

**CENTRE REGION
GROWTH BOUNDARY AND SEWER SERVICE AREA
IMPLEMENTATION AGREEMENT**

THIS IMPLEMENTATION AGREEMENT establishes a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area, and provides the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezonings and zoning text amendments outside of the existing Regional Growth Boundary and Sewer Service Area prior to municipal action. This Agreement is created by and among the following: College Township, Ferguson Township, Halfmoon Township, Harris Township, Patton Township, and State College Borough, all of Centre County, Pennsylvania, also referred to herein as the "municipalities" and the Centre Region.

SECTION I: AUTHORIZATION AND EFFECTIVE DATE OF ADOPTION

- A. This Agreement is adopted pursuant to the authority set forth in the Intergovernmental Cooperation Act of December 19, 1966, 53 Pa.C.S.A.
- B. This Agreement is authorized by, and conforms to, Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.
- C. This Agreement shall be effective upon approval by the governing bodies of all of the six municipalities participating in this Agreement.

SECTION II: DEFINITIONS

The following words or terms used in this Agreement will have the following meanings:

Regional Growth Boundary –

The Regional Growth Boundary is the boundary within which a higher density of development exists to efficiently and economically support urban services including public sewer, public water, public transportation, fire, police, and schools as noted in the Centre Region Comprehensive Plan.

Sewer Service Area –

The Sewer Service Area is the location where public sewer service is provided or planned as identified in the Centre Region Act 537 Sewage Facilities Plan.

Alternative Public Wastewater Treatment –

Alternative public wastewater treatment is any process designed to produce an effluent of higher quality than normally achieved through primary and secondary treatment processes and does not utilize soils as the primary method for remediation (membrane bioreactor, for example).

Density –

In terms of land use, density is defined as the number of dwelling units or equivalent non-residential square footage per acre of land.

Developments of Regional Impact –

Any land development that, because of its character, magnitude, or location will have substantial impact upon the health, safety, or welfare of citizens in more than one Centre Region municipality. The Region will assess the impact on public services including, but not limited to, public sewer, public water, public transportation, fire, police, and schools in determining what qualifies as a Development of Regional Impact.

Equivalent Dwelling Unit (EDU) –

A unit of measurement that estimates an average use of wastewater facilities. Roughly the average amount of wastewater generated by a typical family in one day.

SECTION III: BACKGROUND

The Centre Region municipalities rely on two fundamental planning tools to guide decisions related to future growth and development in the community. These documents are the Centre Region Comprehensive Plan, and the Centre Region Act 537 Sewage Facilities Plan. The Centre Region Comprehensive Plan, updated by the municipalities in 2000, established a Regional Growth Boundary within which most future growth is anticipated to occur. The Regional Growth Boundary was reaffirmed with an update to the Centre Region Comprehensive Plan in 2013. The Sewer Service Area, which was established in the 1990 Centre Region Act 537 Sewage Facilities Plan and approved by the Pennsylvania Department of Environmental Protection as the Official Sewage Facilities Plan for the Centre Region, was updated in 2006. During the 2006 update to the Centre Region Act 537 Sewage Facilities Plan, the Sewer Service Area was aligned to approximate the Regional Growth Boundary.

Another component of the update was an evaluation of the existing Sewer Service Area and the potential need for expansion to accommodate forecasted future growth. Because the Centre Region municipalities share wastewater treatment capacity at the University Area Joint Authority's Spring Creek Pollution Control Facility, as identified in the Centre Region Act 537 Sewage Facilities Plan, any decision to expand the public sewer service area must be endorsed by all six governing bodies.

During the summer of 2005, owners of 26 properties requested inclusion in the Regional Growth Boundary and Sewer Service Area, of which, only five were unanimously supported and therefore included in the Regional Growth Boundary and Sewer Service Area. This level of scrutiny demonstrated the commitment of the municipalities to a regional growth management program and support for well planned growth.

Based on the comments and discussion that occurred relative to the 26 properties, it was determined that a new strategy for considering future expansion requests should be implemented. The new process would be more systematic, whereby the municipalities would be able to evaluate requests for expansion on their merits, including their impact on existing infrastructure and ability to accommodate future growth, contribute to the quality of life, and provide economic development opportunities.

The six Centre Region municipalities initially adopted this Agreement by individual ordinance. Since its adoption in December 2006/January 2007, there have been four requests to expand the Regional Growth Boundary and Sewer Service Area. Three of the requests were unanimously approved by a unit vote of the six municipalities. The fourth request, which was denied by a 5 – 1 unit vote, was appealed to the Centre

County Court of Common Pleas on the grounds that the decision was “arbitrary and capricious.” The issue was settled out of court, resulting in public sewer service being extended to the subject property with conditions. Based on the discussion and issues that were raised during this request to expand the Regional Growth Boundary and Sewer Service Area, the COG General Forum requested that changes or amendments be made to this Agreement.

SECTION IV: PURPOSE

The purpose of this Implementation Agreement is to establish a process for considering future requests to expand the Regional Growth Boundary and Sewer Service Area. In addition, this Agreement will outline a process for reviewing major rezonings and zoning text amendments outside of the existing Regional Growth Boundary and Sewer Service Area. The 2006 Centre Region Act 537 Sewage Facilities Plan documents that major rezonings within the Regional Growth Boundary and Sewer Service Area can have a significant impact on the Centre Region’s wastewater collection and treatment system. The Centre Region Comprehensive Plan, however, recommends focusing the majority of growth within the Regional Growth Boundary and Sewer Service Area. This guiding principle of the Centre Region Comprehensive Plan should continue to be followed as a primary growth management tool; therefore, zoning text or map changes for properties within the Regional Growth Boundary and Sewer Service Area will not be subject to this Agreement.

