

SEWER TAP CONNECTION FEE FOR  
 DORNEY DENTAL BLDG @ 3411  
 HAMILTON BLVD

Description	Quantity	Price	UOM	Original Bill	Adjustment	Paid	Amount Due
SEWER CONNECTION TAP IN FEE	1.00	\$2,726.64	EACH	\$2,726.64	\$0.00	\$0.00	\$2,726.64
Please include Invoice Number on your check. Make Checks Payable to: South Whitehall Township Authority						<b>Invoice Total:</b>	<b>\$2,726.64</b>

JOSEPH ROSSOWSKI  
 2715 ALLISON LANE  
 ALLENTOWN, PA 18104

SEWER TAP CONNECTION FEE  
 FOR DORNEY DENTAL BLDG @  
 3411 HAMILTON BLVD



4781



## Inter-Office Memorandum

---

**To:** Accounts Receivable Clerk

**From:** Gerald J. Harbison

**Subject:** Request for Invoicing:  
Commercial Water & Sewer Connection Fees  
Building Addition for Dorneyville Dental @ 3411 Hamilton Boulevard  
Building Permit Application No. 2017000248

**Date:** April 21, 2017

**CC:** P. Pineada, R. Bickel, L. LaBarre, Board of Authority, Property File

---

Please accept this memo as a request to prepare invoices for a water connection fee in the amount of \$1,724.32 and a sewer connection fee in the amount of \$2,726.64 required for Dorneyville Dental's additions at 3411 Hamilton Boulevard. The invoices are to be sent to:

Joseph and Susan Rossowski  
2715 Allison Lane  
Allentown, PA 18104

The dollar amounts are based on the attached worksheet

April 21, 2017

**CALCULATION SHEET FOR NON-RESIDENTIAL TAPPING FEES**

**PROJECT:** 3,263 ft<sup>2</sup> additions to Dorneyville Dental Building @ 3411 Hamilton Blvd  
 Building Permit No. 2017000248

**NOTES:**

1. Tapping fees are being assessed for addition to medical building (BOA Resolution No. 2016-5)

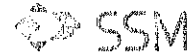
**PART A.**  
**DETERMINING PRESUMED SYSTEM FLOW (PSF)**

<b>TOTAL PRESUMED SYSTEM FLOW CALCULATION</b>					
<i>Use Category</i>	<i>Size Factor (Square Feet)</i>	<i>X</i>	<i>Flow Rate GPD</i>	<i>=</i>	<i>Presumed Flow GPD</i>
<i>Office</i>	<i>1,228</i>	<i>X</i>	<i>.0625</i>	<i>=</i>	<i>76.75</i>
<i>Storage</i>	<i>1,168</i>	<i>X</i>	<i>.0555</i>	<i>=</i>	<i>64.82</i>
<b>Total PSF</b>					<b>141.57</b>



**PART B.**  
**DETERMINING CONNECTION (TAPPING) FEES**  
**\*FOR BUILDING USE INTENSIFICATION – EXISTING TAP**

<b>CONNECTION FEE CALCULATION</b>					
<i>Utility Type</i>	<i>Presumed System Flow In Gallons</i>	<i>X</i>	<i>Price Per Gallon</i>	<i>=</i>	<i>Fee</i>
<i>Water</i>	<i>141.57</i>	<i>X</i>	<i>12.18</i>	<i>=</i>	<i>\$1,724.32</i>
<i>Sewer</i>	<i>141.57</i>	<i>X</i>	<i>19.26</i>	<i>=</i>	<i>\$2,726.64</i>



May 9, 2017

Mr. Peter Pineda, Manager  
South Whitehall Township Authority  
4444 Walbert Avenue  
Allentown PA 18104

Re: Dorneyville Dental  
3411 Hamilton Boulevard  
Revised Water and Sewer Capacity - Building Permit No. 201717000248  
SSM File 110033.2017

Dear Mr. Pineda:

This correspondence is provided as a review of the request for water and sanitary sewer service for the above referenced project. The capacity allocation is for a dental office.

Per Resolution No. 2016-05-BOA, the required water capacity for the project is calculated as follows:

Office Space:	0.0625 gpd per square foot x 1,127 square feet =	70.4375 gpd
Storage Space:	0.0555 gpd per square foot x 117 square feet =	6.4935 gpd

Total 76.931 gpd, Rounded to **80 gpd**

The required sewer and water capacity for the project is 80 gpd.

