

**RULES AND REGULATIONS  
DEVELOPMENT AND CONSTRUCTION**

**FOR SITE**



1. Before any work on the site is undertaken, the responsible party, owner, developer and/or builder must meet as Appropriate with Township Officials, including the Township Engineer, Building Officer, Zoning Officer, Inspectors, Roadmaster, and the Supervisors to review and discuss the following:
  - A. The purpose of the meeting is to acquaint the developer, contractor and/or builder, (hereinafter "contractor") with the schedule of inspections and procedures to be undertaken by the Township with respect to the proposed development or home construction and to review other requirements of the work schedule.
  - B. The Contractor shall have a plan and written material available on site to show how and in what order various portions of construction will be completed; i.e., earth grading, installation of curbing, (if required), storm drainage, and public utilities including a proposed schedule for the completion of the work. The contractor must also be prepared to discuss how stormwater control will be handled during construction including the necessity and frequency of cleaning basins, replacement of silt fences and so forth. Adherence to the erosion and sedimentation control and stormwater management plans approved by the Township will be required. In addition, the Contractor should be familiar with the requirements of the Township Land Disturbance Ordinance and DER Chester County soil Conservation District regulations regarding erosion and sediment control.
  - C. Topsoil or sod shall not be removed from the site. Excavated soil other than topsoil may be removed from the site subject to the prior approval by the Township Engineer.
  - D. The Contractor must present evidence that he has notified any affected public utility before beginning construction by advising the Township of the One Call System serial number applicable to his project.
  - E. Since no material may be burned or buried on the property, a plan must be provided for the removal from the property of construction wastes such as, but not limited to:
    - Brush and material resulting from clearing and grubbing.
    - Trees including stumps.
    - Wood, paper, plastic, dry wall, insulation.
    - Concrete waste, concrete block, brick.
    - Oil, solvent, paint, and liquid waste other than water.
    - Cans, metal.
  - F. The Contractor shall provide a plan to show where and how specifically identified trees on the site will be protected from damage during construction. No such tree shall be removed without prior approval by the Township Supervisors.
  - G. The Contractor shall provide evidence that the Township or PennDOT road access permit to the property has been obtained.
  - H. The Contractor including all builders shall provide portable sanitary facilities on the site for use during all phases of construction
2. The sequence of construction of public facilities must include the following specific steps:
  - I. Provision of a tire scrubber of sufficient depth, width and length to clean mud, dirt or other materials from being tracked on to the Township or State cartways by vehicles leaving the property. In the event that such material is tracked onto a cartway it shall be promptly removed.

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- J. All materials required for stormwater control including, but not limited to, pipe, inlet boxes, silt fencing, etc. must be on the property before grading is started. Silt fencing must also be placed before any grading is started. The stormwater management facilities, particularly those required for control of excess run-off and sediment discharges, must be completed before grading tributary to the stormwater management facilities is undertaken.
  - K. The Contractor shall be prepared to maintain erosion control facilities including basins, silt traps, sediment barriers, and the scrubbers according to the schedule contained in his plan. Site conditions during construction may require erosion control measures as directed by the Township Engineer.
  - L. The schedule of construction should indicate those areas which require mulching and/or temporary or permanent seeding in order to limit the exposure of bare earth to less than 20 days.
3. Wherever road side swales are specified in lieu of curbs in the right-of-way of Township, State and new development roads, care must be taken to insure that such swales (*as shown in Appendix "A" of the Subdivision and Land Development Ordinance of Kennett Township*) are cut and maintained. In cutting the swales, care must be taken to make them deep enough to allow for future sodding or seeding. Driveways that cross-swales must be shaped to maintain the flow of water across the swale. Mailboxes, planters, or other objects that interfere with the flow of water must not be located in a swale.
  4. It is expected that construction will be strictly in accordance with the approved plan. Changes must be approved by the Township *before* they are undertaken.
  5. Developers maintaining escrow or letter of credit accounts with the Township are advised that request for release of escrow or letter of credit reductions must be submitted to the Township Engineer's office a minimum of one week before the scheduled Board of Supervisors meeting at which it is anticipated a release will be made. The Board of Supervisors meets on the third Monday of each month. Releases will be made after approval by the Engineer at such meetings. No more than one release will be considered in any one month period. When a release is submitted to the Engineer's office, a specific inspection will be made of the project to determine if the release appears to be reasonable in terms of the percentage of work completed.. The engineer reserves the right to reduce the amounts requested and will advise the developer of such deductions. No release will be made of contingency funds (10% of the total escrow account as required by the Township Ordinance) until the project is complete and the streets are offered and accepted for dedication.
  6. Dedication of public improvements shall be subject to the requirement for an 18 month bond in the amount of 15% of the estimated construction cost of public improvements including stormwater management basins whether publicly or privately owned.
  7. Inspection fees are normally released on a monthly basis, and reimbursement will be due to the Township upon billing by the Township. Delinquent accounts will be subject to the current Late Fee Policy.
  8. The Township Engineer will review the progress and quality of workmanship in the field on a periodic basis generally as outlined in Appendix A to this memorandum. The Township Engineer's role is to facilitate the development process and provide necessary information to the Township to aid in the Township's assessment of the project's overall compliance with the Township Ordinances. The Township Engineer does not work for the Contractor and consequently he takes no responsibility for the Contractor's actions and the Contractor is fully

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responsible for his construction procedures and methods of construction to complete the public improvements in accordance with die Township specifications. Where unforeseen problems occur, the Township Engineer will normally request the Contractor to engage die Contractor's engineer to propose solutions to the problems. These proposals by the Contractor's engineer will be reviewed to determine the reasonableness of their approach to be taken. Approval by the Township Engineer does not carry with it a guarantee of results.

9. Where the Township Engineer disapproves of ongoing construction and advises the Contractor that he should make corrections and if under such circumstances the Contractor ignores the orders or directions of the Township Engineer, the Township Engineer is authorized to issue a cease and desist order requiring the immediate cessation of all activity on site until the matter of issue is resolved. Specific cease and desist orders will be given to the Contractor on site and mailed to the Contractor by certified mail. Failure to adhere to a cease and desist order shall be considered by the Township to be a violation of the Township Subdivision and Land Development Ordinance and may involve substantial penalties.
10. Upon completion of work in the field the Contractor shall provide the Township with three prints of all subdivision drawings showing the "as built" improvements of the subdivision or land development. In particular the locations of all underground lines, tanks, and structures must be shown. The "as built" drawings will be subject to review by the Township Engineer.
11. Any lot which is not connected to a State road or Township road shall have a licensed surveyor or engineer review final site work and certify that the work is as designed and will not cause drainage problems or driveway connection problems. The certification will be required prior to receiving the Certificate of Occupancy. The cost of this certification will, be the responsibility of the applicant.
12. Due to the possibility of excessive earth disturbance this project requires that fines will be assessed of the Developer by Kennett Township in the minimum amount of \$1,000.00 per day per erosion and sediment control violation. The fines will be assessed until a Cease and Desist order is issued. Fines will be assessed from the date the violations are identified in the Chester County Conservation District letter.

I have read and understand and agree with the "Kennett Township Rules and Regulations for Site Development and Construction". Nothing in the above Rules and Regulations relieves me of complying with other requirements of applicable Township Ordinances or State or Federal law.

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*Witness*

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*Developer*

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*Date*

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*Witness*

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*Contractor*

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*Date*

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