

FORWARD TOWNSHIP  
1000 Golden Circle  
Elizabeth, PA 15037  
Phone: (412) 384-1761  
Fax: (412) 384-1764

Permit No. _____
Date: _____
Permit Fee: <u>500.00</u>

EARTH MOVING PERMIT APPLICATION

PROJECT LOCATION: \_\_\_\_\_

APPLICANT: \_\_\_\_\_ CONTACT PERSON: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

DAY PHONE: \_\_\_\_\_ EMERGENCY PHONE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_ LICENSE#: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

DAY PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

SUBDIVISION/PROJECT NAME: \_\_\_\_\_ PUBLIC RECORD  
INFORMATION: Book Vol. \_\_\_\_\_ Page: \_\_\_\_\_, Tax Lot & Block # \_\_\_\_\_

STATE THE PURPOSE OF THE EARTH MOVING ACTIVITES: \_\_\_\_\_

ESTIMATED QUANTITY OF EARTH MATERIAL TO BE REMOVED: \_\_\_\_\_  
Cubic Yards

ESTIMATED BEGINNING AND ENDING DATES: \_\_\_\_\_

USE TO BE MADE OF EARTH MATERIAL TO BE REMOVED: \_\_\_\_\_

DUST, NOISE AND GROUNDWATER RUNOFF CONTROL MEASURES TO BE  
EMPLOYEED: \_\_\_\_\_

ATTACH SITE PLAN SETTING FORTH INFORMATION REQUIRED IN FORWARD  
TOWNSHIP ZONING ORDINANCE, ARTICLE 3, §§ 309.5C(2)(i) and (vi)\*

**The applicant agrees if a permit is issued the permit may be revoked by Forward Township if provisions of the Forward Township Ordinances, Codes and Regulations or any applicable laws and regulations of Allegheny County, Commonwealth of Pennsylvania and/or the United States are violated.**

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Township Zoning Officer: \_\_\_\_\_ Date: \_\_\_\_\_

\*The Township Zoning Officer may waive the requirements of any or all plans and specifications listed in the application requirements if he finds that the information on the application is sufficient to show that the work will conform to the requirements of Article 3, Subsection 309.5 *et seq*, of the Forward Township Zoning Ordinance

Fee: \_\_\_\_\_

Date of Issue: \_\_\_\_\_

Signature of Township Official: \_\_\_\_\_

**TOWNSHIP OF FORWARD  
COUNTY OF ALLEGHENY, PENNSYLVANIA**

**ORDINANCE NO. 09-1**

**AN ORDINANCE AMENDING TOWNSHIP OF FORWARD ZONING  
ORDINANCE NUMBER 83-1, ARTICLE 3 BY ADDING SUBSECTION  
309.5 TO REGULATE EARTH-MOVING ACTIVITIES AND ESTABLISH  
PERMIT REQUIREMENTS FOR EARTH-MOVING ACTIVITIES IN THE  
TOWNSHIP OF FORWARD**

WHEREAS, The Board of Supervisors of the Township of Forward finds that unregulated earth-moving activities needlessly waste topsoil, contribute to soil erosion and adversely affect watersheds. This activity, if unregulated, may be offensive to adjacent residents and may adversely impact agricultural land.

NOW, THEREFORE, the following is hereby ORDAINED AND ENACTED by the Board of Supervisors of the Township of Forward, Allegheny County, Pennsylvania:

**Section 1: AMENDMENT.**

Township of Forward Zoning Ordinance 83-1, Article 3 is hereby amended to add Subsection 309.5 providing as follows:

**309.5: EARTH MOVING PERMIT REQUIRMENTS:**  
No person shall excavate, remove or process soil, earth, loam, sand, gravel or rock, or alter existing topography on one lot of parcel of land, or on any group of contiguous lots or parcels of land, within the Township of Forward without first obtaining an earth-moving activity permit from the Zoning Officer. Nor shall any landowner knowingly allow another person to engage in earth-moving activities on the owner's land without obtaining an earth-moving activity permit.

