

**DOUGLAS F. TRUMBOWER AND ASSOCIATES
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July 1, 2008

October 20, 2011 REVISED

Dallas Township Board of Supervisors
Dallas Township Planning Commission
P.O. Box 518
Dallas, PA. 18612

Re: **PROCEDURE FOR DEDICATION AND TAKE -OVER OF ROAD AND STREETS**

Final Inspection & Dedication

Dear Board and Commission Members:

This office acting as the Township engineer is required to perform a Final Inspection of all subdivision /Land development projects . Should developers expect to have the dedication and take over of improvements the following procedure must be strictly followed:

Based on a Final Inspection the Township Engineers office would make his recommendation as to the Final acceptance of streets and appurtenances. If and only if the following documents are presented and executed to the satisfaction of the township solicitor will this office recommend the "Final take over and dedication" of any subdivision / Land Development infrastructure improvements.

As per the Dallas Township SALDO the required procedure is specifically outlined in the following sections.

SECTION 713

COMPLETION OF REQUIRED IMPROVEMENTS

- 713.1 When the applicant has completed all of the necessary and required improvements, the applicant shall notify the Planning Commission in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer.
- 713.2 The Planning Commission shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all the aforesaid improvements. The Township Engineer shall thereupon file a report, in writing with the Planning Commission, and shall promptly mail a copy of the same to the applicant. The report by the Township Engineer shall be made and mailed within thirty (30) days from the aforesaid authorization from the Planning Commission.
- 713.3 The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part. If said improvements, or any portion thereof be rejected, said report shall contain a statement of the reasons for such rejection.
- 713.4 The Planning Commission shall notify the applicant, in writing, within fifteen (15) days of receipt of the Township's Engineer's report, by certified or registered mail of the action of the Planning Commission with relation thereto.
- 713.5 If the Planning Commission or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved, and the applicant shall be released from all liability, pursuant to its performance guarantee bond or other security agreement.

SECTION 710

FINANCIAL SECURITY FOR MAINTENANCE OF IMPROVEMENTS

710.1 Where Dallas Township accepts dedication of all or some of the required improvements following completion, it shall require the posting of financial security to secure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as shown on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication.

710.2 Said Financial security shall be of the same type as otherwise required in Section 702 of this Ordinance with regard to installation of such improvements, and the amount of the Financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.

Therefore the developer is required to post Financial Security in the amount of 15% of the original amount of the Engineers Estimate which was approved to facilitate the original LOC for the referenced project.

In addition to the requirements of Sections 713 & 710 the applicant is required to furnish the following documents as per the Dallas Twp. guidance document as published on-Line at Dallas Township .com

Check-list for:

Dedication and Take-over of Streets

The developer must supply the following documents to facilitate dedication.

- A.* Deeds for conveyance of the roadways with accurate metes and bounds descriptions. This should be closely coordinated with the Township solicitor and Engineer.
- B.* The executed copy of the developers agreement as supplied to the Planning Commission.
- C.* The executed copy of the Storm Water Management Maintenance agreement as supplied to the Planning Commission.

Proof of the establishment of a Home owners association to guarantee the Long term maintenance of the storm water management system. Include copies of Property owners deeds that show the required covenants and conditions that require the participation in the Long Term maintenance of common facilities.

Additionally any development that has access onto a State Highway the Penn DOT Highway Occupancy Permit must be transferred to the ownership of Dallas Township. No take over or dedication can be consummated until the permit transfer is approved by Penn DOT. Form M-948 Assignment of Permit or License must be fully executed and approved by Penn DOT prior to consideration of dedication.

Additional Township Ordinance and Resolutions that apply to Street / Roadway Dedication and Take over.

Ordinance No. of 2005 (Attached)

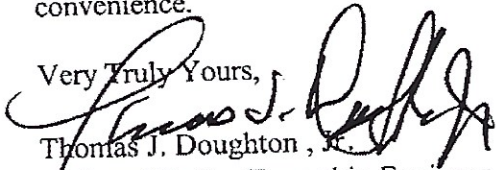
An Ordinance specifying Pavement Cores required on all streets and Roads prior to takeover by, or dedication to the Township of Dallas.

Resolution # 2007-11 (Attached)

Restricting the Time frame for Dedication and Takeover

Should you require any additional information, please do not hesitate to contact us at your convenience.