Per Resolution No. 2016-05-BOA, the required fees for the project are calculated as follows:

Water Tapping Fee:	80 gpd x \$12.18 = \$ 974.40
Sewer tapping Fee:	80 gpd x \$19.26 = <u>\$1,540.08</u>

Total \$2,512.20

Please contact us should you have any questions, or require any additional information regarding our recommendation.

Sincerely,  
Spotts, Stevens and McCoy

A handwritten signature in black ink, appearing to read "Darryl A. Jenkins", is written over a faint, larger version of the same signature.

Darryl A. Jenkins, PE  
Vice President,  
Civil and Environmental Engineering  
darryl.jenkins@ssmgroup.com

CASH ONLY IF ALL OTHERS - SECURITY FEATURES LISTED ON BACK INDICATE NOT TAMPERING OR COPYING

**Dorneyville Dental PC**  
3411 Hamilton Blvd  
Allentown, PA 18103  
(610) 432-6907

AMERICAN BANK  
ALLENTOWN, PA 18104  
60-298/313

0193

5/19/2017

PAY TO THE ORDER OF Souht Whitehall Township Board of Authority \$ **\*\*2,512.20**

Two Thousand Five Hundred Twelve and 20/100\*\*\*\*\*DOLLARS

South Whitehall Twp. Board of Authority  
4444 Walbert Ave.  
Allentown, Pa. 18104-1699

*[Signature]*

MEMO Water & Sewer tapping fees

⑈000193⑈ ⑆031302997⑆ 1001008390⑈06

Details on Back  
Secure Check

FOR DEPOSIT ONLY  
SOUTH WHITEHALL TOWNSHIP

**Item Info**

Loc 1  
 Doc Src 1  
 Pocket 60  
 ABA 31302997  
 Acct No 1001008390  
 Tran Date 6/26/2017  
 Capture Date 6/26/2017  
 Serial No) 193  
 Tran Code 60  
 Amount \$2,512.20  
 Seq 48224547147  
 Db/Cr Debit  
 Run No 4  
 Trace 3429036

**Bank of First Deposit Info**

Routing 053101121  
 Date 6/23/2017  
 Seq 2101897765  
 Deposit Acct  
 Branch  
 Payee  
 Truncated Y  
 Conversion  
 Correction 4  
 User Field



**South Whitehall Township**

ATTN: ACCOUNTS RECEIVABLE  
4444 Walbert Avenue  
Allentown, PA 18104-1699  
(610) 398-0401 | Fax (610) 395-6243  
AccountsRec@Southwhitehall.com

**INVOICE**  
Customer Copy

CUSTOMER	INVOICE DATE	INVOICE NUMBER	AMOUNT PAID	DUE DATE	INVOICE TOTAL DUE
DORNEYVILLE DENTAL	06/20/2017	10152	\$974.40	07/20/2017	\$0.00

DESCRIPTION	QUANTITY	PRICE	UOM	ORIGINAL BILL	ADJUSTED	PAID	AMOUNT DUE
WATER CONNECTION TAP IN FEE	1	\$974.40	EACH	\$974.40	\$0.00	\$974.40	\$0.00
WATER CONNECTION TAP IN FEE							

<b>Invoice Total:</b>	<b>\$0.00</b>
-----------------------	---------------

WATER TAPPING FEES  
80GPD x \$12.18 = \$974.40

✂ DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT ✂

Promptly Send Payment To:



**South Whitehall Township**

ATTN: ACCOUNTS RECEIVABLE  
4444 Walbert Avenue  
Allentown, PA 18104-1699  
(610) 398-0401 | Fax (610) 395-6243  
AccountsRec@Southwhitehall.com

362  
DORNEYVILLE DENTAL  
3411 HAMILTON BLVD  
ALLENTOWN, PA 18103

**INVOICE**

Remit Portion

Invoice Date	06/20/2017
Invoice Number	10152
Customer Number	362
Amount Paid	\$974.40

<b>Due Date</b>	<b>07/20/2017</b>
<b>Invoice Total Due</b>	<b>\$0.00</b>

Please write your Invoice Number on your check and enclose this portion of the bill with your payment.  
Make checks payable to:South Whitehall Township



**South Whitehall Township**

ATTN: ACCOUNTS RECEIVABLE  
4444 Walbert Avenue  
Allentown, PA 18104-1699  
(610) 398-0401 | Fax (610) 395-6243  
AccountsRec@Southwhitehall.com

**INVOICE**  
Customer Copy

CUSTOMER	INVOICE DATE	INVOICE NUMBER	AMOUNT PAID	DUE DATE	INVOICE TOTAL DUE		
DORNEYVILLE DENTAL	06/20/2017	10161	\$1,537.80	07/20/2017	\$0.00		
DESCRIPTION	QUANTITY	PRICE	UOM	ORIGINAL BILL	ADJUSTED	PAID	AMOUNT DUE
SEWER CONNECTION TAP IN FEE	1	\$1,537.80	EACH	\$1,540.08	-\$2.28	\$1,537.80	\$0.00
SEWER CONNECTION TAP IN FEE							
<b>Invoice Total:</b>						<b>\$0.00</b>	

SEWER TAPPING FEES  
80GPD x \$19.26 = \$1,540.08

✂ DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT ✂

Promptly Send Payment To:



**South Whitehall Township**

ATTN: ACCOUNTS RECEIVABLE  
4444 Walbert Avenue  
Allentown, PA 18104-1699  
(610) 398-0401 | Fax (610) 395-6243  
AccountsRec@Southwhitehall.com

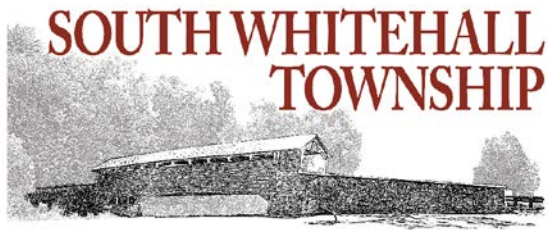
362  
DORNEYVILLE DENTAL  
3411 HAMILTON BLVD  
ALLENTOWN, PA 18103

**INVOICE**

Remit Portion

Invoice Date	06/20/2017
Invoice Number	10161
Customer Number	362
Amount Paid	\$1,537.80
<b>Due Date</b>	<b>07/20/2017</b>
<b>Invoice Total Due</b>	<b>\$0.00</b>

Please write your Invoice Number on your check and enclose this portion of the bill with your payment.  
Make checks payable to: South Whitehall Township



**MEMORANDUM FOR  
AGENDA ITEMS**

<b>TO:</b>	Board of Commissioners
<b>FROM:</b>	Chris Kiskeravage
<b>DATE:</b>	6/15/2022
<b>SUBJECT:</b>	Budget transfer
<b>COPY TO:</b>	Randy Cope, Herb Bender, Scott Boehret

- **Background Information and/or Justification of Expense:**

This is to balance line items within the 2022 Fire Budget.

This transfer will bring the Maintenance Services and Repair account back up to a zero balance.

- **Action Requested:**

Transfer of \$3,451.44

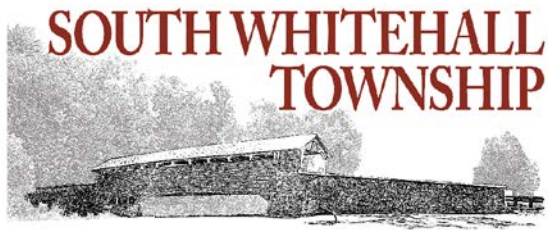
- **Budget Line Item (if applicable):**

From Account: 03411002/4021 - Miscellaneous Supplies

To Account: 03411002/40370 - Maintenance Service and Repair





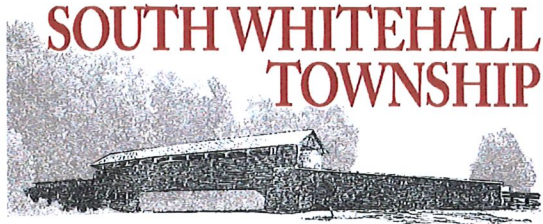


**MEMORANDUM FOR  
AGENDA ITEMS**

<b>To:</b>	Board of Commissioners
<b>FROM:</b>	Chris Kiskeravage
<b>DATE:</b>	6/15/2022
<b>SUBJECT:</b>	Woodlawn Budget transfer
<b>COPY TO:</b>	Randy Cope, Herb Bender, Scott Boehret

- **Background Information and/or Justification of Expense:**  
This is to balance line items within the Woodlawn 2022 Fire Budget.  
This transfer will bring the Miscellaneous Supplies account back up to a zero balance.
  