**309.5a: Purpose.** The purpose of this Subsection is to: prevent the loss or destruction of significant vegetation, topography, and watersheds; conserve topsoil; prevent the loss of agricultural land; preserve the environment; and promote the public health, safety, prosperity and general welfare.

**309.5b: Exceptions for Certain Activities:**

(1) For Farming Activities. This Section shall not apply to activities on agricultural land for the purpose of conducting farming and farming-related activities.

(2) Construction or Rehabilitation of Dwelling. This Section shall not apply to earth moving activities directly related to the construction or rehabilitation of a dwelling for which a building permit has been obtained.

(3) Small Scale Landscaping. This Section shall not apply to earth moving activities limited to landscaping activities such as gardening or planting on residential lots of less than three acres.

309.5c: Application for Earth-Moving Activity Permit. Any person wishing to obtain an earth-moving activity permit shall meet the following requirements:

(1) Complete an application provided by the Zoning Officer on a form approved by the Zoning Officer.

(2) Submit to the Zoning Officer the completed application form and the following:

(i) A scale site plan showing the parcel(s) on which the earth-moving activity is planned, the area(s) of the earth-moving activity on the parcel(s) and existing contours at intervals not to exceed 5 feet.

(ii) Estimated amount of material (in cubic yards) to be moved.

(iii) A statement of the purpose of the earth-moving activity.

(iv) Approximate dates when the earth-moving activity will begin and end.

(v) Ultimate use of the material to be removed.

(vi) Location of surface water, wetlands, significant vegetation and topography, and archeological and historical resources on the parcel(s).

(vii) Other information as the Zoning Officer may require.

(viii) A permit fee of \$500.

309.5d: Conditions for Issuance of Permit. The Zoning Officer shall approve an earth-moving activity permit only if he finds that the following standards have been met:

(1) The earth-moving activity will not result in significant soil erosion, damage to surface or groundwater, a significant change in drainage patterns, and will have no material adverse effect on watershed protection and soil or water conservation.

(2) The earth-moving activity is compatible with adjacent properties, does not create excessive noise or dust and is not contrary or harmful to the public health, safety, and general welfare of the Township of Forward and its citizens.

309.5e: Conditions May Be Imposed on the Permit. The Zoning Officer may impose reasonable conditions on the issuance of an earth-moving activity permit. The Zoning Officer may require the applicant to prepare any necessary plans required to implement the condition(s). The conditions may include, but are not limited to:

(1) The manner of conducting the earth-moving activity, including the means of controlling and preventing erosion, siltation and dust.

(2) The amount of material to be removed.

- (3) Requirements for restoration of the site upon completion of earth-moving activities.
- (4) Hours of operation.
- (5) The length of time for which the permit is valid.
- (6) A bond or other surety to insure compliance with permit conditions.

309.5f: Existing Activities. Any earth-moving activity in active and lawful operation at the time this Subsection becomes effective may continue on the parcel or parcels on which it is occurring but may not be expanded to other parcels unless and until the requirements of this ordinance are met.

309.5g: Greater Restriction. Where any terms or requirements of this Subsection may be inconsistent or conflicting with any other law, regulation or ordinance, the more restrictive requirements or interpretations shall control.

## **Section 2: REPEALS.**

Forward of Township Ordinance # 74-3, Ordinance # 75-1 and all codes, ordinances, resolutions, or sentences, clauses, sections or parts of codes, ordinances or resolutions that conflict with the amendments set forth herein are repealed to the extent necessary to remedy such conflict.

## **Section 3: SEVERABILITY.**

If any section, provision or portion of this ordinance is found unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

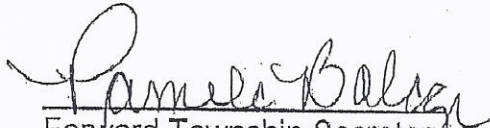
## **Section 4: EFFECTIVE DATE.**


This Ordinance shall take effect as of the date of its enactment.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Forward, County of Allegheny and Commonwealth of Pennsylvania, meeting in regular and public session, this 6<sup>th</sup> day of August, 2009.

ATTEST:

TOWNSHIP OF FORWARD

  
Forward Township Secretary

  
Chairman, Board of Supervisors  
Forward Township