

BOROUGH of GALLITZIN
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LAND SUBDIVISION REGULATIONS
FOR
GALLITZIN BOROUGH

Sub Revision & Land Rev.

LAND SUBDIVISION REGULATIONS

FOR

GALLITZIN BOROUGH

Prepared by the Cambria County Planning Commission for the
Gallitzin Borough Planning Commission, October, 1976.

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ARTICLE I
TITLE, SHORT TITLE, AND PURPOSE

SECTION 101 TITLE

An ordinance establishing rules, regulations and standards governing the subdivision and development of land within the Borough of Gallitzin, Cambria County, Pennsylvania, pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code, and setting forth procedures to be followed by the Gallitzin Borough Planning Commission and the Gallitzin Borough Council in administering and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

SECTION 102 SHORT TITLE

This Ordinance shall be known, and may be cited as, the Gallitzin Borough Subdivision Regulations of 1976.

SECTION 103 PURPOSE

These regulations are adopted to protect, promote and create conditions favorable to the health, safety, morals, and general welfare of the citizens by:

- A. Assuring sites suitable for building purposes and human habitation.
- B. Providing for the harmonious development of the Borough as outlined in the Gallitzin Borough Comprehensive Plan.
- C. Assuring coordination of existing streets and highways with proposed streets, parks, or other features of the official plan or map of the Borough.
- D. To provide for adequate open spaces for traffic, recreation, light and air and for proper distribution of population.
- E. Assuring equitable and just processing of subdivision plans by providing uniform procedures and standards for the observance of both the subdivider and Borough officials.

ARTICLE II
SUBMISSION AND REVIEW PROCEDURES

SECTION 201 GENERAL

Hereafter all plans for the subdivision or development of land within the limits of Gallitzin Borough shall be reviewed by the Gallitzin Borough Planning Commission and other Borough, State or County officials as deemed necessary and shall be approved or disapproved by the Borough Council in accordance with procedures specified in these regulations. The provisions and requirements of these regulations shall apply to and control all land subdivisions which have not been recorded in the Office of the Recorder of Deeds in and for Cambria County, Commonwealth of Pennsylvania, prior to the effective date of these regulations provided, however, that any change in a recorded plan, except as noted in Article II, Section 210, shall constitute a resubdivision and shall make said plan subject to any and all of these regulations. Any approval not processed as required hereafter, shall be null and void unless it was made prior to the adoption of this Ordinance.

SECTION 202 SUBMISSION OF SKETCH PLAN

A. Plan to be Filed with Borough Council :

Copies of the Sketch Plan for all proposed subdivisions and all requires supporting data shall be submitted to the Gallitzin Borough Secretary by the subdivider or his representative authorized in writing to submit the plan.

B. Number of Copies:

Four (4) legible black-line or blue-line paper prints of the Sketch Plan shall be required. Plans shall fully comply with requirements of Article III, Section 301 of these regulations.

C. Distribution of Sketch Plan:

The Gallitzin Boro. Secretary (or his representative) shall refer the Sketch Plans to the following:

- (1) One (1) copy to the County Planning Commission.
- (2) One (1) copy to the Gallitzin Boro Planning Commission.
- (3) One (1) copy to the Gallitzin Borough Council.
- (4) One (1) copy to the Gallitzin Borough Engineer.

SECTION 203 REVIEW OF SKETCH PLAN

A. A Sketch Plan shall be considered as a submission for informal discussion between the subdivider and the Gallitzin Borough Council. Submission of a Sketch Plan shall not constitute official submission of a plan to the Gallitzin Borough Council.

B. Review by the Gallitzin Boro. Planning Commission:

(1) When a Sketch Plan has been submitted, such plan shall be reviewed by the Borough Planning Commission at the next scheduled meeting, provided that such submission has occurred no less than seven (7) calendar days prior to the scheduled meeting.

(2) No official action shall be taken by the Borough Planning Commission with respect to a Sketch Plan until the Borough Planning Commission has received the written report of the County Planning Commission, provided, however, that if the County Planning Commission shall fail to report thereon within thirty (30) days from the date the Sketch Plan was forwarded, then the Borough Planning Commission may officially act without having received and considered such report.

