

## **STREET VACATION PROCEDURE**

To Whom It May Concern

You have requested the Township consider the vacating of a public street, paper street or Township right-of-way. The Township has an established policy set forth in the attached Resolution No: 52-88.

Before your request can be brought before the Township Council, the following documents must be provided to the Managing Director's Office:

1. A completed petition for vacation of Township street, signed by a majority of the property owners whose properties abut the street to be vacated. (Petition is attached)
2. A written legal description of the portion of street to be vacated must be attached to the Petition.
3. Six (6) copies of a plot plan with metes and bounds. The plot plan must contain all information as outlined in the attached Resolution.
4. Six (6) copies of the legal description of the portion of street or streets to be vacated.

After receipt of these documents, the Managing Director, the Township Solicitor and the Township Engineer will determine the total escrow deposit that will be required of the petitioners. The escrow money will be used to cover all engineering fees, legal fees, filing fees and legal advertising incurred in the process of vacating the street(s).

Upon receipt of the required documents and payment of the escrow deposit your request will be processed, then reviewed by Council according to the procedure in the attached Resolution.

Please allow ninety (90) days for processing and review from the date your completed submission is delivered to the Township.

If you have any questions concerning the street vacation process, please contact the Managing Director's office.

**PETITION FOR VACATION OF  
TOWNSHIP  
STREET, PAPER STREET, RIGHT-OF-WAY**

**To:** The Council of the Township of Bristol, Bucks County, Pennsylvania

This Petition of \_\_\_\_\_ hereby requests the vacation of a Township street, a paper street or Right-of-Way.

1. Petitioners are property owners in Bristol Township, Bucks County, Pennsylvania.
2. This Petition is presented pursuant to and under the authority of the Act of June 24, 1931 P.L. 1206 Article XX, Section 2005 as supplemented and amended (53 P.S. Section 57005) to secure the vacation of \_\_\_\_\_, as described in attached, Exhibit "A".
3. A plan showing Petitioners property and the portions of the street, which Petitioners seek to have vacated, is attached and marked as Exhibit "B".
4. Petitioners are a majority of the property owners whose property abuts the street to be vacated. Petitioners believe and aver that the street, paper street, right-of-way, serves no useful purpose and that vacation would be in the public interest. Petitioners all assert that they have no interest in maintaining this street as a roadway.
5. Petitioners are willing and able to and do agree to reimburse the Township of Bristol for all reasonable costs involved in connection with action of the aforementioned street, paper street, right-of-way.

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COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF BUCKS :

\_\_\_\_\_, being duly sworn according to law depose and say that they are the Petitioners in the within matter; that the facts set forth therein are true and correct to the best of their knowledge, information and belief, and that they are a majority of the property owners abutting \_\_\_\_\_ as shown on Exhibit "B".

\_\_\_\_\_  
\_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

GUIDE SHEET FOR VACATION OF A  
STREET, PAPER STREET, RIGHT-OF-WAY  
(See Resolution No: 52-88)

For Vacation of: \_\_\_\_\_

\_\_\_\_\_ 1. Letter sent to: \_\_\_\_\_  
\_\_\_\_\_

- \_\_\_\_\_ 2. Received Petition (51% of adjacent owners)
- \_\_\_\_\_ 3. Received Legal Description, 6 copies
- \_\_\_\_\_ 4. Received Plot Plan, 6 copies prepared by a licensed engineer or professional PA surveyors, containing:
  - a. tax parcel number(s)
  - b. owners names and addresses
  - c. street condition
  - d. building, fences
  - e. utility lines, drains, water ways, fire hydrants
  - f. easements, present and needed
- \_\_\_\_\_ 5. Escrow fund established: \$ \_\_\_\_\_ received (approved by Manager, Solicitor & Engineer)
- \_\_\_\_\_ 6. Engineer's written report
- \_\_\_\_\_ 7. Solicitor prepared ordinance
- \_\_\_\_\_ 8. Ordinance advertised
- \_\_\_\_\_ 9. 10 day notice given to affected property owners on time and place of public hearing
- \_\_\_\_\_ 10. Public Hearing held before Council: (date and time: \_\_\_\_\_)
- \_\_\_\_\_ 11. Council's written report to vacate filed with the Clerk of Court of Quarter Sessions
- \_\_\_\_\_ 12. 30 day exception period ends on: \_\_\_\_\_
- \_\_\_\_\_ 13. Council action on Petition
- \_\_\_\_\_ 14. Public notice of Action approval, posted within 10 days of Council action
- \_\_\_\_\_ 15. Township Engineer amends official Township street map

RESOLUTION NO. 52-88

RESOLUTION OF THE TOWNSHIP OF BRISTOL,  
ESTABLISHING A POLICY FOR VACATING PUBLIC  
STREETS, PAPER STREETS AND TOWNSHIP  
RIGHTS-OF-WAYS

WHEREAS, Council from time to time is requested to formally vacate certain streets upon petition of abutting residents; and

WHEREAS, Council is willing to consider any such requests, after determining such street is not foreseeably necessary for present and future traffic patterns within Bristol Township; and

WHEREAS, Council desires to establish a policy and procedures to receive and consider such petitions.

NOW, THEREFORE BE RESOLVED AND ADOPTED:

1. Council hereby declares the policy of Bristol Township regarding requests and petitions to vacate public streets to be as set forth in this Resolution.

2. Anyone requesting the vacation of any township street, paper street, or township right-of-way, may initiate the process by submitting to the Managing Director, the following:

(a) A Petition to vacate a street or streets, in a form acceptable to the Township Solicitor, signed by no less than 51% of the total number of property owners immediately abutting such street proposed to be vacated.

(b) Six (6) copies of a plot plan with metes and bounds and legal description of portion of street or streets to be vacated attached to the Petition. The plan shall show all of the following information:

- (1) Names and addresses of adjoining or abutting property owners and Tax Map Parcel Numbers.
- (2) Physical condition of street; paved or unpaved and any and all encroachments thereon, fences, buildings, etc. natural or manmade.
- (3) Public utilities such as water mains and fire hydrants, sanitary sewers, storm drains, drainage water courses and gas mains, telephone and electric utilities and existing easements that presently exist.
- (4) In cases where utilities presently exist adequate easements shall be created to grant the right of way, or right to trespass to the public agency for ingress or egress for future maintenance of said facilities.
- (5) Plans shall be prepared by a duly Licensed Professional Civil Engineer or Professional Land Surveyor in the Commonwealth of Pennsylvania.

(c) An escrow deposit payable to the Township of Bristol in an amount as may be determined jointly by the Managing Director, Solicitor and Township Engineer on a case by case basis after receipt of the plans and petition.

3. Upon receipt of any such application, the Managing Director, upon ascertaining that the application is complete and the escrow deposit is received, shall request the Township Engineer to review the application, and forward the Engineer's recommendations in writing to Council, including the Engineer's opinion as to the need of such street for present or future traffic movement within Bristol Township, and the

Engineer's verification that the information submitted is accurate. Upon Council's approval, and the Court's approval, the Township Engineer shall amend the Township's official Street Map as is appropriate.

4. Upon completion of the Township Engineer's review, the Managing Director shall request the Township Solicitor to prepare the necessary legal advertisements and ordinances.

5. Council will then give ten (10) days notice to all affected property owners as to the time and place when all interested parties may be heard regarding the proposed vacation.

6. After such public hearing, Council may decide to vacate such street. If Council does propose to proceed with vacation Council must make a written report together with a draft or survey of the street vacated and file all such materials with the clerk of the Court of Quarter Sessions.

7. After Council's report has been filed all citizens of the Township will have thirty (30) days to file exceptions to Council's report and to petition for review. Petitioning citizens however must enter sufficient surety to indemnify Council for all costs incurred in the proceedings.

8. Upon Court Order after dispositions of any exceptions or when the thirty (30) days for filing exceptions has expired, if there has been no agreement regarding damages or benefits, the Court of Common Pleas will appoint three (3) viewers to assess damages and benefits.

9. Within ten (10) days of Council's passage of the Ordinance approving the street vacation, Council will insure that public notice is given regarding the passage of the Ordinance by handbills posted in conspicuous places along the line of the proposed vacation.


10. Council states as its policy that any such applications and actions thereon, shall be reviewed and considered at no cost to the Township.

11. The Managing Director, Engineer and Solicitor are hereby authorized and directed to take such actions as are set forth in this Resolution, upon request of the Managing Director.

12. Any and all Ordinances or Resolutions previously enacted or adopted, which conflict with the stated intent and policy of this Resolution, in whole or in part, are hereby repealed in their entirety.

RESOLVED AND ADOPTED this 15<sup>th</sup> day of June, 1988.

ATTEST:

  
Secretary

COUNCIL OF THE TOWNSHIP OF BRISTOL

  
President

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SECTION 7. NEW CONSTRUCTION/BUILDING GRADING PLAN REVIEW AND INSPECTIONS FOR COMMERCIAL BUILDING.

- A. For review of the site grading plan for a new commercial industrial or manufacturing building and inspection of construction work in progress, the escrow deposit shall be \$1,000.00.

SECTION 8. PETITIONS TO VACATE STREETS AND RIGHT-OF-WAY

- A. The filing fee for petitions to vacate streets and rights-of-way shall be \$250.00. The amount of \$750.00 shall be deposited with the Township in escrow. The cost of any survey required to prepare legal descriptions shall be paid in full by the applicant.

SECTION 9. FEES FOR PRELIMINARY OPINIONS, PURSUANT TO SECTION 916.2 OF PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AND CERTIFICATIONS BY THE ZONING OFFICER

- A. The fee for obtaining preliminary opinions or certifications from the Zoning Officer shall be \$50.00 for residential properties and \$100.00 for all other districts.

SECTION 10. LAND ALTERATION APPLICATION FEE, PERMIT AND ESCROW.

- A. In residential districts, the land alteration application fee shall be \$30.00, the permit fee shall be \$150.00 and the escrow deposit shall be \$750.00.
- B. In all other zoning districts, the land alteration application fee shall be \$75.00, the permit fee shall be \$250.00 and the escrow deposit shall be \$1,500.00.

SECTION 11. REPEAL OF CONFLICTING RESOLUTIONS

- A. Any resolution, or part of resolution, conflicting with this Resolution is hereby repealed insofar as the same affects this Resolution.