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Part 1

Authority and Purpose

§101. Short Title. This Chapter shall be known and may be cited as the "Walker Township Subdivision and Land Development Ordinance." (Ord. 8/28/1974, 8/24/1974, §2)

§102. Purpose. It is the general intent of this Chapter to regulate the subdivision and development of land in Walker Township to insure that:

1. The layout or arrangement of the subdivision or land development and all other characteristics of the subdivision or land development shall conform to the Comprehensive Plan for Walker Township, as may be amended from time to time, and shall further the orderly and appropriate use of the land.

2. Streets in and bordering a subdivision or land development shall be coordinated with existing streets, parks and other features of the Township, and shall be of such widths and grades and in such locations as deemed necessary to accommodate and regulate flows of prospective traffic.

3. Adequate easements of rights-of-way shall be provided for drainage and utilities.

4. Adequate open space for traffic, recreation, light, air, and effective drainage shall be provided in subdivisions and land developments and that reservations, if any, by the developer of any area designed for use as public grounds shall be of suitable size and location for their designated use.

5. Land which is subject to flooding, subsidence or other environmental limitation either shall be made safe for the purpose for which such land is proposed to be used or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.

6. Adequate facilities for transportation (including streets, walkways, curbs, gutters and street lights), water, fire hydrants, sewerage, storm sewers, schools, parks, playgrounds, and other public facilities shall be installed in the subdivision or land development.

7. Adequate provisions for safety from fire, panic and other dangers shall be provided for in subdivisions and land developments.

8. Innovation in site design and improvement construction is encouraged to the greatest possible extent consistent with the need to meet the spirit and intent of this Chapter.

(Ord. 8/28/1974, 8/28/1974, §103)

Part 2
Definitions

§201. Definitions. As used in this Chapter, words in the singular include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof." The word "street" includes avenue, boulevard, court, expressway, highway, land and road. The word "watercourse" includes channel, creek, ditch, drain, dry run, spring, and stream. The word "may" is permissive, the words "shall" and "will" are mandatory; subject, however to the provisions of §903 hereof.

ALLEY - a minor right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary, tentative or final required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. [1991-1]

BLOCK - an area bounded by streets.

BUILDING SET BACK LINE - the line which establishes the minimum depth of the front yard for a particular zoning district as measured from the right-of-way line.

CARTWAY OR ROADWAY - that portion of a street or alley intended for vehicular use.

CERTIFICATE OF REGISTRATION FOR MOBILE HOME PARKS - written approval as issued by the Pennsylvania Department of Environmental Resources authorizing a person to operate and maintain a mobile home park.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by sight between points at a given distance from the intersection of street center lines.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. [1991-1]

CROSS WALK OR INTERIOR WALK - a right-of-way for pedestrian use extending from a street into a block or across a block to another street.

CUL-DE-SAC - a minor street intersecting another street at one (1) end and terminated at the other by a vehicular turn-around.

CUT - an excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. [1991-1]

DEVELOPMENT PLAN - the provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets; ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition. [1991-1]

DRAINAGE - the flow of water or liquid waste, and the method of directing such flow, whether natural or artificial.

DRAINAGE FACILITY - any ditch, gutter, pipe, culvert, storm sewer, or structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off, streets public rights-of-way, parks, recreational areas, or any part of any subdivision and contiguous territory.

EASEMENT - a right-of-way or other right granted for limited use of private land for a public, or quasi-public purpose.

ENGINEER - the Township Engineer, or any consulting engineer designated by the Board of Township Supervisors to review subdivision plans and perform the duties of engineer on behalf of the Township.

EROSION - the removal of surface materials by the action of natural elements.

EXCAVATION - any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, mined, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

FLOODPLAIN - the low area adjoining and including any water or drainage course or body of water subject to periodic flooding or overflow and delineated as "Alluvial Soils" by the U.S.D.A. Soil Conservation Service in the Soil Survey of the County, as amended.

HALF OR PARTIAL STREET - a street of less than required right-of-way width for a public highway.

IMPROVEMENTS - those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to: grading, paving, curbing, street lights, signs, fire hydrants, water mains, sanitary sewers, storm drains, sidewalks, crosswalks, bridges, culverts, and street shade trees.

LAND DEVELOPMENT - any of the following activities:

A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

(1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,

(2) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

B. A subdivision of land.

C. "Land development" does not include development which involves:

(1) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;

(2) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or

(3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

[1991-1]

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. [1991-1]

MINOR SUBDIVISION - the subdivision of a single lot, tract, or parcel of land into six (6) or less lots, tracts or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created have frontage on an improved street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need thereof.

MOBILEHOME - a transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. [1991-1]

MOBILEHOME LOT - a parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobilehome. [1991-1]

MOBILEHOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilehomes. [1991-1]

MOBILE HOME PERMIT - written approval issued by the Township authorizing a person to operate and maintain- a mobilehome or mobilehome park under the provisions of this Chapter.

MUNICIPAL AUTHORITY - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945." [1991-1]

PLAN, FINAL - a complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY - a tentative subdivision plan, showing approximate proposed street and lot layout and improvements as a basis for consideration prior to preparation of a final plan.

PLAN, SKETCH - an informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and general layout of the proposed subdivision.

PUBLIC GROUNDS - includes:

A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;

B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and

C. Publicly owned or operated scenic and historic sites.

[1991-1]

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter. [1991-1]

PUBLIC MEETING - a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act," 53 P.S. §§271 et seq. [1991-1]

PUBLIC NOTICE - notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. [1991-1]

RESERVE STRIP - a strip of land adjacent to a street intended to control access to the street from an adjacent property.

REVERSE FRONTAGE LOT - a lot extending between, and having frontage on, a major street and a minor street and with vehicular access solely from the latter.

ROADWAY - that portion of the right-of-way of a road or street which is primarily intended for travel and parking; it includes the paved portion or the cartway, and the shoulders; the cartway plus the shoulders.

RUNOFF - the surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of land.

RUNOFF FROM A FULLY DEVELOPED AREA UPSTREAM - the surface water runoff that can be reasonably anticipated upon maximum development of an area of the watershed located upstream from any subject tract, as permitted by prevailing zoning or the Township comprehensive plan.

SANITARY SEWAGE DISPOSAL, ON-SITE - any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot, or a tract of lots.

SANITARY SEWAGE DISPOSAL, PUBLIC (OR COMMUNITY) - a sanitary sewage collection system in which sewage is carried from individual lots by a system in pipes to a central treatment and disposal plant.

SEDIMENTATION - the process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended), it is usually referred to as "sediment."

SEPTIC TANK - a covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid and gaseous states to facilitate further treatment and final disposal.

SERVICE BUILDING - a structure which contains operational, office, recreational, sanitary, maintenance or other facilities built for the exclusive use of the mobile home park residents or owner.

SET-BACK OR BUILDING LINE - the line within a property defining the required minimum distance between any enclosed structures and the adjacent right-of-way.

SEWER CONNECTION - consists of all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe.

SEWER RISER PIPE - that portion of the sewer lateral which extends vertically to the ground elevation and terminates at a designated point at each mobile home space.

SIGHT DISTANCE - the extent of unobstructed vision (in a horizontal or vertical plane) three (3') feet above the centerline along a street, from a vehicle located at any given point along the street.

SLOPE - the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are expressed in a percentage based upon vertical difference in feet per one hundred (100') feet of horizontal distance.

SOIL PERCOLATION TEST - a field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth, performed in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Resources.

SOIL STABILIZATION - chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

STREET - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [1991-1]

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. [1991-1]

SUBDIVIDER - the owner, or the authorized agent of the owner, of a subdivision.

SUBDIVISION - the division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. [1991-1]

SUBSTANTIALLY COMPLETED - where in the judgment of the Township engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Chapter) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use. [1991-1]

SWALE - a low lying stretch of land which gathers or carries surface water runoff.

TILE DISPOSAL FIELD - a system to distribute sewage effluent into the soil for absorption and vaporization through open-jointed or perforated pipes laid in the upper soils strata.

TOP SOIL - surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Top soil is usually found in the uppermost soil layer called the "A Horizon."

WATER CONNECTION - consists of all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

WATERCOURSE - a permanent stream, intermittent stream, river, brook, creek, or a channel or ditch for water whether natural or man-made.

WATER DISTRIBUTION SYSTEM, ON-SITE - a system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

WATER DISTRIBUTION SYSTEM, COMMUNITY - a system for supplying and distributing water from a common source to two (2) or more dwellings and/or other buildings within a single neighborhood.

WATER DISTRIBUTION SYSTEM, PUBLIC - a system for supplying and distributing water from a common source to dwellings and other buildings, not necessarily confined to one (1) neighborhood.