This Implementation Agreement encourages discussion among the Centre Region elected officials early in the planning process. Rather than deferring discussion of these issues to periodic updates of the Centre Region Act 537 Sewage Facilities Plan, this proposed process provides for regional discussion before local decisions are made on regionally significant land use issues. These discussions provide an important opportunity to eliminate misunderstandings among municipalities and to air concerns regarding a municipal proposal to expand the Regional Growth Boundary and Sewer Service Area or complete a major rezoning or zoning text amendment outside of the Regional Growth Boundary and Sewer Service Area. The process creates a mechanism for the exchange of ideas/solutions to eliminate or mitigate these concerns.

SECTION V: THE PROCESS – GENERAL FORUM ACTION REQUIRED

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following process for considering requests to expand the Regional Growth Boundary and Sewer Service Area or to rezone or complete zoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that permit development density greater than one equivalent dwelling unit per acre.

1. The following proposals are hereby presumed to be Developments of Regional Impact:
 - a. Any request to expand the Regional Growth Boundary and Sewer Service Area or to extend public sewer infrastructure to areas outside of the existing Sewer Service Area.
 - b. Any proposal to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre.

2. Due to the impact that Developments of Regional Impact can have on the community's wastewater collection, conveyance, and treatment system and overall infrastructure network, the municipalities agree that these proposals warrant increased regional discussion and deliberation. As a result, applicants shall complete the following review process prior to a request to expand the Regional Growth Boundary and Sewer Service Area being granted by the General Forum:
 - a. All requests to expand the Regional Growth Boundary and Sewer Service Area, including the Development of Regional Impact application, shall first be reviewed by the host municipality to determine if they have merit and warrant discussion at the regional level. To ensure that adequate information is provided for the host municipality to consider the proposal, the signatories to this Agreement agree to adopt a regionally consistent application to request expansions of the Regional Growth Boundary and Sewer Service area, including applications for Developments of Regional Impact. This standardized application will, at a minimum, require the applicant to submit the following information to the host municipality for review:
 - i. The applicant must address the following questions in the application to expand the Regional Growth Boundary and Sewer Service Area:
 1. Are there locations inside the Regional Growth Boundary that could support the proposed development? If not, explain why.
 2. Does the University Area Joint Authority have capacity to serve existing development inside the Regional Growth Boundary and the proposed expansion? Please provide a letter from the University Area Joint Authority documenting capacity.
 3. Have on-lot septic systems or other methods to provide sewer service to the property been explored? Why are these not viable methods to dispose of waste?
 4. Are there any potential adverse public impacts of the proposed expansion and how will they be mitigated, based upon the items in Section V, Subsections ii. through vi?
 5. Is the expansion contiguous with the existing Regional Growth Boundary?
 6. Do changes in local or regional population or land use forecasts warrant an expansion? Explain how these changes necessitate the expansion.
 7. Are there adjustments or changes in the specific location or direction of growth and development that warrant an expansion? Explain how these changes necessitate the expansion.
 8. Are there changes resulting from goals, objectives, and policies in the Comprehensive Plan or local planning issues that warrant an expansion? Explain how these changes necessitate the expansion.
 - ii. Effect of the Development of Regional Impact on:
 1. Existing sewer collection, conveyance, and treatment system
 2. Public water infrastructure

3. Transportation network (including bicycle and pedestrian facilities)
 4. Public transportation system
 5. Emergency services (for example, fire, police, and ambulance service)
 6. Environmental features (such as soils, wetlands, streams, the aquifer, sinkholes, or similar environmental concerns)
 7. School facilities
 8. Adjacent land uses
- iii. In addition to the above noted information, the host municipality may also require information relative to fiscal impacts or specific details on transportation impacts, environmental impacts, or similar studies.
 - iv. Economic analysis of the impact of the proposal on other areas of the community
 - v. Quality of life issues and the value the proposal would add to the community
 - vi. The consistency of the proposal with the Centre Region Comprehensive Plan
- b. The Development of Regional Impact application will be forwarded to the Centre Regional Planning Agency to be reviewed for completeness based on the items listed above. The Centre Regional Planning Agency will have 20 business days to review the Development of Regional Impact application and forward comments back to the applicant outlining the information that needs to be revised or added to ensure a complete application, if necessary. The applicant will make any necessary changes and resubmit the application to the Centre Regional Planning Agency for its review and recommendation, including specific reasons and findings of fact. The Centre Regional Planning Agency will have 15 business days to review the completed application and develop its recommendation to be forwarded to the host municipality with the completed Development of Regional Impact application.
 - c. The host municipality shall not review the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application unless the information required has been reviewed by the Centre Regional Planning Agency for completeness. Following a review of this information, the host municipality will determine if the proposal has merit and warrants regional discussion. If the host municipality determines that the proposal warrants regional discussion, the Development of Regional Impact application shall be forwarded for regional discussion before final action to forward the proposal is taken by the host municipality. The host municipality shall include specific findings of fact used to establish its support of the request to expand the Regional Growth Boundary and Sewer Service Area based upon the Development of Regional Impact application.
 - i. If the request to expand the Regional Growth Boundary and Sewer Service Area is initiated by a municipality, the municipality shall be responsible for preparing the information outlined in section 2.a.