- **Action Requested:**  
Transfer of \$2,919.08
  
- **Budget Line Item (if applicable):**  
From Account: 03411302/40238 - Uniform/clothing exchange  
To Account: 03411302/40240 - Miscellaneous supplies





## INTEROFFICE MEMORANDUM

---

**TO:** South Whitehall Township Board of Commissioners

**FROM:** Herb Bender, Public Works Manager

**DATE:** 6/2/2022

**SUBJECT:** Bid #2022-02 Pole Barn Construction

**COPIES:** Randy Cope, Scott Boehret, Donna Zackeru-Lagonia

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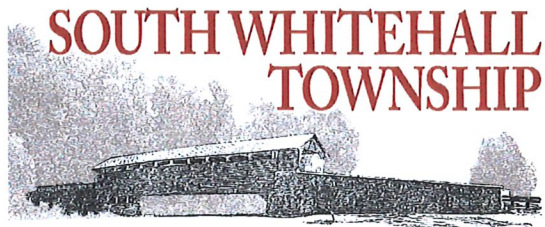
On May 16, 2022, at 10 :00 a.m., South Whitehall Township received and opened two bids for the above referenced project. The bid was advertised in a local publication, as required by law, and forty-six (46) potential bidders downloaded bid documents, the bid tabulation is attached.

Public Works is requesting we reject both bids received as the pricing was much higher than expected. We budgeted \$300,000.00 for this entire project, which consisted of \$50,000 for the heating and \$250,000 for the Pole Barn construction. The lowest bid submitted for \$297,420.00, was not projected to come in so high. The high responses are attributed to the rising cost of materials and labor.

We are hereby requesting the Board of Commissioners reject both bids submitted as it is not in the best interest of the Township to proceed with this project at this time.

BID #2022-02  
POLE BARN CONSTRUCTION

Description	Type	UOM	Quantity	A K Petersheim Builders, LLC	Dutchman Contracting LLC
FURNISH LABOR, MATERIALS AND NECESSARY EQUIPMENT TO CONSTRUCT A 80'X115'X20' POLE	Base	Lump Sum	1	\$297,420.00	\$317,712.00



**MEMORANDUM FOR  
AGENDA ITEMS**

<b>TO:</b>	Board of Commissioners
<b>FROM:</b>	Herb Bender
<b>DATE:</b>	June 6, 2022
<b>SUBJECT:</b>	Sanitary Sewer Stacks
<b>COPY TO:</b>	R.Cope, M.Elias, S.Boehret

- **Background Information and/or Justification of Expense:**  
 These sewer stacks will go on the two sewer chambers located on MLK Dr. The reason for these chambers is that when it rains heavy the sewer lines get backed up and causes our chambers to blow out at the seams. The stacks we would like to install will allow the air that is trapped in top of the chamber to vent out. The total price for this job is \$2,297.84 this was budgeted for \$15,000.
  
- **Action Requested:**  
 Approval by the Board Of Commissioners to purchase supplies t install sewer chamber stacks.
  
- **Budget Line Item (if applicable):**  
 Sewer capital - 08431003/40740



FEL WATERWORKS #922  
 849 FRONT STREET  
 WHITEHALL, PA 18052-0000

Phone: 610-264-2231  
 Fax: 610-264-2285

Deliver To: AMY From: Andrew Corsoe Comments:
---

10:03:43 MAY 27 2022

Page 1 of 1

FERGUSON WATERWORKS #920  
 Price Quotation  
 Phone: 610-264-2231  
 Fax: 610-264-2285

**Bid No:** B424124  
**Bid Date:** 05/27/22  
**Quoted By:** AWC

**Cust Phone:** 610-398-0401  
**Terms:** NET 10TH PROX

**Customer:** SOUTH WHITEHALL TOWNSHIP  
 4444 WALBERT AVENUE  
 ALLENTOWN, PA 18104-1699

**Ship To:** SOUTH WHITEHALL TOWNSHIP  
 4444 WALBERT AVENUE  
 ALLENTOWN, PA 18104-1699

**Cust PO#:** VERBAL HERB

**Job Name:** DUCTILE FTGS

Item	Description	Quantity	Net Price	UM	Total
FFPUU	6X6'0 FLGXFLG CL BT DI SPL	2	429.780	EA	859.56
DF9U	DOM 6 DI 125# C110 FLG 90 BEND	4	268.130	EA	1072.52
DTAPBFUK	6X2 DI C110 125# TAP BLND FLG	2	143.790	EA	287.58
FNWNBGZ1RF8U	6 ZN 150# RR FF 1/8 FLG SET	6	13.030	EA	78.18

**Net Total:** \$2297.84  
**Tax:** \$0.00  
**Freight:** \$0.00  
**Total:** \$2297.84

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>  
 Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with \*NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.  
 COVID-19 ORDER: ANY REFERENCE TO OR INCORPORATION OF EXECUTIVE ORDER 14042 AND/OR THE EO-IMPLEMENTING FEDERAL CLAUSES (FAR 52.223-99 AND/OR DFARS 252.223-7999) IS EXPRESSLY REJECTED BY SELLER AND SHALL NOT APPLY AS SELLER IS A MATERIALS SUPPLIER AND THEREFORE EXEMPT UNDER THE EXECUTIVE ORDER.