WATER RISER PIPE - that portion of the water service pipe which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

WATER SERVICE PIPE - consists of all pipes, fittings, valves, and appurtenances from the water main of the park distribution system to the water outlet of the distribution system within the mobile home.

WATER SURVEY - an inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township. [1991-1]

(Ord. 8/28/1974, 8/24/1974, §202; as amended by Ord. 1991-1, 1/7/1991)

Part 3

Subdivision Control and Penalties

§301. Jurisdiction. The Board of Supervisors is vested by law with the jurisdiction and control of the subdivision and development of land located within the limits of the Township. (Ord. 8/28/1974, 8/28/1974, §301)

§302. Subdivision Control. No subdivision of any lot, tract or parcel of land shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Chapter. (Ord. 8/28/1974, 8/28/1974, §302)

§303. Plan Approval and Recording of Plan. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision may be issued; and no building may be erected in a subdivision unless and until a subdivision plan has been approved and properly recorded, and until the required improvements in connection therewith have either been constructed or the completion thereof has been assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the Township Board of Supervisors. (Ord. 8/28/1974, 8/28/1974, §303)

§304. Preventive Remedies.

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:

- A. The owner of record at the time of such violation.
- B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

(Ord. 1991-1, 1/7/1991)

§305. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

4. District justices shall have initial jurisdiction in proceedings brought under this Section.

(Ord. 8/28/1974, 8/28/1974, §304; as amended by Ord. 1991-1, 1/7/1991)

Part 4
Procedure

§401. General. In order to discharge the duties imposed by law, the Board of Supervisors of the Township has adopted the following procedures which shall be observed by all subdividers. (Ord. 8/28/1974, 8/28/1974, §401)

§402. Pre-Application Procedure.

1. Subdividers may file with the Township Planning Commission, a subdivision sketch plan as further described in Part 7, for all proposed subdivisions of land lying within the Township.

2. Sketch plans will be considered as submitted for informal and confidential discussion. A copy of the sketch plan shall be submitted to the County Planning Commission for technical review and comments. Submission of a subdivision sketch plan shall not constitute formal filing of a plan with the Township Planning Commission.

3. As far as may be practical on the basis of a sketch plan, the Planning Commission shall informally advise the subdivider as promptly as possible of the extent to which the proposed subdivision conforms to the design standards of this Chapter (Part 5) and will discuss possible plan modifications necessary to secure conformance.

(Ord. 8/28/1974, 8/28/1974, §402)

§403. Submission of Preliminary and Final Plans.

1. Ten (10) copies of the preliminary and final plans for all proposed subdivision of land lying within the Township shall be submitted to the Township Secretary who shall distribute them to the following officials and agencies for review and comment:

- A. Township Engineer - one (1) copy.
- B. Township Planning Commission - two (2) copies.
- C. County Planning Commission - one (1) copy.
- D. Pennsylvania Department of Transportation (when a proposed subdivision abuts or will be traversed by an existing or proposed State highway) - one (1) copy.
- E. Pennsylvania Department of Environmental Resources (accompanied by a feasibility report concerning the proposed method of sewage disposal and water supply) if required by the Board of Supervisors - one (1) copy.
- F. Board of Supervisors - one (1) copy.
- G. Owner - one (1) copy.

2. The submission of a preliminary plan may be waived for minor subdivisions upon written request by the subdivider, provided that no similar application pertaining to the same tract of land has been granted.

(Ord. 8/28/1984, 8/28/1974, §403)

§404. Review of Preliminary Plan.

1. Preliminary plans and supporting data shall comply with the provisions of Part 8 of this Chapter.

2. The Township Planning Commission shall review the preliminary plan to determine its conformance with this Chapter: shall approve, conditionally approve, or disapprove the preliminary plan; and submit its findings in writing to the Board of Supervisors and the subdivider within sixty (60) days of the submission of the complete preliminary plan. (When the plan is not approved as submitted, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter relied upon.)

3. After receiving recommendations of the Township Planning Commission, or after sixty (60) days from the date of preliminary plan submission have passed, the Board of Supervisors shall, at a scheduled or special meeting, review the preliminary plan to determine its conformance to this Chapter and shall either approve, conditionally approve, or disapprove the preliminary plan within ninety (90) days of the submission of the complete preliminary plan. When the plan is not approved as submitted, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter relied upon.

4. Approval of the preliminary plan in writing, subject to conditions, revisions, and modifications as stipulated by the Board of Supervisors shall constitute conditional approval of the subdivision to the character and intensity of the development and the general layout and the approximate dimensions of streets, lots and other proposed features.

(Ord. 8/28/1974, 8/28/1974, §404)

§405. Review of Final Plan.

1. The final plan and necessary supporting data shall be submitted to the Township Secretary for distribution and final approval within one (1) year after the Board of Supervisors' action on the preliminary plan. Failure to submit within this time shall render the approved preliminary plan null and void. However, the subdivider may, due to extenuating circumstances, or phased plans, apply for and receive a time extension from the Township Supervisors. Duration of each time extension shall not exceed one (1) year.

2. The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Board of Supervisors and shall incorporate modifications and revisions specified by the Board in its conditional approval of the preliminary plan.

3. The final plan and supporting data shall comply with the provisions of Part 8 of this Chapter. Failure to do so shall be cause for tabling the plan.

4. The Township Planning Commission shall review the final plan to determine its relationship to the approved preliminary plan and its conformance to the requirements of this Chapter; shall approve, conditionally approve or disapprove the final plan and submit its findings in writing to the Board of Supervisors and the subdivider within sixty (60)

days of the submission of the complete final plan. (When the plan is not approved as submitted, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter relied upon.)

5. After receiving recommendations of the Township Planning Commission, or after sixty (60) days from the date of the complete final plan submission have passed, the Board of Supervisors shall, at a scheduled or special meeting, review the final plan to determine its relationship to the approved preliminary plan and its conformance with this Chapter and shall either approve, conditionally approve, or disapprove the final plan within ninety (90) days of the submission of the complete final plan. When the plan is not approved as submitted, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter relied upon.

6. The Board of Supervisors may require that the owners shall supply a Title Insurance Certificate from a reputable company before any property can be accepted for the Township.

7. Where a subdivision plan has been approved and recorded under the terms and conditions of this Chapter, purchasers and mortgagees of lots in the subdivision shall be relieved of any and all liability for any deficiency in, lack of, or failure to complete, the necessary grading and paving of streets and other street improvements including, where specified in the plan, curbs, sidewalks, street lights, fire hydrants, water mains, sanitary sewers and storm sewers, and failure to complete or properly complete said improvements shall not encumber any or all of the lots in the subdivision.

(Ord. 8/28/1974, 8/28/1974, §405; as amended by Ord. 1991-1, 1/7/1991)

§406. Fees.

1. To defray a portion of the expenses of major subdivision review, fees as follows shall be payable to the Treasurer of the Board of Supervisors of the Township, at filing of the Preliminary Plan: Twenty-five (\$25.00) dollars per plan, plus five (\$5.00) dollars per lot, or five (\$5.00) dollars per store in commercial uses.

2. When necessary, the following additional service charges shall be paid by the applicant as they are incurred by the Township: Technical and professional services including such engineering, legal and inspection services as may be required in plan review, the drawing up of legal documents and supervision of construction. The actual costs of such services, if any, shall be charged.

3. Review Fees.

A. Review fees shall include the reasonable and necessary charges by the Township's professional consultants or engineer for review and report to the Township, and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township engineer or consultant for similar service in the community, but in no event shall the fees

exceed the rate or cost charged by the engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

B. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Township that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

C. In the event that the Township and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

[1991-1]

(Ord. 8/28/1974, 8/28/1974, §406; as amended by Ord. 1991-1, 1/7/1991)

§407. Recording Plats and Deeds.

1. Upon the approval of a final plat, the developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of the county in which the Township is located. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Board of Supervisors, and review by the county planning agency.

2. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

(Ord. 1991-1, 1/7/1991)

§408. Effect of Plat Approval on Official Map. After a plat has been approved and recorded as provided in this Chapter, all streets and public grounds on such plat shall be, and become a part of the official map of the Township without public hearing. (Ord. 1991-1, 1/7/1991)

Part 5

Design Standards and .Required Improvements

§501. Application.

1. The following land subdivision principles, standards, and requirements shall be applied by the Board of Supervisors of the Township in evaluating plans for proposed subdivisions.

2. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of public health, safety, morals and general welfare.

3. Where literal compliance with the standards herein specified is clearly impractical, the Board of Supervisors may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this Chapter.

4. Whenever other Township regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall be observed.

(Ord. 8/28/1974, 8/28/1974, §501)

§502. Land Requirements.

1. Zoning. Proposed land use shall conform to the Township Zoning Ordinance (Chapter 27, hereof).

2. Hazards. Land subject to hazard to life, health or property shall not be subdivided for residential purposes until such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plan.