- ii. If the host municipality forwards the request to expand the Regional Growth Boundary and Sewer Service Area for regional review, the process shall begin with the Centre Regional Planning Commission. Upon receipt of a completed application for a request to expand the Regional Growth Boundary and Sewer Service Area, including a completed Development of Regional Impact application from the host municipality (including findings, in support of the application), the Centre Regional Planning Commission shall review the proposal and provide a recommendation to the General Forum of the Centre Region Council of Governments within 60 days of receipt of the completed application.
- iii. Requests to expand the Regional Growth Boundary and Sewer Service Area and completed Development of Regional Impact applications shall be reviewed by the Centre Regional Planning Commission, beginning at the first available meeting that coincides with the regular agenda mailing following receipt from the host municipality.
- iv. The Centre Regional Planning Commission recommendation on the request to expand the Regional Growth Boundary and Sewer Service Area and Development of Regional Impact application, along with the completed application (including findings from the host municipality and Centre Regional Planning Agency), shall be provided to the COG General Forum for review.

The COG General Forum shall conduct two meetings to review the request to expand the Regional Growth Boundary and Sewer Service Area. At the first COG General Forum meeting, a member of the host municipality's governing body shall be designated to present information on the application and indicate why the host municipality supports the proposal. If deemed appropriate by the COG General Forum, the applicant may be asked to provide information on the application. The goals of this presentation are as follows:

- 1. To encourage communication among the Region's elected officials on Developments of Regional Impact early in the review process.
 - 2. To solicit comments and suggestions from the General Forum that may result in the identification of solutions to planning issues which can be addressed by the host municipality.
 - 3. To determine the level of support from the other Centre Region municipalities for the proposal.
- d. Following the presentation by the host municipality (and the applicant if appropriate), a representative of the Centre Regional Planning Commission will present its recommendation and provide any applicable information related to the discussion that occurred. Municipalities may consider conducting individual governing body meetings between the first and second COG General Forum meeting to study the request in more detail and form a municipal position regarding the request prior to the second COG General Forum meeting.

- e. At the second meeting, the General Forum will discuss the results of the first COG General Forum meeting and any municipal governing body meetings, and may hold an informal straw vote to determine each municipality's position on the request. If the discussion indicates that there are not at least five votes in support of an expansion to the Regional Growth Boundary and Sewer Service Area, then the municipalities indicating dissent will be asked to provide an explanation of their position. Following this discussion, the General Forum will determine whether to proceed to:

- i. Refer the proposal to an ad hoc committee or COG standing committee for further discussion;
- ii. Request the applicant or the host municipality to provide additional information to the General Forum. Such additional information may include special studies such as detailed land use, fiscal, transportation or environmental impact analyses; or
- iii. Vote on the request.

The General Forum shall only approve a request to expand the Regional Growth Boundary and Sewer Service Area by an affirmative unit vote of at least five municipalities, upon finding that the request has satisfied the criteria in Section V.2.a of this Agreement.

- f. At the conclusion of the General Forum discussion, and following any additional steps and discussion as noted in the preceding step, a unit vote will be held.

- i. Requests to expand the Regional Growth Boundary and Sewer Service Area require a minimum of five affirmative unit votes of the municipalities, including the host municipality, for approval. The unit vote will allow each municipality to provide the host municipality an indication of its support for the proposal to expand the Regional Growth Boundary and Sewer Service Area.

Upon approval to expand the Regional Growth Boundary and Sewer Service Area, the COG General Forum will adopt a resolution approving the expansion as a revision to the Centre Region Act 537 and Comprehensive Plans, and the host municipality may proceed to submit the proposal and required planning module to the Pennsylvania Department of Environmental Protection for approval.

By signing this Agreement, each Centre Region municipality agrees not to rezone or complete zoning text amendments for properties outside of the Regional Growth Boundary and Sewer Service Area that will permit development density greater than one equivalent dwelling unit per acre until completing the process as described in Section V of this Agreement.

- ii. If a request to expand the Regional Growth Boundary and Sewer Service Area does not receive a minimum of five affirmative votes, said request may be resubmitted for reconsideration after the General Forum concerns are addressed.

- iii. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in development density of less than one equivalent dwelling unit per acre do not require General Forum action. The COG General Forum would be informed of the change; however, no action or discussion would be required by the COG General Forum. Rezoning or rezoning text amendments outside of the Regional Growth Boundary and Sewer Service Area that would result in a development density of greater than one dwelling unit per acre require General Forum action, unless otherwise permitted in Section VI "The Process – General Forum Action Not Required" to expand the Regional Growth Boundary and Sewer Service Area. Regardless, the authority for zoning decisions will remain with the host municipality.

3. Developments of Regional Impact - Limited Review Process

Any applicant may submit a request for a Development of Regional Impact - Limited Review Process for an expansion of the Regional Growth Boundary and Sewer Service Area wherein the proposed project literally qualifies as a Development of Regional Impact, but wherein the location, character, and magnitude of the development prevent it from qualifying as a Development of Regional Impact as defined in Section II of this Agreement. If requested by the applicant, the Centre Regional Planning Agency and the host municipality shall jointly determine if the request is, or is not, eligible for the Limited Review Process. The Centre Regional Planning Agency shall forward a letter with the results to the applicant and to all of the Centre Region municipalities within five working days of the determination. The burden, however, shall be on the applicant to show that the project has limited impacts. Projects granted a review under the Development of Regional Impact – Limited Review Process are subject to meeting all other conditions for requests to expand the Regional Growth Boundary and Sewer Service Area, including COG General Forum approval, as may be required in Section V or VI of this Agreement.

SECTION VI: THE PROCESS – GENERAL FORUM ACTION NOT REQUIRED

The six Centre Region municipalities that are signatory to the Centre Region Comprehensive Plan and Act 537 Sewage Facilities Plan agree to the following:

1. Each municipality that has land outside of the Regional Growth Boundary and Sewer Service Area is authorized to expand the Regional Growth Boundary and Sewer Service Area by a maximum of 50 Equivalent Dwelling Units, not to exceed 12 acres, for a period of five years from the execution of this Agreement. Individual non-residential projects are limited to a maximum square footage that would be expected to generate fewer than 100 vehicle trips during the peak hour, or fewer than 750 vehicle trips in an average day.
2. The governing body of the host municipality will consider comments from the Centre Regional Planning Agency and the Centre Regional Planning Commission in the municipal review process.

3. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance must achieve a minimum development density greater than one equivalent dwelling unit per acre.
4. Requests to expand the Regional Growth Boundary and Sewer Service Area under this Section of the Ordinance shall be evaluated in the same manner as requests under Section V "The Process – General Forum Action Required," with the exception that they will not require COG General Forum approval.
5. The request to expand the Regional Growth Boundary and Sewer Service Area must be contiguous to the existing Regional Growth Boundary and Sewer Service Area. This provision does not preclude exceptions to expand the Sewer Service Area as may otherwise be authorized under Section VIII "Exceptions".
6. This Section of the Ordinance will expire five years from the final date of adoption and will require a unit vote in the affirmative of at least five municipalities to be reauthorized.

The CRPA shall annually provide the General Forum with a summary of all requests to expand the Regional Growth Boundary and Sewer Service Area, including an accounting of the number of EDUs approved in each municipality and a map depicting the location of any changes to the Regional Growth Boundary and Sewer Service Area in the preceding year.

SECTION VII: PROJECT SPECIFIC DEVELOPMENT AGREEMENTS

A host municipality is required to enter into a project specific development agreement with a property owner or developer that is requesting an expansion to the Regional Growth Boundary and Sewer Service Area. A project specific development agreement is used to ensure the land development occurs as proposed, and is required to be included as a condition of the Resolution authorizing the request to expand the Regional Growth Boundary and Sewer Service Area. It is solely the responsibility of an individual municipality to ensure a development agreement is being executed properly and to approve or deny changes to that agreement. The Centre Region does not have a role in the enforcement or verification of a municipally enacted development agreement.

Amendments that are de minimus changes or technical corrections, as determined by participants, may be approved administratively by the host municipality. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum. The host municipality shall forward any de minimus changes or technical corrections to the COG Executive Director within five days of approval by the host municipality for inclusion as an informational item at the next available COG General Forum meeting.

Major amendments and rescissions must be ratified by all participants to the original development agreement. Such changes may be authorized at the discretion of the governing body of the host municipality or its designee and do not require any action by the COG General Forum, with the exception that the host municipality will notify the General Forum of any major changes. In the case of rescission of a development agreement, or if the governing body of the host municipality determines a major amendment

is not consistent with the intent of the expansion as approved by the COG General Forum, a new request to expand the Regional Growth Boundary and Sewer Service Area must be filed and approved by the General Forum as required in this Agreement.

The municipalities agree that development agreements will be used to specify that the property owner or developer of the project for which the Regional Growth Boundary and Sewer Service Area application was approved shall obtain a building permit within five years of COG General Forum approval of the resolution expanding the Regional Growth Boundary and Sewer Service Area. If the property owner or developer of the project has not obtained a building permit within the five-year period, the host municipality shall take action to rescind the development agreement and the Regional Growth Boundary and Sewer Service Area shall be restored to their location prior to the request.

SECTION VIII: EXCEPTIONS

It is the intent of this Agreement to maintain consistency between the Regional Growth Boundary and the Sewer Service Area in order to effectively and efficiently implement the Centre Region's growth management principles and practices. In some cases, however, it may be necessary to provide public sewer service without extending other public services (such as refuse, brush collection, and transit) to address a specific issue related to health, safety, or public welfare. If a failure has occurred, no on-lot sewage disposal option is available, AND the Pennsylvania Department of Environmental Protection identifies public sewer as the only alternative for providing sewage disposal, the Sewer Service Area may be extended independent of the Regional Growth Boundary. In these situations, the Centre Region Act 537 Sewage Facilities Plan would be amended to indicate the specific situation and any requirements imposed on the property for the provision of public sewer service.

Similarly, public sewer service exists in some areas outside of the existing Regional Growth Boundary and Sewer Service Area. These areas would continue to be served by public sewer; however, the signatories to this Agreement would also agree to amend the Centre Region Act 537 Sewage Facilities Plan to include these areas in the Sewer Service Area but not extend the Regional Growth Boundary, as these areas may not be suited or adequately zoned for increased development activity. The Centre Region Act 537 Sewage Facilities Plan would be amended to include these areas in the Sewer Service Area, and specific information would be included to indicate the nature and reason for including these properties in the Sewer Service Area only. The Regional Growth Boundary and Sewer Service Area shall remain consistent in all other situations.

SECTION IX: FUTURE DEVELOPMENTS OUTSIDE OF THE REGIONAL GROWTH BOUNDARY AND SEWER SERVICE AREA

The Centre Region municipalities agree that developments outside of the Regional Growth Boundary and Sewer Service Area served by on-lot sewage disposal systems are a regional concern. The proper operation and maintenance of on-lot systems will ensure the health of these systems, prevent the need for costly public sewer line extensions, and discourage the need for the outward expansion of the Regional Growth Boundary and Sewer Service Area. In addition, the Chesapeake Bay Tributary Strategy further emphasizes the need for ensuring the proper operation and maintenance of on-lot sewage disposal systems.

The Centre Region municipalities agree to the following measures for future developments located outside of the Regional Growth Boundary and Sewer Service Area:

1. Sewage management programs will be required for all future developments that propose less than 15 dwelling units outside of the Regional Growth Boundary and Sewer Service Area.
2. Developments located outside of the Regional Growth Boundary and Sewer Service Area that propose a cumulative total of 15 or more Equivalent Dwelling Units, and where any individual lot is less than two acres, shall utilize a community on-lot sewage disposal system (as defined by the Pennsylvania Department of Environmental Protection) designed and maintained according to the standards of the University Area Joint Authority. The University Area Joint Authority, however, will not be required to perform day-to-day operations on such facilities. For phased developments, this requirement will apply to developments that reach a cumulative total of 15 Equivalent Dwelling Units.
3. Alternative public wastewater treatment systems (with the exception of UAJA) as defined herein, are prohibited for the term of this Agreement in the Centre Region. The Centre Region Act 537 Sewage Facilities Plan identifies on-lot sewage disposal systems as the only method for wastewater treatment outside of the Regional Growth Boundary and Sewer Service Area. If public sewer service is requested, the University Area Joint Authority has been identified as the provider for public sewer services in the Centre Region.

On-lot developments located outside of the Regional Growth Boundary and Sewer Service Area will not be reviewed by the Centre Regional Planning Commission or COG General Forum. However, by enacting this Agreement, the Municipalities agree to incorporate the requirements described above into their municipal sewage management ordinances.

SECTION X: REQUIRED REVIEW AND AMENDMENT PROCESS

1. Required Review

By signing this Agreement, the municipalities agree to review and evaluate the effectiveness of the provisions contained herein within five years from the effective date and to amend this Agreement more frequently, if necessary, and as determined by the municipalities.

2. Amendment Process

a. Determination of minor and major amendments:

All requests for amendments to the Regional Growth Boundary and Sewer Service Area Implementation Agreement shall be submitted through a Centre Region municipality or the Centre Regional Planning Commission, including those requests originated by an individual or entity seeking an amendment. The municipality or Centre Regional Planning Commission will forward the request to the COG Executive Director, who will schedule the item on the next available COG Public Services and Environmental Committee agenda.

The COG Public Services and Environmental Committee, by a majority vote of members present, will determine if an amendment is major or minor. If the COG Public Services and Environmental Committee cannot agree on a designation, the COG Public Services and Environmental Committee must forward the proposed amendment to the next available COG Executive Committee meeting for consideration on a COG General Forum agenda. The COG General Forum will then determine if the amendment is major or minor by majority vote of the individual members present.

b. Major amendments:

After designating the request as a major amendment, the COG Public Services and Environmental Committee (or COG General Forum if necessary) shall refer the major amendment to the COG Executive Director for Centre Regional Planning Agency review and Centre Regional Planning Commission recommendation, and to the Centre Region municipalities for their information. The Centre Regional Planning Agency will present a recommendation for consideration at a future COG Public Services and Environmental Committee meeting. The COG Public Services and Environmental Committee shall recommend approval, denial, or continuance on the amendment by a majority vote of the members present, no more than 90 days from receipt of the major amendment. The COG Public Services and Environmental Committee recommendation will be forwarded to the COG Executive Committee for consideration on a General Forum agenda. The COG General Forum shall take action to modify, approve, deny, or continue the amendment by an affirmative unanimous unit vote of the municipalities. The COG Executive Director shall forward the amendment and the results of such action to all of the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

c. Minor amendments:

After designating the request as a minor amendment, the COG Public Services and Environmental Committee (or COG General Forum as necessary) shall refer the minor amendment to the COG Executive Director for Centre Regional Planning Agency review. The Centre Regional Planning Agency will present a recommendation for consideration at the next scheduled COG Public Services and Environmental Committee meeting. The COG Public Services and Environmental Committee shall review the request and take action to modify, approve, deny, or continue the amendment by a majority vote of the members present, no more than 90 days from receipt of the minor amendment. The COG Executive Director shall forward the amendment and the results of such action to all of the Centre Region municipalities, the Centre Regional Planning Agency, the Centre Regional Planning Commission, and requesting entities, no more than five working days after such action.

SECTION XI: TERM AND EFFECTIVE DATE

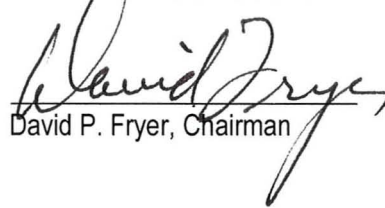
The effective date of this Agreement shall be upon enactment by ordinance of this Agreement by the six Centre Region municipalities:

APPROVED:

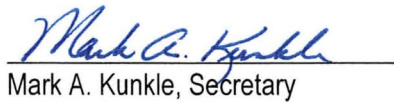
ATTEST:


Adam Brumbaugh, Secretary

COLLEGE TOWNSHIP COUNCIL

By: 
David P. Fryer, Chairman

ATTEST:


Mark A. Kunkle, Secretary

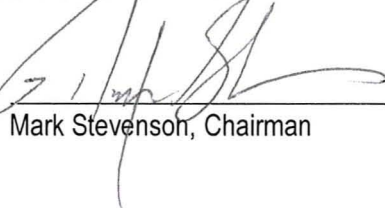
FERGUSON TOWNSHIP
BOARD OF SUPERVISORS

By: 
George Pytel, Chairman

ATTEST:


Susan Steele, Secretary

HALFMOON TOWNSHIP
BOARD OF SUPERVISORS

By: 
Mark Stevenson, Chairman

ATTEST:


Amy K. Farkas, Secretary

HARRIS TOWNSHIP
BOARD OF SUPERVISORS

By: 
Paul Rittenhouse, Sr., Chairman

ATTEST:


Douglas J. Erickson, Secretary

PATTON TOWNSHIP
BOARD OF SUPERVISORS

By: 
Elliot Abrams, Chairman

ATTEST:


Sharon Ergler, Acting Secretary

STATE COLLEGE BOROUGH COUNCIL

By: 
Thomas J. Fountaine, II, Borough Manager

ADOPTED BY THE MUNICIPALITIES AS FOLLOWS:

<u>Municipality</u>	<u>Date</u>	<u>Ordinance Number</u>
Township of College	<u>December 17, 2013</u>	<u>O-13-08</u>
Township of Ferguson	<u>December 17, 2013</u>	<u>981</u>
Township of Halfmoon	<u>December 17, 2013</u>	<u>2013-18 20</u>
Township of Harris	<u>December 17, 2013</u>	<u>309</u>
Township of Patton	<u>December 17, 2013</u>	<u>2013-550</u>
Borough of State College	<u>December 16, 2013</u>	<u>2030</u>

**COLLEGE TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

ORDINANCE O-13-08

**AN ORDINANCE OF THE TOWNSHIP OF COLLEGE, CENTRE COUNTY,
PENNSYLVANIA, ADOPTING THE CENTRE REGION GROWTH BOUNDARY AND
SEWER SERVICE AREA (RGB AND SSA) IMPLEMENTATION AGREEMENT**

WHEREAS, the Townships of College, Ferguson, Halfmoon, Harris and Patton and the Borough of State College, Centre County, Pennsylvania, are members of the Centre Region Council of Governments; and

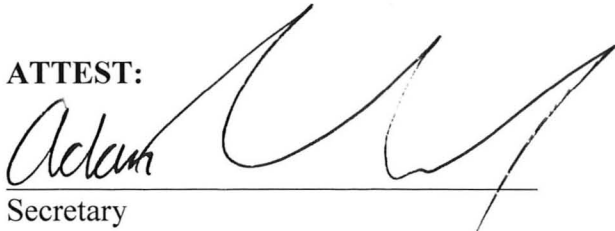
WHEREAS, the Joint Articles or Agreement of the Centre Region Council of Governments provide for separate agreements for COG programs; and

WHEREAS, cooperation among the municipalities in the exercise and performance of their governmental powers, duties and functions is authorized by the Act of 1972, July 12, P.L. 762, 53 P.S. Section 481, et seq., as amended; and

WHEREAS, the Township of College wishes to adopt a Centre Region Growth Boundary and Sewer Service Area Implementation Agreement with the Townships of Ferguson, Halfmoon, Harris and Patton and the Borough of State College establishing a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area and provide the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezoning and zoning text amendments outside the RGB and SSA, this Agreement, attached herewith as Exhibit A, is created by and among the following: College Township, Ferguson Township, Halfmoon Township, Harris Township, Patton Township, and State College Borough, all of Centre County, Pennsylvania, also referred to herein as the "municipalities" and Centre Region.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of College Township, Centre County, Pennsylvania, this 17th day of December, 2013, and it is hereby enacted and ordained by authority of the same that College Township Council hereby authorizes the Chair and the Secretary to execute said Agreement on behalf of the Council of the Township of College. All existing agreements, resolutions and ordinances that are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

ATTEST:


Secretary

COLLEGE TOWNSHIP COUNCIL


Council Chair

**FERGUSON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 981

**CENTRE REGION GROWTH BOUNDARY AND SEWER SERVICE AREA
IMPLEMENTATION AGREEMENT**

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON AMENDING THE CODE OF ORDINANCES, APPENDIX D, GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS BY ADOPTING THE CENTRE REGION GROWTH BOUNDARY AND SEWER SERVICE AREA (RGB AND SSA) IMPLEMENTATION AGREEMENT BY AGREEING TO ADOPT A PROCESS FOR CONSIDERING REQUESTS TO EXPAND THE RGB AND SSA, AND TO REZONE OR COMPLETE ZONING TEXT AMENDMENTS OUTSIDE OF THE RGB AND SSA THAT RESULT IN DEVELOPMENT DENSITY GREATER THAN ONE EQUIVALENT DWELLING UNIT (EDU) PER ACRE; AND AGREEING TO ESTABLISH REQUIREMENTS FOR MAINTENANCE AND INSPECTION OF ON-LOT SEWAGE DISPOSAL SYSTEMS AND REQUIREMENTS FOR COMMUNITY ON-LOT DISPOSAL SYSTEMS FOR FUTURE DEVELOPMENTS OUTSIDE THE RGB AND SSA THAT PROPOSE 15 OR MORE EDUs.

WHEREAS, the governing bodies of the Borough of State College and the Townships of College, Ferguson, Halfmoon, Harris, and Patton, all of Centre County, Pennsylvania, are members of the Centre Region Council of Governments, as provided in the Joint Articles of Agreement adopted November 22, 1989, by Ordinance 89-248; and

WHEREAS, these Municipalities wish to enact an Implementation Agreement (hereinafter referred to as Agreement) establishing a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area (RGB and SSA), and provide the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezonings and zoning text amendments outside the RGB and SSA; and

WHEREAS, these Municipalities agree that developments outside of the RGB and SSA served by on-lot sewage disposal systems are a regional concern, and the proper operation and maintenance of on-lot systems will ensure the health of these systems, prevent the need for costly public sewer line extensions, and discourage the need for the outward expansion of the RGB and SSA; and

WHEREAS, cooperation among the Municipalities in the exercise and performance of their governmental powers, duties, and functions is authorized by the Intergovernmental Cooperation Act of July 12, 1972, P.L. 762, 53 P.S. Section 481-490, as amended; and

WHEREAS, such agreement between these Municipalities is authorized by Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended; and

WHEREAS, the Township of Ferguson shall further adopt amendments to the Code of Ordinances of the Township of Ferguson to provide consistency between the Agreement and the Code of Ordinances of the Township of Ferguson;

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of Ferguson Township, Centre County, PA, and it is hereby Enacted and Ordained by authority of the same as follows:

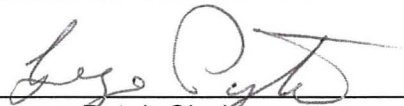
SECTION 1. The Board of Supervisors of Ferguson Township hereby adopts, by reference, the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement (a copy of which is attached to this Ordinance as Exhibit A).

SECTION 2. The Chair of the Board of Supervisors is hereby authorized to execute said Agreement on behalf of the Township of Ferguson.

SECTION 3. All existing agreements, resolutions, and ordinances, which are contrary to the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

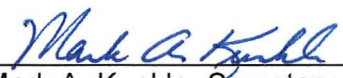
ENACTED AND ORDAINED as an Ordinance by the Township of Ferguson this 17th day of December, 2013.

FERGUSON TOWNSHIP
BOARD OF SUPERVISORS



George Pytel, Chairman

ATTEST:



Mark A. Kunkle, Secretary

[SEAL]

**HALFMOON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

ORDINANCE 2013-²⁰~~13~~

**AN ORDINANCE OF THE TOWNSHIP OF HALFMOON, CENTRE COUNTY,
PENNSYLVANIA, ADOPTING THE CENTRE REGION GROWTH BOUNDARY AND
SEWER SERVICE AREA IMPLEMENTATION AGREEMENT**

WHEREAS, the Townships of College, Ferguson, Halfmoon, Harris and Patton and the Borough of State College, Centre County, Pennsylvania, are members of the Centre Region Council of Governments; and

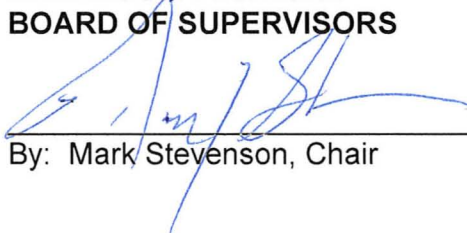
WHEREAS, the Joint Articles of Agreement of the Centre Region Council of Governments provide for separate agreements for COG programs; and

WHEREAS, cooperation among the municipalities in the exercise and performance of their governmental powers, duties and functions is authorized by the Act of 1972, July 12, P.L. 762, 53 P.S. Section 481, et seq., as amended; and

WHEREAS, the Township of Halfmoon wishes to adopt a Centre Region Growth Boundary and Sewer Service Area Implementation Agreement with the Townships of College, Ferguson, Harris and Patton and the Borough of State College establishing a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area, and provide the: General Forum of the Centre Region Council of Governments an advisory role in the review of major rezoning and zoning text amendments outside the RGB and SSA. This Agreement is created by and among the following: College Township, Ferguson Township, Halfmoon Township Harris Township, Patton Township and State College Borough, all of Centre County Pennsylvania, also referred to herein as the "municipalities" and Centre Region.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Halfmoon Township this 17th day of December, 2013, and it is hereby enacted and ordained by authority of the same, that the Halfmoon Township Board of Supervisors hereby authorizes the Chair and the Secretary to execute said Agreement on behalf of the Board of Supervisors of the Township of Halfmoon. All existing agreements, resolutions, and ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**HALFMOON TOWNSHIP
BOARD OF SUPERVISORS**


By: Mark Stevenson, Chair

ATTEST:


Susan Steele, Secretary

ORDINANCE NO. 309

**AN ORDINANCE OF THE TOWNSHIP OF HARRIS, CENTRE COUNTY,
PENNSYLVANIA ADOPTING THE CENTRE REGION GROWTH BOUNDARY
AND SEWER SERVICE AREA IMPLEMENTATION AGREEMENT**

WHEREAS, the governing bodies of the Borough of State College, and the Townships of College, Ferguson, Harris, Halfmoon and Patton, all of Centre County, are members of the Centre Region Council of Governments; and

WHEREAS, the Joint Articles of Agreement of the Centre Region Council of Governments provide for separate agreements for COG programs; and

WHEREAS, cooperation among the municipalities in the exercise and performance of their governmental powers, duties, and functions, is authorized by the Act of 1972, July 12, P.L. 762, 53 P.S. Section 481, et seq., as amended; and

WHEREAS, these municipalities wish to adopt the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement;

NOW, THEREFORE be it enacted and ordained by the Board of Supervisors of Harris Township, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION 1. The Board of Supervisors of Harris Township hereby adopts, by reference, the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement. A copy of the agreement is attached to this ordinance as Exhibit A.

SECTION 2. The Chairman of the Harris Township Board of Supervisors is hereby authorized to execute said articles on behalf of Harris Township.

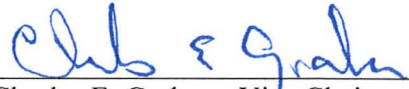
SECTION 3. All existing Agreements, Resolutions, and Ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

This Ordinance shall become effective five days from the date of adoption.

ENACTED AND ORDAINED this 17th day of December, 2013.