**HOW ARE WE DOING? WE WANT YOUR FEEDBACK!**

Scan the QR code or use the link below to complete a survey about your bids:



<https://survey.meda1.com/?bidsorder&fc=922&on=4237>

**QUOTATION**

L/B Water Service, Inc.  
 1440 SLEEPY HOLLOW ROAD  
 QUAKERTOWN, PA 18951  
 267-875-2056



Quote Number	
1726223	
Quote Date	Page
5/30/2022	1 of 3

Quote Expires On 6/22/2022

**Proposal Submitted to:** 14705  
 SOUTH WHITEHALL TOWNSHIP  
 4444 WALBERT AVENUE  
 ALLENTOWN, PA 18104

**Ship To:**  
 SOUTH WHITEHALL TOWNSHIP  
 4444 WALBERT AVENUE  
 ALLENTOWN, PA 18104

610-398-0401

Requested By: Herb Bender  
 Cell Phone: 610-794-3291

PO/Job Name		Salesperson	Entered By		
FLANGE KITS, PIPE, & FITTINGS		Bob Schwalm	DYLAN_HOLMES		
Quantity	Item ID	Item Description		Unit Price	Extended Price
Quoted	UOM				

**Delivery Instructions:** SOUTH WHITEHALL TWP.  
 4444 WALBERT AVE.  
 ALLENTOWN, PA 18104  
 ATTN: RUSTY HELD PHONE # 610-674-3381

COSTARS - 016-115

**DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS TERM SUPERSEDES ALL OTHER CONTRACTUAL PROVISIONS.**

**DUE TO ESCALATED PRICES ON SCRAP METAL, RESULTING FROM THE RUSSIA-UKRAINE WAR, A MANUFACTURER IMPOSED SURCHARGE WILL BE ADDED TO ALL SHIPMENTS OF DUCTILE IRON PIPE. THE MANUFACTURER SURCHARGE IS SUBJECT TO CHANGE AND WILL BE CALCULATED AT TIME OF SHIPMENT.**

2.00	EA	P6FXF6 6IN FLG X FLG 6FT0IN LONG DIP PRIME COAT CEMENT LINED	\$750.59	\$1,501.18
4.00	EA	P6FLG90 6IN FLANGED 90 BEND PRIME COAT 274902	\$308.35	\$1,233.40
2.00	EA	2X11FLG 2IN X 11IN CI REDUCING COMPANION FLANGE FITS 6IN 125# FLANGE FITTINGS BLACK FIG 71 (130246)	\$190.14	\$380.28
8.00	EA	6X8TORUSEALACC 6IN FLANGED ACCESSORY SET (8 3/4INX3-1/2IN USA) BOLT & NUT, 1/8IN TORUSEAL GASKET	\$38.61	\$308.88

# QUOTATION

L/B Water Service, Inc.  
 1440 SLEEPY HOLLOW ROAD  
 QUAKERTOWN, PA 18951  
 267-875-2056



Quote Number	
1726223	
Quote Date	Page
5/30/2022	2 of 3

Quote Expires On 6/22/2022

Quantity		Item ID Item Description	Unit Price	Extended Price
Quoted	UOM			
		TORUSEAL FLANGE GASKET 350 PSI (PL5-3/4CX31/2) (13367) MADE IN USA (PL5-3/4C) (36316) MADE IN USA		

Total Lines: 4

<b>SUB-TOTAL:</b>	3,423.74
<b>TAX:</b>	0.00
<b>EXTENDED QUOTE \$\$:</b>	<b>3,423.74</b>



# QUOTATION

L/B Water Service, Inc.  
 1440 SLEEPY HOLLOW ROAD  
 QUAKERTOWN, PA 18951  
 267-875-2056