3. Neighborhood Coordination. Proposed subdivision shall be coordinated with existing nearby neighborhoods, so that the community, as a whole, may develop harmoniously.

(Ord. 8/28/1974, 8/28/1974, §502)

§503. Street System.

1. Township Plans. Proposed streets shall be properly related to such street plans, or parts thereof, as have been officially prepared and adopted by the Township including the Comprehensive Plan (as amended).

2. Other Plans. Proposed streets shall further conform to such Township, County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.

3. Topography. Streets shall be logically related to the topography as specified in §507.

4. Residential Service. Residential service streets shall be so laid out as to discourage through traffic, but provisions for street connections into and from adjacent streets will generally be required. Such street systems shall be designed so as to minimize street intersections and pedestrian-vehicular conflict points.

5. Re-Subdivision. If lots resulting from original subdivision are large enough to permit re-subdivision or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.

6. Marginal Access Streets. Where a subdivision abuts. or contains an existing or proposed feeder, connector, or arterial street, the Supervisors may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.

7. New Partial Street. New half or partial streets shall not be permitted, except where essential or reasonable subdivision of a tract in conformance with the other requirements and standards of this Chapter and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.

8. Existing Partial Street. Wherever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be plotted within such tract.

9. Dead-End Streets. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as a cul-de-sac.

10. New Reserve Strips. New reserve strips, including those controlling access to sheets shall be avoided.

11. Street Surface. A base surface shall be prepared for all road construction in accordance with Township road specifications: Six (6") inch limestone or eight (8") inch shale and two and one-half (2½") inch bituminous surface treatment, with bond requirements according to size of development.

(Ord. 8/28/1974, 8/24/1974, §503)

§504. Cul-De-Sac Streets.

1. Length. Cul-de-sacs permanently designed as such, so far as possible, should not exceed five hundred (500') feet in length.

2. Turnaround. Cul-de-sacs shall be provided at the closed end with a hard surface turnaround, having a minimum radius to the outer pavement edge, or curb line, of fifty (50') feet.

3. Extension. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

(Ord. 8/28/1974, 8/28/1974, §504)

§505. Street Classification and Widths.

1. Street Classification.

A. Rural Service Roads. Roads located in substantially rural areas and providing direct access to abutting house or farm properties. Since certain of these roads eventually may become a part of

the Township's feeder or residential service street system, sufficient right-of-way is required for this possibility.

B. Service Streets. Streets providing direct access to abutting residential properties and ideally carrying no through traffic. These streets are ordinarily part of a subdivision.

C. Feeder Roads. Roads designed to collect traffic and feed it to the connector and arterial system and sometimes to connect business and other areas of the community.

D. Connector Highways. Trafficways which provide the principal connections among communities and to the arterial highways system.

E. Arterial Highways. Major highways serving large volumes of relatively long distance traffic, and intended primarily for inter-city and commuter traffic at high speeds. It includes both limited access expressways and arterial highways which have access to adjacent properties and intersections at grade.

F. Marginal Access Streets. A residential service street parallel and adjacent to feeder, connector, or arterial streets, providing access to abutting properties and control of intersections with the feeder, connector or arterial street.

2. Street Widths. Minimum street widths for proposed streets and extensions or continuations as follows:

<u>Street Type</u>	<u>Assumed Traffic & Traffic Requirements</u>	<u>Right-of-Way Width</u>	<u>Road-way Width</u>	<u>Road way Width</u>
Residential Service or Marginal Access Street	2 traffic lanes (10')	50'	30'	20'
Rural Service Road	min. of 2 traffic lanes (11')	60'	32'	22' min.
Feeder Road	2 traffic lanes @ 10' 2 parking lanes @ 8'	60'	36'	20'
Connector Highway	2 traffic lanes @ 12' 2 parking lanes @ 8'	60-80'	40'	24'
Arterial Highway	divided highway, 4-6 lanes @ 12' or more	Standards of PennDOT		

3. Additional Width. Additional right-of-way and cartway widths may be required by the Board of Supervisors for the following purposes:

- A. To promote public safety and convenience.
- B. To provide parking space in commercial districts and in areas of high density residential development.

4. Extension of Non-Conforming Street. Short extension of existing streets with lesser right-of-way and/or cartway widths than prescribed by this §505 may be permitted, provided however, that no section of the new right-of-way less than fifty (50') feet in width shall be permitted.

5. Width Addition to Non-Conforming Street. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with the above standards is recommended.

6. Curbs. Curbs shall be installed along both sides of all streets. The Township Supervisors shall have the option of waiving curbs in areas where the lot frontage exceeds ninety (90') feet. Curbs shall be concrete, of the vertical type or the rolled curb-and-gutter type. The transition from one (1) type of curb to another shall be made only at a street intersection, and adequate provisions shall be made for driveway entrances. Curbs and gutters, if any, are to constructed on the street right-of-way.

7. Sidewalks. Sidewalks may be required on both sides of the street in subdivisions with typical lot width of ninety (90') feet or less at the building setback lines, and where semi-detached, row, or multi-family structures are planned. Sidewalks may also be required by the Supervisors on both sides of the street in subdivisions where lots are greater than ninety (90') feet in width if it would be desirable to continue sidewalks that are existing in adjacent subdivisions, or to provide access to community facilities, such as schools, shopping areas and recreation areas. Sidewalks shall be located within the street right-of-way, one (1') foot from the right-of-way line, and shall be a minimum of four (4') feet wide, except along collector and arterial streets, and in the vicinity of shopping centers, schools, recreation areas, and other community facilities, where they shall be a minimum of five (5') feet wide. Generally, a grass planting strip should be provided between curb and sidewalk. Where rolled curb and gutter is used, a grass planting strip shall be provided. Sidewalks shall be constructed as specified by the Board of Supervisors.

(Ord. 8/28/1974, 8/28/1974, §505)

§506. Street Alignment.¹

1. Whenever street lines are deflected in excess of five (5°) degrees, connection shall be made by horizontal curves.

2. To insure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:

- A. Service Streets and Rural Service Streets. One hundred fifty (150') feet.
- B. Feeder and Connector Streets. Three hundred (300') feet.
- C. Arterial Streets. Five hundred (500') feet.

¹ All specifications listed in §§506 and 507 are subject to the provisions and the specifications and standards of the Pennsylvania Department of Transportation, and where the Department of Transportation specifications are greater than those herein listed, the specifications and regulations of said Pennsylvania Department of Transportation shall apply.

3. Except in residential and rural service streets, a tangent shall be required between curves.

(Ord. 8/28/1974, 8/28/1974, §506)

§507. Street Grades.²

1. Center line grades should be not less than one (1%) percent.

2. Center line grades shall not exceed the following:

A. Service Streets and Rural Service Streets. Six (6%) percent except that slopes not exceeding nine (9%) percent may be permitted for distances not exceeding five hundred (500') feet.

B. Feeder, Connector and Arterial Streets. Four (4%) percent.

3. Vertical curves shall be used at change of grade exceeding one (1%) percent and shall be designed in relation to the extent of the grade change and to provide the following minimum sight distances:

A. Vertical Streets and Rural Service Streets. Two hundred (200') feet.

B. Feeder and Connector Streets. Three hundred (300') feet.

C. Arterial Streets. Four hundred (400') feet.

4. Where the grade of any street at the approach to an intersection exceeds six (6%) percent, a levelling area shall be provided having not greater than four (4%) percent grades for a distance of one hundred (100') feet measured from the nearest right-of-way line in the intersecting street.

(Ord. 8/28/1974, 8/28/1974, §507)

§508. Street Intersections.

1. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60°) degrees.

2. Multiple intersections involving junction of more than two (2) streets shall be avoided.

3. Clear sight triangles of one hundred fifty (150') feet measured along street center lines from their point of junction shall be provided at all intersections except on rural service roads and service streets where the Board of Supervisors may consider requests for variations on the recommendation of the Planning Commission. Such considerations will be based on design factors in which it would be difficult to meet the required minimums, but that the intended safety is not reduced.

4. To the fullest extent possible, intersections with major traffic streets shall be located not less than eight hundred (800') feet apart, measured from center line to center line.

² See, footnote 1.

5. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of two hundred (200') feet between the inside right-of-way lines.

6. Minimum curb radii at street intersections shall be twenty (20') feet for intersections involving residential service streets, twenty-five (25') feet for intersections including other types of streets, or such greater radius as is suitable to the specific intersection.

(Ord. ~~8/28/1974~~, 8/28/1974, §508)

§509. Storm Drainage.

1. Storm sewers, culverts and related installations shall be provided to:

A. Permit unimpeded flow of natural watercourses and other existing drainage facilities;

B. Insure adequate drainage of all low points along the line of streets;

C. Intercept storm water run-off along streets at intervals related to the extent and grade of the area drained;

D. Provide positive drainage away from on-site sewage disposal facilities.

2. Storm sewers and related installations shall be required as needed as determined by the Board of Supervisors.

3. Where existing storm sewers are accessible, proposed subdivisions shall be required to connect therewith if adjudged feasible.

4. Storm drainage facilities shall be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in run-off that will occur when property at a higher elevation in the same watershed is fully developed. In the design of storm drainage installations, special consideration shall be given to avoiding problems which could arise from concentration of storm water run-off over adjacent properties. The developer shall submit his engineer's calculations upon which the size of conduits, culverts and other portions of the storm sewer have been based. The Township may establish the capacity for each unit of the system.

5. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a drainage easement at least thirty (30') feet in width measuring fifteen (15') feet on each side of the stream or channel to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities. Any changes in the existing drainage way shall be subject to the approval of the Pennsylvania Department of Environmental Resources and the Department of Forests and Waters. All houses shall be equipped with footing drains and all such drains shall be designed to discharge above the design water surface of the drainage way receiving the flow. Basement and first floor elevations of all houses shall be shown on final plan.

6. Appropriate grates shall be designed for all catch basins, storm water inlets and other entrance appurtenances except pipe entrances, to

insure that maximum openings do not exceed six (6") inches of a side.

7. All storm drainage facilities constructed along or crossing State or Township roads shall conform to the applicable requirements of the Pennsylvania Department of Transportation specifications related to such drainage facilities.

8. Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.

(Ord. 8/28/1974, 8/28/1974, §509)

§510. Blocks.

1. The length, width and shape of blocks shall be determined with due regard to:

- A. Provision of adequate sites for building of the type proposed.
- B. Zoning Ordinance (Chapter 27 of this Code).
- C. Topography.
- D. Requirements for safe and convenient vehicular and pedestrian circulation.

2. Blocks shall have a maximum length of one thousand six hundred (1,600') and, so far as practicable, a minimum length of eight hundred (800') feet; along arterial highways, blocks shall be not less than one thousand (1,000') feet long.

3. Residential blocks should be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots in accordance with §503(6) are used.

(Ord. 8/28/1974, 8/28/1974, §510)

§511. Lots and Lot Sizes.

1. Lot dimensions and areas shall conform to the Walker Township Zoning Ordinance (Chapter 27 of this Code), except in cases where additional area is required in conformance with §513(4).

2. Side lots shall be substantially at right angles or radial to street lines.

3. Residential lots shall front on a Township street, existing or proposed.

4. Lot lines shall follow Township boundaries, wherever possible, in order to avoid jurisdictional problems.

5. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2½) times their width.

(Ord. 8/28/1974, 8/28/1974, §511)

§512. Erosion and Sediment Control.

1. Standards:

- A. No changes shall be made in the contour of the land; no

grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Planning Commission or there has been a determination by the Planning Commission and Board of Supervisors that such plans are not necessary. Appropriate earth-moving permits from the Department of Environmental Resources shall be required.

B. No subdivision or land development plan shall be approved unless there has been a plan approved by the Board of Supervisors that provides for minimizing erosion and sedimentation consistent with this §512, and an improvement bond or other acceptable securities are deposited with the Township in the form of an escrow guarantee which will ensure installation and completion of the required improvements; or there has been a determination by the Board of Supervisors that a plan for minimizing erosion and sedimentation is not necessary.

C. Measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specifications of the County Soil and Water Conservation District. The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the District or the municipal building of the Township.

2. Guidelines: The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:

A. Stripping of vegetation, regrading, or other development shall be done in such a way that will minimize erosion. For that area of land which must be cleared of trees and other vegetation to allow construction of buildings and other improvements, the limits of clearing shall include only:

(1) Dedicated streets and public service or utility easements.

(2) Building roof coverage area plus fifteen (15') feet on all sides for construction activity.

(3) Driveways, alleyways, walkways and ancillary structures such as patios.

(4) Parking lots, except that the area subtracted for parking space shall not include any trees which are unique by reason of size, age or some other outstanding quality, such as rarity or status as a landmark or species specimen.

(5) Other land area reasonably necessary to construction of the proposed buildings, and other improvements.

B. Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water run-off.

C. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

D. The disturbed area and the duration of exposure shall be kept to a practical minimum.

E. Disturbed soils shall be stabilized as quickly as practicable.

F. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

G. The permanent (final) vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.

H. Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development. Where necessary the rate of surface runoff will be structurally retarded.

I. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

J. All lots, tracts, or parcels shall be graded to provide proper drainage away from buildings and dispose of it without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding, except where approved by the Board of Supervisors.

K. All drainage provisions shall be of such design to adequately handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural water course. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted as required and shall be of such slope, shape and size as to conform with the requirements established by the Township Supervisors.

L. Concentration of surface water runoff shall only be permitted in swales or water courses.

M. Cut and fill slopes shall not be steeper than fifty (50%) percent unless stabilized by a retaining wall or cribbing except as approved by the Board when handled under special conditions. Minimum grades are not to be less than one and one-half (1.5%) percent.

N. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.

O. Cuts and fills shall not endanger adjoining property.

P. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.

Q. Fills shall not encroach on natural watercourses or constructed channels.

R. Fills shall not be placed adjacent to natural watercourses or construction channels.

S. Grading will not be done in such a way as to divert water onto the property of another landowner without the expressed consent of the Board and other landowner.

T. During grading operations, necessary measures for dust control will be exercised.

U. Grading equipment will not be allowed to cross live streams. Provisions will be made for the installation of culverts or bridges.

3. Responsibilities:

A. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and water courses and to repair any damage at his expense as quickly as possible.

B. Maintenance of all drainage facilities and watercourses within any subdivision or land development is the responsibility of the developer until they are accepted by the Township or some other agency, after which they become the responsibility of the accepting agency.

C. It is the responsibility of any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale or upon the floodplain or right-of-way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain or right-of-way during the pendency of the activity and to return it to its original or equal condition after such activity is completed.

D. Maintenance of drainage facilities or water courses originating and completely on private property is the responsibility of the owner to their point of open discharge at the property line or at a communal watercourse within the property.

E. No person, corporation, or other entity shall block, impede the flow of, alter, construct and structure or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Township.

F. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse, and of such width as will be required to:

(1) Collect on-site surface runoff and dispose of it to the point of discharge into the common natural watercourse of the .. drainage area.

(2) Handle existing and potential off-site runoff through his development by designing and adequately handling storm runoff from a fully developed drainage area.

(3) Pay the total cost of off-site improvements including easement cost, if applicable, to the common natural watercourse, based on a fully developed drainage area.

(4) Provide and install at his expense, in accordance with Township requirements, all drainage and erosion control improvements (temporary and permanent).

(Ord. 8/28/1974, 8/28/1974, §512)

§513. Sewage Disposal System.

1. Each property shall connect with an approved public sewer system, if accessible. Where the sewer is not yet accessible but is planned for extension to the vicinity of the subdivision, the subdivider shall install the sewer lines, including lateral connections as may be necessary to provide adequate service to each lot when connection with the sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided. All such facilities shall be subject to requirements of Act 537, the "Pennsylvania Sewage Facilities Act" and current rules and regulations of the department of environmental resources.

2. Public sanitary sewers installed by the developer shall conform to the requirements of any authority having jurisdiction over sanitary sewers in the subdivision and Pennsylvania Department of Environmental Resources' requirements in that agency's "sewage manual."

3. Public sanitary sewers shall not be used to carry storm water and shall be protected against infiltration.

4. Where an approved public sanitary sewerage system is not accessible or planned, an approved on-site sewage disposal system shall be provided, which system shall comply with the requirements of the Pennsylvania Department of Environmental Resources rules and regulations and Act 537, the "Pennsylvania Sewage Facilities Act." [1991-1]

5. Approval and permitting for the installation of an onsite, onlot, sewage disposal system shall be required regardless of the size of the lot or tract of the land upon which is proposed land improvements. Said sewage disposal system shall comply with the requirements of the Pennsylvania Department of Environmental Resources rules and regulations and Act 537, the "Pennsylvania Sewage Facility Act." [Ord. 1992-1]

(Ord. 8/28/1974, 8/28/1974, §513; as amended by Ord. 1991-1, 1/7/1991; and by Ord. 1992-1, 4/11/1992)

§514. Water Supply.

1. Where a public or an approved community or piped common water supply system is accessible or provided, all properties in subdivisions shall be connected to such system.

2. Where a public or an approved community or piped common water supply system is not accessible or provided, an approved individual on-site water supply facility shall be provided.

3. Where wells are provided, such wells should be drilled at least fifty (50') feet deep and cased in the bedrock a minimum of twelve (12") inches and should have a production capacity of at least five (5) gallons per minute of safe, potable drinking water, as certified by the Pennsylvania Department of Environmental Resources.

(Ord. 8/28/1974, 8/28/1974, §514)

§515. Alleys, Driveways, and Easements.

1. Alleys are prohibited in developments of single-family detached residences.

2. Private driveways, where provided, shall be located not less than ninety (90') feet from the intersection corner of corner lots and shall have such grades as to furnish a safe and convenient parking space.

3. Each proposed lot in a subdivision shall be provided with at least the minimum number of off-street parking spaces as required in the Township Zoning Ordinance (Chapter 27 of this Code).

4. Easements with a width of ten (10') feet shall be provided as necessary for utilities.

5. To the fullest extent possible, easements shall be centered on, or adjacent to, rear or side lot lines.

(Ord. 8/28/1974, 8/28/1974, §515)

§516. Community Facilities.

1. Land Requirements. The Planning Commission, at its discretion, may designate portions of a subdivision for parks, playgrounds or other public uses. Areas set aside for recreational or school purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.

2. Play Lots. Play lots for children of pre-school age shall be at least two thousand (2,000'²) square feet in area; playgrounds for active sports shall be not less than one and one-half (1.5) acres.

3. Landmarks and Open Space. Wherever possible, subdividers shall preserve trees more than six (6") inches in diameter at the base of the trunk and groves and waterways as common open space for the residents of the subdivision. Scenic points, historic spots, and other community assets and landmarks shall be preserved.

4. Open Space or Recreation Areas. In subdivisions which provide housing facilities for fifteen (15) or more families, the Planning Commission may consider the need for suitable open areas for recreation. Improvements to the open space or recreation area may be required, and the land shall be dedicated to the Township in an acceptable condition. Acreage standards to be used by the Planning Commission as guides in requesting the reservation of open space for recreation shall be as follows:

<u>Families to be Served</u>	<u>Open Space/Recreation Acreage</u>
15 - 24	1.0
25 - 49	2.0
50 - 99	3.0
100 - 199	5.0
200 - 399	7.0
400 or more	10.0

(Ord. 8/28/1974, 8/28/1974, §516)

§517. Specifications. Specifications and plans for a subdivision layout which includes water, sewerage systems, and storm water drainage systems, shall be prepared by a registered professional engineer of the State of Pennsylvania, and shall bear his seal and signature. (Ord. 8/28/1974, 8/28/1974, §517)

§518. Markers and Monuments.

1. Permanent stone or concrete monuments shall be accurately placed at the intersections of all lines along the boundary (perimeter) of the property being subdivided.

2. All monuments shall be placed by a licensed engineer or surveyor so that the scored (by an indented pin in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.

3. Monuments shall be set with their top level four (4") inches above finished grade.

4. All lots shall be pinned at all corners by a licensed engineer or registered surveyor.

5. All streets shall be monumented (preferably on the right-of-way lines) at the following locations:

A. At least one (1) monument on the diagonal corners of each intersection.

B. At changes in direction of street lines, excluding curb arcs at intersections.

C. At each end of each street line, excluding arcs at intersections.

D. At intermediate points wherever topographical or other conditions make it impossible to sight between two (2) otherwise required monuments. [1991-1]

E. At such other places along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future.

(Ord. 8/28/1974, 8/28/1974, §518; as amended by Ord. 1991-1, 1/7/1991)

§519. Street Signs. Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Board of Supervisors. (Ord. 8/28/1974, 8/28/1974, §519)

§520. Street Lights. In accordance with the conditions to be agreed upon by the subdivider, the Township and the appropriate public utility, street lights shall be required to be installed in a subdivision. (Ord. 8/28/1974, 8/28/1874, §520)

§521. Fire Hydrants. Fire hydrants may be provided in conformance with the requirements of the Mifflintown Water Authority. (Ord. 8/28/1974, 8/28/1874, §521; as amended by Ord. 1991-1, 1/7/1991)

§522. Planting.

1. Within any land development. or subdivision consisting of over ten (10) lots, street trees shall be planted along all streets where suitable street trees do not exist.

2. As a recommended standard, street trees shall be planted at

intervals of not more than forty-five (45') feet, or an equivalent number shall be planted in an informal arrangement. I

3. Street trees shall not be planted opposite each other but shall alternate.

4. At intersections, trees shall be looted no closer than seventy-five (75') feet from the intersection of the street right-of-way lines.

5. Where the planting strip between the curb and sidewalk is less than seven (7') feet wide, the street trees shall be planted on the lots.

6. Street trees and other required plants is shall be nursery stock. They shall be of symmetrical growth, free of insects, pests, and disease, and suitable for street use and durable under he maintenance contemplated.

7. The minimum trunk diameter measured aa height of six (6") inches above the finished grade level shall be a minimum of one and one-half (1½") inches.

8. Where buffer strips are required along two (2) different land uses and along the rear of reverse-frontage lots, n evergreen planting screen shall be used to provide an adequate visual barrier. The plant material used shall be of a minimum height of four (4') feet at the time of planting and shall be planted in a staggered arrangement in order to provide an immediate effect. Deciduous and semi-deciduous shrubs may be used with evergreens to provide an immediate effect and to provide accent and color. It is recommended that a landscape architect licensed by the Commonwealth of Pennsylvania be employed to insure the pr per use and arrangement of plant material and to provide an aesthetically pleasing effect. The following are evergreens recommended for screening purposes:

- A. Picea abies - Norway Spruce
- B. Thuja orientalis - Oriental Arbor - vitea
- C. Tsuga canadensis - Canadian Hemlock
- D. Tsuga carolininan - Carolina Hemlock

(Ord. 8/28/1974, 8/28/1974, §522)

§523. Underground Utilities. The subdivider shall provide underground telephone and electrical lines to the specifications of local utility companies including the floodproofing thereof of such underground utilities which may hereafter be installed ins any of the Floodplain Districts identified, on the Flood Insurance Study Maps. (Ord. 8/28/1974, 8/28/1974, §523)

Part 6

Mobile Home Park Regulations

§601. Permits Required. It shall be unlawful for any person to maintain, construct, alter, or extend any mobile home park within the limits of the Township, unless he holds a valid certificate of registration issued by the Township. (Ord. 8/28/1974, 8/28/1974, §601; as amended by Ord. 1991-1, 1/7/1991)

§602. Application to Pennsylvania Department of Environmental Resources. All applications for a certificate of registration shall be made by the owner of the mobile home park or his authorized representative in accordance with the Rules and Regulations, Commonwealth of Pennsylvania, if any. (Ord. 8/28/1974, 8/28/1974, §602; as amended by Ord. 1991-1, 1/7/1991)

§603. Application for Initial Mobile Home Park Permit. Application for mobile home park permit shall follow the requirements and procedures as established in Part 4 of this Chapter. (Ord. 8/28/1974, 8/28/1974, §603)

§604. Final Plan Action by the Township Supervisors.

1. Upon receipt of the final plan with the recommendations of the Planning Commission attached thereto, the Township Supervisors shall review the final plan for compliance with the provisions of this Chapter.

2. The Township Supervisors may take any of the following actions:

- A. Approval of the entire plan.
- B. Approval of the plan, in part.
- C. Subject the plan to modifications or conditions, or
- D. Disapprove the plan.

3. Upon approval of the entire final plan and payment of the required fees, the Board of Supervisors shall issue a mobile home park permit to the owner which shall be valid for a period of one (1) year thereafter.

(Ord. 8/28/1974, 8/28/1974, §604)

§605. Renewal Permits. Renewal permits shall be issued annually by the Board of Supervisors upon the furnishing of proof by the applicant that his park continues to meet any standards prescribed by the Commonwealth of Pennsylvania and this Chapter.

A. A building inspector or other Township officer may inspect a mobile home park at reasonable intervals and at reasonable times to determine compliance with this Chapter.

B. The permit shall be conspicuously posted in the office or on the premises of the mobile home park at all times.

(Ord. 8/28/1974, 8/28/1974, §605)

§606. Compliance of Existing Mobile Home Parks. Mobile home parks in existence at the date of adoption of this Chapter and being duly authorized to operate as same by the Department of Environmental Resources may be continued so long as they otherwise remain lawful.

A. Existing mobile home parks shall be required to submit an existing lot plan, drawn to scale, when applying for mobile home park permit as required under this Chapter.

B. Any subsequent new construction, alteration or extension of an existing mobile home park shall comply with the provisions of this Chapter.

C. Any existing mobile home park which in the opinion of the Board of Supervisors creates a fire, safety or health hazard shall be required to comply with the provisions of this Chapter, within a reasonable period of time as determined by the same body.

(Ord. 8/28/1974, 8/28/1974, §606)

§607. Individual Mobile Homes. Individual mobile homes not located in a mobile home park shall not be required to obtain a mobile home permit; however, they shall be required to obtain a building permit. Individual mobile homes shall comply with all other applicable Township ordinances and regulations that govern single-family homes. (Ord. 8/28/1974, 8/28/1974, §607)

§608. Fees. The initial permit fee for each mobile home park and the annual renewal permit fee for each mobile home park shall be established by resolution by the Board of Supervisors. (Ord. 8/28/1974, 8/28/1974, §607)

§609. Site Requirements.

1. Proposed site locations shall be subject to approval or disapproval on the basis of the impact of the proposed park on existing neighboring uses, public utilities and transportation facilities.

2. The minimum size requirements for mobile home parks shall be five (5) acres.

(Ord. 8/28/1974, 8/28/1974, §609)

§610. Site Location. The location of 11 mobile home parks shall comply with the following minimum requirements:

A. Free from adverse influence by swamps marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.

B. Not subject to flooding.

C. Not subject to hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.

(Ord. 8/28/1974, 8/28/1974, §610)

§611. Soil and Ground Cover Requirements.

1. Unpaved and exposed ground surfaces in all parts of every park shall be covered with stone screenings or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

2. Park grounds shall be maintained free of vegetative growth which is a nuisance or poisonous or which may harbor rodents, insects, or other pests in sufficient quantities as to be harmful to man.

(Ord. ~~8/28/1974~~, 8/28/1974, §611)

§612. Areas for Non-Residential Use. No part of any park shall be used for non-residential purposes except such uses that are required for direct servicing, recreation, for the residents of the park and for the management and maintenance of the park. (Ord. ~~8/28/1974~~, 8/28/1974, §612)

§613. Mobile Home Spaces.

1. Mobile home spaces within the park shall have a minimum gross area of five thousand (5,000'²) square feet.

2. The area of the mobile home spaces shall be improved to provide an adequate foundation for the placement of the mobile home. The mobile home space shall be designed so as not to heave, shift or settle unevenly under the weight of the mobile home because of frost action, inadequate drainage, vibration, or other forces acting on the superstructure.

(Ord. ~~8/28/1974~~, 8/28/1974, §613)

§614. Required Setbacks, Buffer Strips and Screening.

1. All mobile homes shall be located at least fifty (50') feet from any park property boundary line abutting upon a public street or highway right-of-way, and at least forty (40') feet from other park property boundary lines.

2. There shall be a minimum distance of fifteen (15') feet between an individual mobile home (including accessory structures attached thereto) and adjoining pavement of a park street, or common parking area or other common areas.

3. All mobile home parks shall be required to provide an attractive visual screen along the boundary of the mobile home park.

(Ord. ~~8/28/1975~~, 8/28/1974, §614)

§615. Erection and Placement of Mobile Homes.

1. Mobile homes shall be separated from each other and from service buildings and other structures by at least thirty (30') feet.

2. An accessory structure, which has a horizontal area exceeding twenty-five (25'²) square feet, is attached to a mobile home and/or located within ten (10') feet of its window and has opaque or translucent top or roof that is higher than such window shall, for purposes of this separation requirement, be considered to be part of the mobile home.

3. An enclosure of compatible design and materials shall be erected around the base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

(Ord. ~~8/28/1974~~, 8/28/1974, §615)

§616. Proposed Street System.

1. All streets to be offered for public dedication will conform to Laws of the Commonwealth, §§506 and 507 of this Chapter.

2. All streets within mobile home parks, whether offered for public dedication or not shall conform to the following standards:

A. General Requirements. A safe and convenient vehicular access shall be provided from abutting public streets or roads.

B. Access. The entrance road connecting the park's streets with a public street or road shall have a minimum cartway width of thirty-four (34') feet. Wherever a street interjects a public street, a stop sign in conformity with Township regulations shall be installed and maintained.

C. Internal Streets. Roadways shall be of adequate width to accommodate anticipated traffic. At the discretion of the Board of Supervisors, the cartway requirements of §503 may be reduced to the following minimum requirements.

(1) A minimum right-of-way Of forty (40') feet and a minimum cartway width of thirty (30') feet will be required.

(2) Dead-end streets shall not be longer than four hundred (400') feet and shall be provided with a turn-around at the closed end having an outside cartway diameter of at least seventy (70') feet.

D. Required Illumination of Park anal Street Systems. All parks shall be furnished with illumination placed at such mounting heights as will provide adequate levels of illumination for the safe movement of pedestrians and vehicles at night.

E. Paving. All streets not to be dedicated for public use shall be provided with a smooth, hard and dust-free surface such as asphalt or macadam which shall be durable and will-drained under normal use and weather conditions.

(Ord. 8/28/1974, 8/28/1974, §616)

§617. Parking Areas. Required car parking spaces shall be so located as to provide convenient access to the mobile parking spaces but shall not exceed a distance of one hundred (100') feet from the mobile home that it is intended to serve. (Ord. 8/28/1974, 8/28/1974, §60)

§618. Walks.

1. General Requirements. All walks shill provide safe, convenient all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park streets; and all community facilities provided~ for park residents. Sudden changes in alignment and gradient shall be avoided.

2. Common Walk System. Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such walks shall have a minimum width of three-and-one-half (3½') feet.

3. Individual Walks. All mobile home spaces shall be connected to common walks, or to streets, or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two (2') feet.

(Ord. 8/28/1974, 8/28/1974, §618)

§619. Open Space Requirements. All mobile home parks shall provide and so indicate on the plan of the mobile home park, suitable areas for recreation and open space uses by using the standard of twenty (20%) percent of the total land area of the mobile home park of which three-fourths (3/4) of the area shall be in one (1) place. The remainder may be used in part to provide pedestrian walkways and connecting links to recreational areas.

A. The recreation and open space shall be located as centrally as possible within the mobile home park in order to be easily accessible to the residents of the mobile home park.

B. The open space shall be landscaped with a water-absorbent surface except for recreational facilities and walkways utilizing a hard surface.

C. The open space must be maintained by a mobile home park operator or the open space may be dedicated to the Township provided the Township is willing to accept and maintain the open space.

(Ord. 8/28/1974, 8/28/1974, §619)

§620. Water Supply and Distribution.

1. Source of Supply.

A. The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons per day per mobile home and shall be connected to a public water system, if adjudged feasible.

B. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

C. No well casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level nor in any room or space above ground which is walled or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.

D. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources.

2. Water Storage Facilities. All water storage facilities shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated materials. Reservoir overflow pipes shall discharge through an acceptable air gap.

3. Water Distribution System.

A. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and local regulations.

B. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.

C. The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.

D. Where a public supply of water is provided, fire hydrants shall be installed as agreed upon by the Board of Supervisors and the agency responsible for supplying water.

4. Individual Water-Riser Pipes and Connections.

A. Individual water-riser pipes shall be located within the confined area of the mobile home and stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

B. The water-riser pipe shall have minimum inside diameter of three quarter (3/4) inches and terminate at least four (4") inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.

C. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and showing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

D. A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless their types of manufacture and their method of installation are approved by the Board of Supervisors.

(Ord. 8/28/1974, 8/28/1974, §620)

§621. Sewage Disposal.

1. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be connected to the public sewerage system if adjudged feasible and shall be designed, constructed and maintained in accordance with the health regulations of the Pennsylvania Department of Environmental Resources.

2. Individual Sewer Connections.

A. Each mobile home stand shall be provided with at least a four (4") inch diameter sewer riser pipe. The sewer riser pipe will be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.

B. The sewer connection (see definition) shall have a nominal inside diameter of not less than four (4") inches, and the slope of any portion thereof shall be at least one-fourth (¼") inch per foot. All joints shall be watertight.

C. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.

D. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half (½") inch above ground elevation.

3. Sewer Lines. Sewer and water lines shall be laid in separate trenches with a horizontal distance of at least ten (10') feet from each other, except that these lines may be laid in the same trench by placing the water pipe on a shelf of undisturbed earth above and to one side of the caulked tight sewer line. All sewer lines shall be constructed of approved materials by the Pennsylvania Department of Environmental Resources and shall have watertight joints and shall conform to the requirements of the Mifflintown Municipal Authority and Twin Borough's Sewer Authority. [1991-1]

4. Sewage Treatment and/or Discharge. Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Resources and the Board of Supervisors prior to construction.

(Ord. 8/28/1974, 8/28/1974, §621; as amended by Ord. 1991-1, 1/7/1991)

§622. Electrical Distribution System.

1. Power Distribution Lines.

A. Power lines shall be located underground.

B. All direct burial conductors or cable shall be buried at least eighteen (18") inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one (1') foot radial distance from water, sewer, gas or communications lines.

2. Individual Electrical Connections.

A. Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

B. The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.

C. Where the calculated load of the mobile home is more than sixty (60) amperes either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.

3. Required Grounding. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

(Ord. 8/28/1974, 8/28/1974, §622)

§623. Service Building and Other Community Service Facilities in Mobile Home Parks.

1. Structural Requirements for Building.

A. All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such material and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

B. All structures containing laundry and/or toilet facilities shall:

(1) Have sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof material as to prevent entrance or penetration of moisture and weather.

(2) Have at least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10%) percent of the floor area served by them.

(3) Have at least one (1) window which can be easily opened, or a mechanical device which will adequately ventilate the room.

(4) Toilets shall be located, each in a separate compartment equipped with a self-closing door.

(Ord. 8/28/1974, 8/28/1974, §623)

§624. Refuse Disposal.

1. The storage, collection and disposal of refuse in the mobile home park shall be so managed as to create no health hazards or air pollution.

2. All refuse shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty (150') feet away from any mobile home space. Containers shall be provided in sufficient number and capacity to properly store all refuse as required by the Pennsylvania Department of Environmental Resources. Rubbish shall be collected and disposed of as frequently as may be necessary to insure that the containers shall not overflow.

(Ord. 8/28/1974, 8/28/1974, §624)

§625. Fire Protection.

1. Where fire hydrants are not provided, fire extinguishers of a type approved by the Fire Underwriters Laboratories (A-B-C) classification type bearing the Underwriters' Label, shall be readily accessible to each mobile home, or mobile home park owners shall require each mobile home to be equipped with a fire extinguisher. Portable fire-extinguishers of a type approved by the fire prevention authorities shall be maintained in all public service buildings under park control.

2. Burning of refuse shall not be permitted.

(Ord. 8/28/1874, 8/28/1974, §625)

§626. Fuel Supply and Distribution. All piping from outside fuel storage tanks or cylinders to mobile homes shall be copper or other acceptable metallic tubing and shall be permanently installed and securely fastened in place. Any gas storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath the mobile home or less than five (5') feet from any mobile home exit. It is desirable that fuel storage tanks be located underground. (Ord. 8/28/1974, 8/28/1974, §626)

§627. Responsibilities of the Park Management.

1. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Chapter and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

2. The park management shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections.

3. The park management shall give the Board of Supervisors or their representative free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.

4. The management shall maintain a register containing the names and addresses of all park occupants. Such register shall be available to any authorized person inspecting the park.

5. The management shall notify the local office of the Pennsylvania Department of Environmental Resources immediately of any suspected communicable or contagious disease within the park.

(Ord. 8/28/1974, 8/28/1974, §627)

§628. Revocation of Permit. Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provision of this Chapter, or any regulations adopted pursuant thereto, the Board of Supervisors, or appropriate officer, shall give notice in writing to the person to whom the permit was issued, such notice to consist of a listing of the violated paragraphs of this Chapter and shall advise them that unless such conditions or practices are corrected within a period of time specified in the notice, the permit to operate

will be suspended. At the end of such period said mobile home park shall be reinspected and, if such conditions or practices have not been corrected, the Board of Supervisors shall suspend the permit and give notice in writing of such suspension to the person to whom the permit is issued. (Ord. 8/28/1974, 8/28/1974, §628)

Part 7

Supplemental Regulations for Land Developments

§701. Non-Residential Developments.

1. Individual lots for commercial purposes shall be avoided in favor of a comprehensive design of the land to be used for such purposes.

2. Additional width of streets adjacent to areas proposed for non-residential use may be required as deemed necessary by the Planning Commission to assure the free flow of through-traffic from vehicles entering or leaving parking areas.

3. When adjacent lots proposed for non-residential uses front on a minor arterial street, the owner shall be required to provide a service road for ingress and egress.

4. Alleys or service streets shall be required in commercial and industrial districts, except where other adequate provisions are made for off-street loading and parking consistent with the uses proposed.

5. Dead-end alleys shall be avoided.

6. Adjacent residential areas shall be protected from potential nuisance of the proposed non-residential developments, including the provisions of extra depth in parcels backing up on existing or potential residential developments and provisions for a permanently landscaped evergreen buffer strip.

7. Streets carrying non-residential traffic shall not normally be extended to the boundaries of the adjacent existing or potential residential areas, nor connected to streets intended for predominantly residential traffic.

8. Parking areas shall be located or designed in such a manner that they are visibly secluded from eye level in the surrounding area. Grading to depress the parking area, raised berms, landscaping or fencing are satisfactory methods to create seclusion.

9. All area, design and parking requirements shall conform to the Township Zoning Ordinance (Chapter 27 of this Code).

10. Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided. Collection stations shall be located so as to avoid being offensive and shall be screened from view and landscaped. The storage, collection and disposal of refuse in the non-residential development shall be so managed as to create no health hazard or air pollution. All refuse shall be stored in fly-tight, watertight, rodent-proof containers. Containers shall be provided in sufficient number and capacity to properly store all refuse as required by the Pennsylvania Department of Environmental Resources. Rubbish shall be collected and disposed of as frequently as may be necessary to insure that the containers shall not overflow.

(Ord. 8/28/1987, 8/28/1974, §701)

Part 8
Plan Requirements

§801. Subdivision Sketch Plan.

1. A subdivision sketch plan may be submitted by the subdivider as a basis for informal and confidential discussion with the Township Supervisors, Township Planning Commission and County Planning Commission.

2. Data furnished in a sketch plan shall be at the discretion of the subdivider. For fullest usefulness it is suggested that a subdivision sketch plan should include the following information:

- A. Tract boundaries.
- B. Municipality in which the subdivision is located.
- C. North point.
- D. Streets on and adjacent to the tract.
- E. Significant topographical and physical features.
- F. Proposed general street layout.
- G. Proposed general lot layout.

3. A subdivision sketch plan need not be to exact scale nor are precise dimensions required.

(Ord. 8/28/1974, 8/28/1974, §801)

§802. Preliminary Plan.

1. The preliminary plan shall show or be accompanied by the following information:

- A. Proposed subdivision name or identifying title.
- B. Municipality in which the subdivision is located.
- C. North point, scale and date. .
- D. Name of owner of the property, his authorized agent or the subdivider.
- E. Name of registered professional engineer, surveyor, or architect responsible for the plan.
- F. Tract boundaries with bearings and distances.
- G. Contours at vertical intervals of five (5') feet or, in the case of relatively level tracts, at such interval as may be necessary for the satisfactory study and planning of the tract. (See §804(2)). This may be waived at the discretion of the Board of Supervisors.
- H. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to known established elevations.
- I. All existing water courses, tree masses, and other significant natural features.

J. All existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, fire hydrants, and other significant man-made facilities.

K. All existing streets on or adjacent to the tract, including name, right-of-way width and cartway.

L. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.

M. Location and widths of all proposed streets, (streets' names to be given), alleys, rights-of-way and easements; proposed minimum set-back line for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated for public use.

N. Wherever practicable, the preliminary plan shall show the names of the owners of all abutting unplotted land and the names of all abutting subdivisions.

O. Where the preliminary plan covers only a part of the subdivider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.

P. All zoning boundaries, if any, that transverse or are within three hundred (300') feet of the area covered by the plan.

Q. All street extensions or spurs as are reasonably necessary to provide adequate street connections and facilities to adjoining or contiguous developed or undeveloped areas.

R. Preliminary plans shall show proposed water supply system and sewage disposal system.

S. Proposed lot layout.

T. A tract map showing the subdivision boundaries drawn to the scale of the official Township Zoning Map.

U. Boundaries of the One Hundred (100) Year Flood limits based on the Flood Insurance Study of February, 1978, as prepared for Walker Township by the Flood Insurance Administration.

2. The preliminary plan shall include or be accompanied by the following:

A. The subdivider, unless excused by the Board of Supervisors, shall submit a Sewer and Water Feasibility Report concerning the availability and/or adaptability of sewer and water facilities in or near the proposed subdivision. Said report shall be prepared by a registered professional engineer and be submitted with the preliminary plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Resources. The Sewer and Water Feasibility Report shall contain engineering and cost data, evaluations, and recommendations sufficient to enable the Planning Commission to evaluate the reasons for or against providing the subdivision with various means of waste disposal and water supply. The requirements of this Subsection (A) will be met, if as a minimum, the following material is provided in the Sewer and Water Feasibility Report:

(1) A map of the area to be subdivided or land development locating elements of existing community sewer and water systems, including fire hydrants, water mains, water towers; collector, interceptor and trunk sewers; and pumping stations.

(2) An evaluation of costs and public interest factors in providing waste disposal and water supply by three (3) different means:

(a) Connection to an existing public sewer and/or water system.

(b) Reliance on a private community sewer and/or water system.

(c) Reliance on on-lot sewer and/or water system.

(3) The results of soil percolation tests. Soil percolation tests shall be performed pursuant to Act 537, "The Pennsylvania Sewage Facilities Act," and current Rules and Regulations of the Department of Environmental Resources for each lot in subdivisions where buildings at the time of construction will not be connected to any active public sewage disposal system.