HARRIS TOWNSHIP
BOARD OF SUPERVISORS


Paul Rittenhouse, Sr., Chair

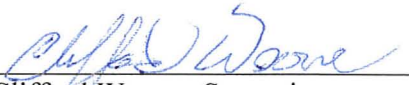


Charles E. Graham, Vice Chair



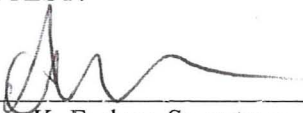
Dennis R. Hameister, Supervisor

Nigel Wilson, Supervisor



Clifford Warner, Supervisor

ATTEST:



Amy K. Farkas, Secretary

**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2013-550

**CENTRE REGION GROWTH BOUNDARY AND SEWER SERVICE AREA
IMPLEMENTATION AGREEMENT**

AN ORDINANCE OF THE TOWNSHIP OF PATTON, CENTRE COUNTY, PENNSYLVANIA, ADOPTING THE CENTRE REGION GROWTH BOUNDARY AND SEWER SERVICE AREA (RGB AND SSA) IMPLEMENTATION AGREEMENT FOR AGREEING TO ADOPT A PROCESS FOR CONSIDERING REQUESTS TO EXPAND THE RGB AND SSA, AND TO REZONE OR COMPLETE ZONING TEXT AMENDMENTS OUTSIDE OF THE RGB AND SSA THAT RESULT IN DEVELOPMENT DENSITY GREATER THAN ONE EQUIVALENT DWELLING UNIT (EDU) PER ACRE; AND AGREEING TO ESTABLISH REQUIREMENTS FOR MAINTENANCE AND INSPECTION OF ON-LOT SEWAGE DISPOSAL SYSTEMS AND REQUIREMENTS FOR COMMUNITY ON-LOT DISPOSAL SYSTEMS FOR FUTURE DEVELOPMENTS OUTSIDE THE RGB AND SSA THAT PROPOSE 15 OR MORE EDUs.

WHEREAS, the governing bodies of the Borough of State College and the Townships of College, Ferguson, Halfmoon, Harris, and Patton, all of Centre County, Pennsylvania, are members of the Centre Region Council of Governments, as provided in the Joint Articles of Agreement adopted November 22, 1989, by Ordinance 89-248; and

WHEREAS, these Municipalities wish to establish a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area, and provide the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezonings and zoning text amendments outside the RGB and SSA; and

WHEREAS, these Municipalities agree that developments outside of the RGB and SSA served by on-lot sewage disposal systems are a regional concern, and the proper operation and maintenance of on-lot systems will ensure the health of these systems, prevent the need for costly public sewer line extensions, and discourage the need for the outward expansion of the RGB and SSA; and

WHEREAS, cooperation among the Municipalities in the exercise and performance of their governmental powers, duties, and functions is authorized by the Intergovernmental Cooperation Act of July 12, 1972, P.L. 762, 53 P.S. Section 481-490, as amended; and

WHEREAS, such agreement between these Municipalities is authorized by Article XI of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended; and

WHEREAS, the Township of Patton shall further adopt amendments to the Code of the Township of Patton to provide consistency between the Agreement and the Code of the Township of Patton;

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of Patton Township, Centre County, PA, and it is hereby Enacted and Ordained by authority of the same as follows:

SECTION 1. The Board of Supervisors of Patton Township hereby adopts, by reference, the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement (a copy of which is attached to this Ordinance as Exhibit A).

SECTION 2. The Chair of the Board of Supervisors is hereby authorized to execute said Agreement on behalf of the Township of Patton.

SECTION 3. All existing agreements, resolutions, and ordinances, which are contrary to the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

ENACTED AND ORDAINED as an Ordinance by the Township of Patton this 17th day of December 2013.

PATTON TOWNSHIP BOARD OF SUPERVISORS

Elliot Abrams, Chair

Bryce Boyer, Vice-Chair

Jeff Luck

Josh Troxell

Walt Wise

[SEAL]

ATTEST:

Douglas J. Erickson, Secretary

ORDINANCE 2030

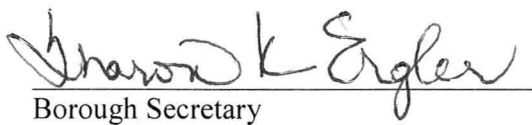
AN ORDINANCE OF THE BOROUGH OF STATE COLLEGE,
CENTRE COUNTY, PENNSYLVANIA,
APPROVING THE CENTRE REGION GROWTH BOUNDARY AND SEWER
SERVICE AREA IMPLEMENTATION AGREEMENT, AND AUTHORIZING
THE PRESIDENT OF COUNCIL TO SIGN AND EXECUTE THE
AGREEMENT

WHEREAS, the Townships of College, Ferguson, Halfmoon, Harris, and Patton and the Borough of State College, being the member municipalities of the Centre Region Council of Governments ("COG"), have approved at the COG's General Forum held December 17, 2013, the execution of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement. The agreement establishes a regional process to consider proposals to expand the Regional Growth Boundary and Sewer Service Area (RGB and SSA), and provides the General Forum of the Centre Region Council of Governments an advisory role in the review of major rezonings and zoning text amendments outside the RGB and SSA.

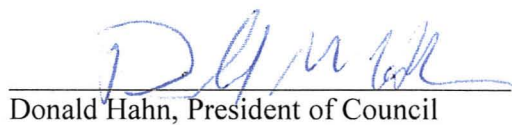
NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of State College, and it is hereby enacted and ordained by authority of same, that the State College Borough Council hereby approves and authorizes the Officers of the Borough to execute the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement. All existing agreements, resolutions, and ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

ENACTED AND ORDAINED this 16th day of December, 2013.

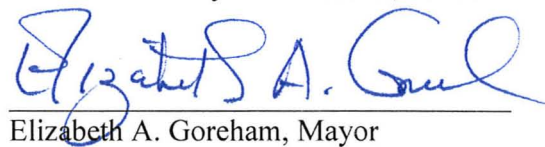
ATTEST:


Borough Secretary

BOROUGH OF STATE COLLEGE


Donald Hahn, President of Council

EXAMINED AND APPROVED as an Ordinance this 16th day of December, 2013.


Elizabeth A. Goreham, Mayor