Very Truly Yours,



Thomas J. Doughton, Jr.
Office of Dallas Township Engineer

All Planning Commission Members via E-Mail
Dallas Township Road Department
Thomas Brennan, Township Solicitor
William McCall, PC Solicitor
Leonard Kozick, Zoning Officer

ORDINANCE NO. _____ OF 2005

**AN ORDINANCE SPECIFYING PAVEMENT CORES
REQUIRED ON ALL STREETS AND ROADS
PRIOR TO TAKEOVER BY, OR DEDICATION
TO, THE TOWNSHIP OF DALLAS**

WHEREAS, the Board of Supervisors of Dallas Township on March 3, 1965 enacted and ordained Chapter 77 (Subdivision and Land Development) to the Code of the Township of Dallas; and

WHEREAS, §77-5(B) of said Chapter 77 sets forth certain Design Standards which are to be met with respect to streets in the Township of Dallas; and

WHEREAS, the said Board of Supervisors have determined that it is appropriate to add to such standards the requirement that pavement cores be established every two hundred and fifty (250) feet for the purpose of verifying the thickness of the asphalt in such streets;

BE IT, THEREFORE, ORDAINED by the Board of Supervisors of Dallas Township, Luzerne County, Pennsylvania, pursuant to the "Second Class Township Code", that:

Section 1. The following design standard is hereby added to the design standards required for streets in the Township of Dallas before such streets may be dedicated to, or accepted by, said Township:

(19) **Pavement Cores.** All such streets shall have a pavement core at least every two hundred and fifty (250) feet, the locations of which shall be staggered with such street, in order that the Township may measure and verify the thickness of the pavement of said street.

Section 2. In all other respects the design standards for streets in the Township of Dallas as set forth in §77-5(B) of Chapter 77 of the Code of Dallas Township continue in full force and effect.

Section 3. This Ordinance shall take effect immediately upon its enactment.

ENACTED AND ORDAINED at a regular meeting of the Board of Supervisors of Dallas Township held on the _____ day of _____, 2005.

TOWNSHIP OF DALLAS
By its Board of Supervisors

Philip L. Walter, Chairman

Frank E. Wagner, Vice-Chairman

Glen M. Howell, Secretary-Treasurer

Attest:

Nancy Balutis
Assistant Secretary-Treasurer

DALLAS TOWNSHIP
LUZERNE COUNTY, PENNSYLVANIA

Resolution #2007-11

Whereby, Penn Dot requires a municipality to follow the enclosed guidelines for street/road take-over in order to obtain credit for Act 655 Liquid Fuels Tax Allocations:

1. A copy of the Ordinance or Resolution passed by the Township to adopt the road as a Public highway, and a copy of the plot plan or sketch showing road location. (Deed of Dedication should be on file in the Municipality).
2. Proof that the Ordinance or Resolution has been recorded in the County Courthouse showing Court seal, page, and document number where recorded.
3. Road must have a minimum right-of-way of thirty three feet.
4. Road must have a minimum cartway of sixteen feet, paved or unpaved. (Necessary shoulder widths are excluded).
5. Road must be capable of being driven safely at fifteen miles per hour.
6. All dead end roads must be at least two hundred fifty feet in length measured from last intersection and be provided with a cul-de-sac having at least a forty foot radius.
7. Roadway must be accessible from an existing public roadway.

Whereby, Penn Dot requires a municipality to submit the necessary documents to them before September 1st of each year to allow time for processing the mileage additions to be credited for Act 655 Liquid Fuels Tax Allocations;

Whereby, time is needed by the Township to prepare the necessary documents required by Penn Dot;

Whereas, the Board of Supervisors of Dallas Township desire to elect a period of time when dedication or take-over of streets/roads during the year will and will not be considered in order to be able to prepare the necessary documents for Penn Dot;

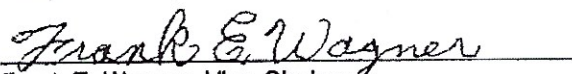
Now, therefore, be it hereby **ORDAINED** and **ENACTED**, as follows:

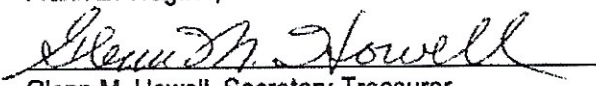
The Board of Supervisors of Dallas Township have elected not to accept dedication or take-over of any street or road from August 1st through April 1st of any year.

ADOPTED THIS 5TH DAY OF NOVEMBER, 2007.

DALLAS TOWNSHIP BOARD OF SUPERVISORS


Philip L. Walter, Chairman


Frank E. Wagner, Vice-Chairman


Glenn M. Howell, Secretary-Treasurer

ATTEST:

