

- (t) provisions allowing the Association to borrow money to improve the common properties and to mortgage those properties for this purpose;
- (u) provisions allowing the association to take such steps as may be necessary to protect mortgage properties from foreclosure; and
- (v) provisions limiting the lenders' rights in event of default upon a mortgage to the charging of admission for their use, and to the opening of facilities to wider public use until the mortgage debt is satisfied whereupon the common properties would be returned to the Association and all rights of members restored.

Section 518 – Erosion and Sediment Control

A. Standards:

1. No changes shall be made in the contour of the land; no grading, excavating or removal of the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a control plan for minimizing Erosion and Sedimentation has been reviewed and accepted by the Planning Commission and the Board of Supervisors or there has been a determination by the Planning Commission and the Board of Supervisors that such plans are not necessary. Appropriate earth moving permits may be required. No such change shall be made except in conformance with the Design Manual and Specifications for Design, Construction, Performance, Maintenance and Alteration of Grading, Excavation and Fills attached hereto as Appendix "B."
2. No Subdivision or Land Development Plan shall be approved unless there has been a control plan approved by the Board of Supervisors that provides for minimizing Erosion and Sedimentation consistent with this Section, and an improvement bond or other acceptable securities are deposited with the Township in the form of an escrow guarantee which will ensure installation and completion of the required Improvements, or there has been a determination by the Board of Supervisors that a control plan for minimizing Erosion and Sedimentation is not necessary. The amount of such bond or securities shall be determined by the Board of Supervisors.
3. Measures used to control Erosion and reduce Sedimentation shall, as a minimum, meet the standards and specifications of the Westmoreland County Soil and Water Conservation District. The Township Engineer, or other official as designated, shall ensure compliance with the appropriate

specifications, copies of which are available from the Westmoreland County Soil and Water Conservation District.

- B. Additional Standards: The following measures are effective in minimizing Erosion and Sedimentation and shall be included where applicable in the control plan:
1. Stripping of vegetation, regrading or other development shall be done in such a way that will minimize Erosion. No trees shall be cut which are unique by reason of size, age or some other outstanding quality, such as rarity or status as a landmark or species specimen. For that area of land which must be cleared of trees and other vegetation to allow construction of Structures and other Improvements, the limits of clearing shall include only:
 - (a) Dedicated Streets and public service or utility Easements;
 - (b) building roof coverage plus 25 feet on all sides for construction activity;
 - (c) driveways, alleyways, walkways and ancillary structures such as patios;
 - (d) other land area reasonably necessary for construction of the proposed Structures and other Improvements.
 2. Subdivision plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least Erosion potential and to adequately handle the volume and velocity of surface water Runoff.
 3. Whenever feasible, natural vegetation shall be retained, protected and supplemented.
 4. The disturbed area and the duration of exposure shall be kept to a practical minimum.
 5. Disturbed soils shall be stabilized as quickly as reasonable and practical.
 6. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

7. The permanent vegetation and structural Erosion control and Drainage measures shall be installed as soon as reasonable and practical in the development.
8. Provisions shall be made to effectively accommodate the increased Runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface Runoff shall be structurally retarded.
9. Sediment in the Runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.
10. All Lots, tracts or parcels shall be graded to provide proper Drainage away from Structures and dispose of it without ponding, and where necessary, land within a development shall be graded to drain and dispose of surface water without ponding, except where approved by the Board of Supervisors.
11. All Drainage Facilities shall be of such design to adequately handle the surface Runoff and carry it to the nearest suitable outlet such as a curbed Street, storm drain or natural Watercourse. If the soil surface is disturbed in order to divert surface waters, the waterways shall be sodded or planted as required and shall be of such Slope, shape and size as to conform to the requirements established by the Township Supervisors.
12. Concentration of surface water Runoff shall be permitted only in natural Watercourses.
13. Cut and fill Slopes shall not be steeper than 50% unless stabilized by a retaining wall or cribbing approved by the Board of Supervisors. Minimum grades are not to be less than one and one-half (1.5%) percent.
14. Adequate provisions shall be made to prevent surface water from damaging the Cut face of excavations or the sloping surface of fills.
15. Cut and fills shall not endanger adjoining property.
16. Fill shall be leveled and compacted by sheep foot roller or other approved compaction equipment in layers of every two (2') feet vertical to minimize sliding or Erosion of the soil.
17. Fills shall not be placed adjacent to, nor encroach on, natural Watercourses or construction channels.

18. Grading shall not be done in such a way as to divert water onto the property of other landowners without the express consent of the Board of Supervisors and the other landowners affected.
19. During grading operations, necessary measures for dust control shall be exercised.
20. Grading and construction equipment shall not be allowed to cross live streams. Provisions shall be made for the installation of culverts or bridges.

C. Responsibilities:

1. Whenever Sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or entity causing such Sedimentation to remove it from all adjoining surfaces, Drainage Systems and Watercourses and to repair any damage at his expense as quickly as possible.
2. Maintenance of all Drainage Facilities and Watercourses within any Subdivision or Land Development is the responsibility of the Developer until they are accepted by the Township or some other official agency, after which they become the responsibility of the accepting agency.
3. It is the responsibility of any person, corporation or other entity affecting a communal stream or Watercourse or Flood Plain or Right-of-Way thereof, to maintain as nearly as possible in its present state the stream, Watercourse, Flood Plain or Right-of-Way during the period of the activity and to return it to its original or equal condition after such activity is completed.
4. Maintenance of Drainage Facilities or Watercourses originating on private property is the responsibility of the owner to their point of open discharge at the property line or at a communal Watercourse within the property.
5. No person, corporation or other entity shall block, impede the flow of, alter, construct any structure or deposit any material or thing, or in any way affect the normal or flood flow in any communal stream or Watercourse without having obtained prior approval from the Westmoreland County Soil and Water Conservation District.
6. Where a Subdivision is traversed by a Watercourse, there shall be provided a Drainage Easement or Right-of-Way of not less than thirty

(30') feet but in any event conforming substantially with such width as will be adequate to preserve natural Drainage.

7. Each person, corporation or other entity which makes any topographical changes shall be required to:
 - (a) collect on-site surface Runoff and dispose of it at the point of discharge into the common natural Watercourse of the Drainage area;
 - (b) handle existing and potential off-site Runoff through his Subdivision by designing to adequately handle such off-site storm Runoff;
 - (c) pay the total cost of off-site Improvements including Easement cost, if applicable, to the common natural Watercourse, based on a fully developed Drainage area; and
 - (d) provide and install at his expense, in accordance with Township requirements, all Drainage and Erosion Control Improvements (temporary and permanent).
8. The Board may require the posting of a performance bond to ensure compliance with this section.

Section 519 – Sewage Disposal Systems

- A. If a public sanitary sewage system exists within 250 feet of any Lot, whether the said Lot be new, proposed or existing, such Lot must be tapped into the public sanitary sewage system. The cost or expense of any connection shall be borne and/or assessed in accordance with the Pennsylvania Municipal Authorities Act of 1945, as amended, by the Act of December 19, 1990, P.L. 1223, No. 203 (53 P.S. §301, et seq.). Where such sewer system is not yet accessible but is planned for extension to the vicinity of the Subdivision, the Board of Supervisors may require the Developer to install the necessary sewer lines, including lateral connections as may be necessary, to enable each Lot, tract or parcel of land to be served by the Public Sanitary Sewage Disposal System when such system is finally extended to the Subdivision. The sewer lines shall be suitably capped at the limits of the Subdivision and the laterals shall be capped at the Street Right-of-Way line. All Sanitary Sewage Disposal Systems shall be subject to the requirements of The Washington Township Act 537 Plan, as amended, the Pennsylvania Sewage Facilities Act, as amended, any current Rules and Regulations of the Department of Environmental Protection, and any current Rules and Regulations of the Municipal Authority of Washington Township. Where a plan includes a waste