(4) Recommendations stating the engineer's professional opinion as to the means of disposal and water supply that will be preferable in the short and long-term interest of the community in which the subdivision is located.

B. In the further interest of the health, safety and welfare of the general public, the Township reserves the right to require the developer to submit a plan for erosion and sedimentation control, where necessary. In the event that any developer shall intend to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating or the removal or destruction of the natural topsoil, trees or other vegetative covering thereon under a site plan or subdivision plat submitted to the Township, the same shall only be accomplished after the owner of said land or his agent has submitted to the Board of Supervisors a plan for erosion and sedimentation control, or there has been a determination that such a plan is not necessary. This determination shall be made at the time the Sketch Plan is reviewed. The designer preparing the drawings shall include in the plans adequate measures for control of erosion and siltation where he deems necessary, using the guidelines and policies contained therein and in the County Erosion Handbook of the County Soil and Water Conservation District. Plans for the control of erosion and sedimentation shall be submitted by the Township to the County Soil and Water Conservation District for review by the Soil Conservation Service at the time the preliminary plan is submitted. The reviewed plan for erosion and sedimentation control and the control practices will be incorporated into an agreement and bond requirements. The agreement for bonding shall include a cash escrow guarantee which will assure the Township that emergency measures could be taken by the Township at the developer's expense if said developer does not initiate such action within a specified time. The

final plans shall be recorded only after the agreement has been signed. At the final plan approval stage, a review will be conducted to insure conformance with the plan as approved. The following control measures will be the type of required measures for an effective plan for erosion and sedimentation control:

1. The smallest practical area of land should be exposed at any one time during development.
2. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
3. Where necessary, temporary vegetation and/or mulching should be used to protect areas exposed during development.
4. Sediment basins (debris basins, desilting basins, or silt traps) should be installed and maintained to remove sediment from run-off waters from land undergoing development.
5. Provisions should be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development.
6. The permanent final vegetation and structures should be installed as soon as practical in the development.
7. The development plan should be fitted to the topography and soils so as to create the least erosion potential.
8. Wherever feasible, natural vegetation should be retained and protected. Indiscriminate cutting of trees is prohibited.
9. Data on various practices and methods of controlling erosion and sedimentation are available at the offices of the County Soils and Water Conservation District. Other agencies available for consultation are: Department of Environmental Resources, the Soil Conservation Service and the County Planning Commission.
10. Specific details of proposed excavations and fills shall be shown on the subdivision plans.

C. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission of an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable. [1991-1]

(Ord. 8/28/1974, 8/28/1974, §802; as amended by Ord. 1991-1, 1/7/1991)

§803. Final Plan.

1. The subdivision plan submitted for final approval shall be a clear and legible white linen reproducible drawing.

2. Final plans shall be on sheets twenty-seven, (27") inches by thirty-three (33") inches suitable for recording. Where two (2) or more sheets are required, there shall be a key diagram on each sheet showing the relative location of all sections.

3. For subdivisions containing five (5) or less lots, the scale shall be at either one (1") inch equals four hundred (400') feet or one (1") inch equals one hundred (100') feet. The final plan shall also include the following information:

- A. Subdivision name or identifying title.
- B. Municipality in which the subdivision is located.
- C. North point, date and scale.
- D. Name of the record owner and subdivider.
- E. Name and seal of the registered professional engineer or surveyor responsible for the plan.
- F. Boundaries of the tract.
- G. Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated to public use.
- H. Sufficient data to determine readily the location, bearing and length of every street, lot, boundary line and to produce such lines upon the ground.
- I. The length of all straight lines, radii, lengths of curves and tangent bearings for each street.
- J. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
- K. The proposed building set-back line for each street or the proposed placement of each building.
- L. Location and width of all private driveways.
- M. Location, size and invert elevation of all sanitary, storm and combined sewers and location of all manholes, inlets and culverts.
- N. All dimensions shall be shown in feet and hundredths of a foot.
- O. Lots within a subdivision shall be numbered.
- P. Names of streets within and adjacent to the subdivision shall be shown and street signs erected.
- Q. Permanent reference monuments shall be shown on the plan as thus: "/./."
- R. Names of the owners of any adjoining subdivision shall be shown.
- S. Names of the owners of any adjoining unplotted land shall be shown.
- T. All zoning boundaries, if any, that transverse or are within three hundred (300') feet of the area covered by the plan.
- U. The results of the percolation tests as may be required in §513(4).

4. The, final plan shall include thereon or be accompanied by:

A. Affidavit that the applicant is the owner of or equitable owner of the land proposed to be subdivided.

B. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect that the subdivision as shown on the final plan is made with his or their free consent, that it is desired to record the same.

C. Typical cross-sections and street profiles for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street center line; existing (natural) grade along each side of the proposed street right-of-way; proposed finished center line grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlets, manholes, and culverts.

D. A map showing the exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any designated floodplain district. All such maps shall show contours at intervals of two (2') feet and identify accurately the boundaries of the floodprone areas.

E. A certificate by the subdivider's engineer that any required improvements which have been installed, have been installed in accordance with the procedures, specifications, and standards of the Township, the County, the State or utility company.

F. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable. [1991-1]

(Ord. 8/28/1974, 8/28/1974, §803; as amended by Ord. 1991-1, 1/7/1991)

§804. Modifications.

1. The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Chapter if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.

2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved and the minimum modification necessary.

3. The request for modification shall be referred to the Planning Commission for advisory comments.

4. The Board of Supervisors shall keep a written record of all action on all requests for modifications.

(Ord. 8/28/1974, 8/28/1974, §804; as amended by Ord. 1991-1, 1/7/1991)

§805. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.

1. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this Chapter and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees otherwise required by this Chapter, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

2. When requested by the developer, in order to facilitate financing, the Board of Supervisors, shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

3. Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.

4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

5. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

6. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110%) percent of the cost of completion estimated as of ninety (90) days follow-

ing the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said one hundred ten (110%) percent. Any additional security shall be posted by the developer in accordance with this subsection.

7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

8. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.

9. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

10. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have forty-five (45) days from receipt of such request within which to allow the Township engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending

institution of an amount as estimated by the Township engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said forty-five (45) day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

11. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section 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.

12. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

13. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

(Ord. 8/28/1974, 8/28/1974, §803; as amended by Ord. 1991-1, 1/7/1991)

§806. Release from Improvement Bond.

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall, within ten (10) days after receipt

of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township engineer shall, thereupon, file a report in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

2. The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing by certified or registered mail of the action of said Board of Supervisors with relation thereto.

3. If the Board of Supervisors 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 developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

4. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.

6. Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.

7. The applicant or developer shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements according to a schedule of fees adopted by resolution of the Board of Supervisors and as from time to time amended. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Township that such expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

B. If, within twenty (20) days from the date of billing, the Township and the applicant cannot agree on the amount of expenses

which are reasonable and necessary, then the applicant and the Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

C. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

D. In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five (5) years.

E. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand (\$1,000) dollars or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay one-half (½) of the fee of the appointed professional engineer.

(Ord. 8/28/1974, 8/28/1974, §803; as amended by Ord. 1991-1, 1/7/1991)

§807. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plat the Board of Supervisors is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or, both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose. (Ord. 8/28/1974, 8/28/1974, §803; as amended by Ord. 1991-1, 1/7/1991)

Part 9
Administration

§901. Amendments.

1. Amendments to this Chapter shall become effective only after a public hearing held pursuant to public notice. A brief summary setting forth the principal provisions of the proposed amendment and a reference to the place within the Township where copies of the proposed amendment may be secured or examined shall be incorporated in the public notice. Unless the proposed amendment shall have been prepared by the Planning Commission, the Board of Supervisors shall submit the amendment to the Planning Commission at least thirty (30) days prior to the hearing on such amendment to provide the Planning Commission an opportunity to submit recommendations. In addition, at least thirty (30) days prior to the public hearing on the amendment, the Township shall submit the proposed amendment to the County planning agency for recommendations.

2. Within thirty (30) days after adoption, the Board of Supervisors shall forward a certified copy of the amendment to the County Planning agency.

3. Proposed amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section, and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Board of Supervisors shall publish the proposed amendment once in a newspaper of general circulation in the Township not more than sixty (60) days nor less than seven (7) days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

A. A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.

B. An attested copy of the proposed ordinance shall be filed in the County law library (or other County office designated by the County Commissions).

4. In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the Board of Supervisors shall, at least ten (10) days prior to enactment, readvertise, in one (1) newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

(Ord. 8/28/1974, 8/28/1974, §901; as amended by Ord. 1991-1, 1/7/1991)

§902. Title Fees. Title fees for any inspection necessary to insure compliance with an ordinance shall be defrayed by the subdivider. (Ord. 8/28/1974, 8/28/1974, §902)