Quote Number	
1726223	
Quote Date	Page
5/30/2022	3 of 3

Quote Expires On 6/22/2022

Quantity		Item ID Item Description	Unit Price	Extended Price
Quoted	UOM			

**L/B Water Service, Inc.  
 TERMS AND CONDITIONS OF SALE**

- 1. EXPIRATION.** This offer expires 6/22/2022 and may be revoked prior to expirations unless expressly accepted by Purchaser.
- 2. TAXES.** Purchaser is responsible for all taxes, including but not limited to; federal, state, and/or municipal sales, use, excise, or other taxes assessed on the goods. Sales tax will be charged unless a valid tax exemption certificate is received by Seller prior to delivery. Exemption certificates received more than sixty (60) days after delivery will not be honored.
- 3. DELIVERY TERMS.** The place for delivery of the Goods is:  
 4444 WALBERT AVENUE, ALLENTOWN, PA 18104, .  
 Unless specific written instructions are included with this Quote, the cost of transportation of the goods to the location listed here shall be borne by the Seller, when delivered by the Seller's personnel and vehicle. Seller assumes the risk of all deliveries up to the point when the goods leave the Seller's control. If the Purchaser requests special handling, partial shipments, or rush delivery the Purchaser will be responsible for the freight costs. Purchaser assumes all risk of loss during delivery of goods by third party. In the absence of written instructions from Purchaser to the contrary, Seller, on behalf of Purchaser, shall exercise its discretion as to all matters of shipment used.
- 4. PAYMENT TERMS.** Payment terms are: Net 30  
 Thereafter, a service charge of 1.5% per month will be added to the unpaid balance, until the account is paid in full. Accounts with past due balances may be refused future deliveries. Seller shall be entitled to recover from Purchaser all costs of collection of unpaid balances, including, but not limited to, reasonable attorneys' fees, court costs, and interest.
- 5. SPECIAL ORDERS.** Orders for materials that are non-stock are non-cancellable and non-returnable.
- 6. RETURNS.** Any returns of materials must have prior authorization and are be subject to inspection for re-salability. A minimum 25% handling and restocking charge will be charged on these items.
- 7. WARRANTIES.** The goods shall be free from defects in material and workmanship. The goods will conform to designated specifications, when we are advised in advance of quotation. All manufacturers warranties shall be passed on and flow to the Purchaser/Owner. Seller shall not be obligated or liable under any manufacturer's warranty. Seller shall not be liable for any warranty offered by the Seller for any goods that are modified, altered, misused, damaged, improperly handled or stored, or otherwise improperly treated or used.
- 8. LIMITED LIABILITY.** Seller shall not, under any circumstances, be responsible for special, indirect, incidental, consequential, liquidated, or penal damages resulting from the contract under this Quote or the performance or breach thereof, or from the design, manufacture, sale, delivery, operation or use of any goods or equipment covered by or furnished under this Quote. The liability of Seller shall in no case exceed the price paid by the Purchaser for the goods. Seller disclaims all liability, whether in contract, tort (including negligence), warranty or other grounds, to any party other than the Purchaser. The Purchaser's sole and exclusive remedy, whether based upon warranty, contract or tort, is pursuant to the warranty contained in paragraph 5.
- 9. DISCLAIMERS.** Except as expressly set forth herein, Seller hereby disclaims, and Purchaser hereby waives, all other warranties, whether express or implied, including, without limitation, warranties of merchantability, fitness for a particular purpose, title, and non-infringement.
- 10. GOVERNING LAW.** This Quote shall be construed and enforced in accordance with the laws of the Commonwealth of Pennsylvania, without regard to principles of conflicts of law, and without regard to rules of construction relating to which party drafted this Quote.
- 11. SEVERABILITY.** In the event any provision of this Quote is held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provisions of this Quote will remain in effect.
- 12. ENTIRE AGREEMENT.** This Quote is the complete agreement between Seller and Purchaser and there are no other written or oral understandings, directly or indirectly, that are not incorporated herein. Seller reserves the right to change the quoted prices, if this quotation is not accepted in its entirety.

I/we, \_\_\_\_\_, hereby agree to purchase the goods presented on this quotation and to accept the terms and conditions listed above.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date



# Bid Proposal for Vent Stack

CUSTOMER

**SOUTH WHITEHALL TWP**  
4444 WALBERT AVE  
ALLENTOWN, PA 18104

**Job**  
Vent Stack  
Bid Date: 05/27/2022  
Bid #: 2368794

CONTACT

**Sales Representative**  
Jason Haas  
(T) 610-481-9979  
(F) 610-481-9863  
Jason.Haas@coreandmain.com

**Core & Main**  
615 Grammes Lane  
Allentown, PA 18104  
(T) 610-481-9979

NOTES



Bid Proposal for Vent Stack

SOUTH WHITEHALL TWP  
Bid Date: 05/27/2022  
Core & Main 2368794

Core & Main  
615 Grammes Lane  
Allentown, PA 18104  
Phone: 610-481-9979  
Fax: 610-481-9863

Seq#	Qty	Description	Units	Price	Ext Price
DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS TERM SUPERSEDES ALL OTHER CONTRACTUAL PROVISIONS.					
10	2	6 FLGXFLG DI PIPE 6' IMP	EA	706.25	1,412.50
20	4	6 FLG 90 C110 USA	EA	402.31	1,609.24
30	2	6X2 TAPT BLIND FLG DI USA	EA	254.55	509.10
40	8	6X1/8 FLG ACC RR FF	EA	16.25	130.00
<b>Sub Total</b>					<b>3,660.84</b>
<b>Tax</b>					<b>0.00</b>
<b>Total</b>					<b>3,660.84</b>

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



117 Prospect Street  
 Reading, PA 19606  
 Phone: 610-779-4230  
 Fax: 610-779-0981

**QUOTE**

Quote Date	Expires	Authorization	Salesperson	Cust #	Terms
5/27/22		HERB BENDER	Greg Brizek	191980	Net 30 Days
Quote #	P.O. Number	Quoted By	Ship Via	Ppd/Col	Shipped From
01/694776		Clinton Goulden	CHOOSE ONE		Reading, PA

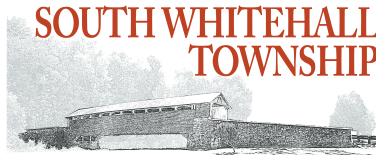
Sold To **HERB BENDER**  
**SOUTH WHITEHALL TWP.**  
**4444 WALBERT AVENUE**  
**ALLENTOWN PA 18104-1699**

Ship To **SOUTH WHITEHALL TWP.**  
**4444 WALBERT AVENUE**  
**ALLENTOWN PA 18104-1699**

Phone/Fax **610-398-0401 / 610-398-1068**

Job Info **VENT STACK**

Quantity	Our Stock #/Description/Your Part #	Unit Price	UM	Extended Price
2	F/F-6 FLANGE X FLANGE PIPE 6"	661.00	EA	1,322.00
4	F90-6 FLANGE 90 BEND 6"	308.35	EA	1,233.40
2	COF-2X11 REDUCING COMPANION FLANGE 2X11"	54.58	EA	109.16
1	FASKB-6 FLANGE ACCY. SET 6" BOXED	13.88	EA	13.88
<p>Clint Goulden          610-779-4230 EXT 222          ClintG@exetersupply.com</p> <p>FOR ANY PROJECTS THAT MUST BE AMERICAN IRON AND STEEL (AIS) COMPLIANT, YOU MUST NOTIFY US PRIOR TO QUOTING BECAUSE PRICING ON THOSE PRODUCTS IS HIGHER. CERTS FOR THESE PROJECTS MUST BE REQUESTED PRIOR TO THE MATERIAL SHIPPING. CERTS CANNOT AND WILL NOT BE SUPPLIED AFTER MATERIAL IS SHIPPED.</p> <p>DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS QUOTATION REPRESENTS PRICING BASED ON CURRENT MARKET CONDITIONS. THANK YOU FOR YOUR PATIENCE AND UNDERSTANDING.</p>				
<p>Products that have an (*) at the beginning of the 'Stock Number' are non-stock products and therefore not returnable. Due to possible revisions, addendums, site conditions, etc. this take off is for our pricing only. The customer is to verify product, quantities and specifications.</p> <p>Locations in:            Reading 610-779-4230            Manheim 717-898-2467            Williamsport 570-329-2100            York 717-792-0611            Nazareth 610-759-7301            Skippack 610-584-5431</p>		SubTotal		2,678.44
		Freight		
		Sales Tax		0.00
		<b>Quote Total</b>		<b>2,678.44</b>
<p>Note: PVC pipe and copper tubing prices subject to change based on order and ship date. Prices good for 30 days except as noted. Applicable sales tax will apply. This quote is valid for customers who have an account in good standing with Exeter Supply Co., Inc.</p>		<p>Orders charged to a credit card are subject to a 4% credit card processing fee. Exeter Supply Co., Inc. is not responsible for quantities or types of materials quoted. It is the responsibility of the customer to check local specifications for each job. We appreciate your business!</p>		



**Agenda Item Details**

Meeting	Jun 15, 2022 - Board of Commissioners
Category	10. CORRESPONDENCE AND INFORMATION ITEMS
Subject	A. Boards and Commissions - Informational Items/Vacancies
Access	Public
Type	Information

**Public Content**

**CURRENT VACANCIES ON BOARDS/COMMISSIONS:**

1. Civil Service Commission - 1 Alternate Vacancy
2. Green Advisory Council - 1 Vacancy
3. Landscape Shade Tree Commission - 2 Vacancies
4. Park & Recreation Board - 1 Vacancy
5. Environmental Advisory Council - 3 Vacancies

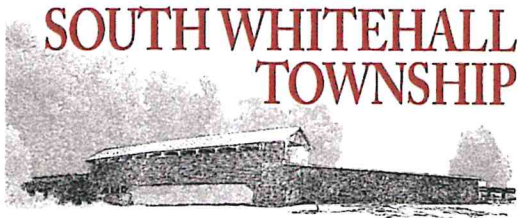
**UPCOMING MEETINGS: Details posted on website.**

- Thursday, June 16th - Planning Commission, 7:00 p.m.
- Friday, June 17th - Movie in the Park at Springhouse West Park (Rescheduled from May 20th)
- Monday, June 20th - Green Advisory Council, 6:00 p.m.
- Wednesday, June 22nd - Zoning Hearing Board, 7:00 p.m.
- Thursday, June 23rd - Emergency Management Services Meeting, 7:00 p.m.
- Thursday, June 23rd - Parks, Recreation, Open Space and Trails (PROT) Plan, Public Meeting, 7:00 p.m.
- Friday, June 24th - Concert in the Park, 7:00 p.m.
- Monday, June 27th - Landscape and Shade Tree Commission, 10:00 a.m.
- Monday, July 4th - Independence Day Holiday - OFFICES CLOSED

**Administrative Content**

**Executive Content**





**MEMORANDUM FOR  
AGENDA ITEMS**

<b>TO:</b>	Board of Commissioners
<b>FROM:</b>	Mike Elias
<b>DATE:</b>	June 08, 2022
<b>SUBJECT:</b>	Nestle Purina Will Serve Request
<b>COPY TO:</b>	H Bender, D Manhardt, R. Cope

- **Background Information and/or Justification of Expense:**  
Nestle Purina located at 2050 Pope Rd. has requested a Will Serve Letter from South Whitehall Township. The request is asking for up to 500,000 gallons per day of water to be used as drinking waster as well as its manufacturing needs. Public Works felt it necessary to bring this before the Board of Commissioners for discussion during the direction and discussion portion of the meeting.
  
- **Action Requested:**
  
  
  
  
  
  
  
  
  
  
- **Budget Line Item (if applicable):**



North America

2050 Pope Road  
Allentown, PA 18104-9308

March 4, 2022

Mr. Randy Cope  
South Whitehall Township  
4444 Walbert Avenue  
Allentown PA 18104

Re: Nestlé Purina Water Connection  
Professional Staff Consultation 2020-402

Dear Mr. Cope:

Nestlé Purina PetCare Company, located at 2050 Pope Road in South Whitehall Township, is formally requesting a municipal water supply from South Whitehall Township.

Currently, Nestlé operates a Public Water Supply permitted by the Pennsylvania Department of Environmental Protection utilizing on-site groundwater wells for drinking water and manufacturing needs. In order to provide a consistent and reliable supply to the site, Nestlé desires to obtain municipally supplied water through an interconnection with the existing water main at Brickyard Road. In 2020, Spotts, Stevens and McCoy evaluated the available capacity on behalf of the Township and confirmed the ability to meet the demand of Nestlé, namely an average of 32,000 gallons per hour and a peak of 50,000 gallons per hour. In a meeting held on March 2, 2022, in your office, Mr. Jason Newhard confirmed the capacity is available for supply.

Please consider this correspondence as an official request to proceed with an agreement between Nestlé and the Township for the municipal water supply.

Feel free to contact Jeanne Lee of my staff at (610) 398-4672 or [Jeanne.Lee@purina.nestle.com](mailto:Jeanne.Lee@purina.nestle.com) if you require additional information or to discuss further.

Sincerely,

Brian Blanck  
Plant Manager