(3) Within ten (10) calendar days after the meeting at which the Sketch Plan is approved or disapproved by the Borough Planning Commission, the Borough Planning Commission's Secretary shall send written notice of the Borough Planning Commission's action, including changes or modifications, if any, required or recommended that it deems necessary or advisable, to the following:

(a) The Gallitzin Borough Council.

(b) The County Planning Commission.

(c) The subdivider or his agent.

In addition the Gallitzin Boro. Planning Commission shall forward to the Gallitzin Boro. Council all copies of reports received from the County Planning Commission.

SECTION 204 OFFICIAL SUBMISSION OF PRELIMINARY PLAN

A. Plan to be Filed with the Gallitzin Borough Council:

Copies of the Preliminary Plan and all required supporting data shall be officially submitted to the Gallitzin Boro Secretary by the subdivider or his representative authorized in writing to submit the plan.

B. Official Submission of Preliminary Plan Shall Comprise:

- (1) Three (3) completed copies of the Application for Review of Preliminary Subdivision Plan.
- (2) Eight (8) legible black-line or blue-line paper prints of the Preliminary Plan which shall fully comply with the requirements of Article III, Section 302 of these regulations. Ten (10) copies required if State road abuts or traverses sub-division.
- (3) Four (4) completed copies of the Subdivision Sewage Disposal Report whenever soil percolation tests are required.
- (4) Three (3) copies of all other required information.

C. Filing Fee:

The Gallitzin Boro. Secretary (or his representative) shall collect a filing fee as established by the Gallitzin Borough Co for all subdivisions. Fees shall be charged in order to cover the costs of examining plans and other expenses incidental to the approval of subdivisions. The subdivider shall pay the fee at the time of application for approval of a preliminary plan.

D. Distribution of Preliminary Plan:

The Gallitzin Boro. Secretary (or his representative) shall refer the Preliminary Plan, after all required fees have been collected, to the following:

- (1) One (1) copy to the Gallitzin Borough Planning Commission, including one (1) copy of the application form and other required reports.
- (2) Three (3) copies of the plan to the County Planning Commission and one (1) copy of all required supporting documents.

- (3) Two (2) copies to the Gallitzin Borough Council including one (1) copy of the application form and other required reports.
- (4) One (1) copy to the Gallitzin Borough Engineer.
- (5) One (1) copy to the Gallitzin Borough Zoning Officer, if any.

SECTION 205 REVIEW OF PRELIMINARY PLAN

A. Review by the Gallitzin Borough Engineer:

The Borough Engineer shall review the Preliminary Plan to determine its conformance to the Gallitzin Borough Subdivision Regulations. The Borough Engineer may recommend changes, alterations or modifications, as he may deem necessary. The report of the Borough Engineer shall be in writing and shall be submitted to the Gallitzin Borough Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Gallitzin Borough Planning Commission. The report shall include an estimate of the cost of construction of all improvements as required by this Ordinance.

B. Review by the Gallitzin Borough Zoning Officer:

The Gallitzin Borough Zoning Officer shall review the Preliminary Plan to determine its conformance to the Gallitzin Borough Zoning Ordinance. The Zoning Officer shall check all zoning data as required to be shown under Article III, Section 302, to determine if information shown is in accordance with latest amendments to the Zoning Ordinance. The report from the Gallitzin Borough Zoning Officer as to the accuracy of the information shown shall be submitted to the Gallitzin Borough Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Planning Commission.

C. Review by the Pennsylvania Department of Transportation:

If a proposed subdivision abuts or is traversed by a State road, the Gallitzin Borough Secretary shall require two (2) additional copies of the Preliminary Plan and shall transmit these to the district office of the Pennsylvania Department of Transportation for its review and comments.

D. Review by the Gallitzin Borough Planning Commission:

- (1) When a Preliminary Plan has been officially submitted, such plan shall be reviewed by the Borough Planning Commission at its next regularly scheduled meeting, or in the discretion of the Planning Commission, at a special meeting.
- (2) No official action shall be taken by the Borough Planning Commission with respect to a Preliminary Plan until the Commission has received the written report of the County Planning Commission and the Pennsylvania Department of Transportation, provided, however, that if these reports are not received within thirty (30) days after transmittal to these agencies then the Borough Planning Commission may officially act without having received and considered such report. In any event, the Borough Planning Commission shall take official action no later than two (2) days after the expiration of the aforesaid thirty (30) day period.
- (3) During review of the Preliminary Plan, the Borough Planning Commission shall consider the written reports of the Borough Engineer and the Gallitzin Borough Zoning Officer, if any, before making its final decision.
- (4) If review by the Borough Planning Commission is favorable, or unfavorable because the requirements of this Ordinance have not been met, or the Borough Planning Commission deems changes or modifications of the plan submitted are advisable or necessary, such decision and the reasons therefore shall be given in written form by the Secretary of the Borough Planning Commission within two (2) days after the meeting at which the Preliminary Plan is reviewed to the following:
 - (a) The Gallitzin Borough Council.
 - (b) The County Planning Commission.
 - (c) The subdivider or his agent.

In addition, the Borough Planning Commission shall forward to the Gallitzin Boro. Council copies of all reports received from County Planning Commission, Department of Transportation, Gallitzin Boro. Zoning Officer and Gallitzin Boro. Engineer.

E. Review by the Gallitzin Boro. Council:

- (1) When a Preliminary Plan has been officially referred to the Gallitzin Boro. Council by the Gallitzin Borough Planning Commission together with its recommendation, such Plan shall be reviewed at the next regularly scheduled meeting of the Gallitzin Boro. Council, or at the discretion of the Gallitzin Boro. Council at a special meeting, which may be held prior thereto.
- (2) In any event, Gallitzin Borough Council shall render their decision and communicate it to the applicant no later than forty (40) days after such application is filed. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required shall be deemed an approval unless the applicant has agreed, in writing, to an extension of time.
- (3) The Borough Council shall review the Preliminary Plan and the written reports and recommendations thereon of the Gallitzin Boro. Planning Commission, the County Planning Commission, (if same has been received), the Gallitzin Boro. Engineer, and by any other officials and official boards of the Borough, to determine the Preliminary Plan conformance to the standards contained in these regulations. The Gallitzin Borough Council may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.
- (4) The action of the Borough Council, either approving or disapproving the Preliminary Plan, shall be noted with the date of such action and the signature of the Chairman on two (2) sets of plans. The findings and reasons upon which the action is based and citing provisions of the statute or ordinance relied upon shall also be stated in the minutes and in writing. Subject to the requirements of subparagraph (2), within five (5) days after the meeting at which the Preliminary Plan is reviewed, the Secretary of the Borough shall send written notice of the findings, action taken, and reasons thereof to the following:

- (a) The County Planning Commission.
- (b) The subdivider or his agent.
- (c) The Gallitzin Boro. Planning Commission.

One (1) copy of the Plan shall be maintained for the permanent records of the Borough, and one (1) copy shall be sent to the subdivider or his agent.

- (5) Approval of Preliminary Plan shall not constitute acceptance of a subdivision for recording. Approval is only an expression of approval of a general plan to be used in preparing the Final Subdivision Plan for final approval and recording upon fulfillment of all requirements of these regulations.
- (6) When a Preliminary Plan has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three (3) years from such approval.

SECTION 206 SUBMISSION OF FINAL PLAN

Within twelve (12) months of the Gallitzin Borough Council approval of the Preliminary Plan, a Final Plan shall be officially submitted to the Borough. However, an extension of time may be granted by the Borough Council upon written request. Final Plans submitted after this expiration of time for which no time extension has been granted may be considered as a new Preliminary Plan.

The Final Plan shall conform in all important respects to the Preliminary Plan as previously reviewed by the Borough Planning Commission and the Borough Council and shall incorporate all modifications required by the Borough Council in its review of the Preliminary Plan.

The Borough may permit submission of the Final Plan in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan.

A. Plans to be Filed with the Gallitzin Borough Council:

Copies of the Final Plan and all required supporting data shall be officially submitted to the Borough Secretary by the subdivider or his representative authorized in writing to submit the plan.

B. Official Submission of Final Plan Shall Comprise:

- (1) Three (3) completed copies of the Application for Review of Final Subdivision Plan.
- (2) Eight (8) legible black-line or blue-line paper prints and one (1) print on linen cloth of the Final Plan which shall fully comply with Article III, Section 303 of these regulations.
- (3) Two (2) copies of all other required information including the following, if applicable:
 - (a) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space which shall bear the certificate of approval of the Borough Solicitor as to their legal sufficiency.
 - (b) Such private deed restrictions, including building reserve lines, as may be imposed upon the property as a condition of sale together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.
 - (c) Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Borough Planning Commission or Borough Council may require the subdivider to submit, and also to record with the Borough Council on behalf of his heirs, successors and assigns and approved by the Borough Solicitor and which shall establish the conditions under which the street may later be offered for dedication and shall stipulate, among other things, the following:
 - (1) The street shall conform to Borough specifications or that the owners of the abutting lots shall include with the offer or dedication sufficient money, as estimated by the Borough Engineer, to restore the street to conformance with the Borough specifications.
 - (2) An offer to dedicate the street shall be made only for the street as a whole.
 - (3) The method of assessing repair costs be stipulated.

(4) Agreement by the owners of fifty-one (51) percent of the front footage thereon shall be binding on the owners of the remaining lots.

(d) Wherever approval by the Pennsylvania Department of Environmental Resources is required for the water supply of sanitary sewage disposal system(s) for a proposed subdivision, the Borough Planning Commission shall require that two (2) copies of such certification of approval shall be submitted with the Final Plan.

C. Filing Fees:

The subdivider shall pay any additional fees, if required. There shall be no refund or credit of any portion of the fee should the subdivider fail to apply for final approval within the required period of time or if the Final Plan covers only a section of the subdivision for which Preliminary Approval has been obtained.

D. Distribution of Final Plan:

The Final Plan shall be distributed in accordance with the requirements of Article II, Section 204 for Preliminary Plan. In addition, the Secretary shall forward the linen print of the Final Plan to the Borough Planning Commission.

SECTION 207 REVIEW OF FINAL PLAN

A. Review by the Borough Engineer:

The Final Plan shall be reviewed and a written report submitted as required under Article II, Section 205 for Preliminary Plans.

B. Review by the Borough Zoning Officer:

The Final Plan shall be reviewed and a written report submitted by the Borough Zoning Officer as required under Article II, Section 205 for Preliminary Plans.

C. Review by the Borough Planning Commission:

The Final Plan shall be reviewed, in accordance with the procedure required under Article II, Section 205 of these regulations for Preliminary Plans. In addition:

- (1) If all the requirements of this Ordinance are met and the review is favorable, the Planning Commission shall authorize its Chairman, with the Secretary so

attesting, to endorse the Record Plan "Reviewed and Approved by the Gallitzin Borough Planning Commission", together with the date of such action.

- (2) The Record Plan with Gallitzin Borough Planning Commission's endorsement, shall be forwarded to the Borough Council.

D. Review by the Gallitzin Borough Council:

The Final Plan shall be reviewed in accordance with the procedures as required under Article II, Section 205 of these regulations for Preliminary Plan. In addition:

- (1) Before acting on a Final Plan, the Borough Council shall arrange for a public hearing. The public hearing may be held by the Borough Council after the Final Plan has been submitted to the Borough Council and before the review required by Section 207A, B and C. If a public hearing has been held upon a Preliminary Plan, no public hearing is required unless the Final Plan departs substantially from the Preliminary Plan.
- (2) If the Borough Council approves the Final Plan, the Record Plan shall be signed by the Chairman and the Secretary, together with the date of action.
- (3) A performance guarantee or a certificate of satisfactory installation, as required under Article II, Section 209, shall be required before the Record Plan is released for recording.
- (4) The Record Plan with the Borough Council approval and the Borough seal, shall be forwarded to the subdivider for recording.

SECTION 208 RECORDING OF FINAL PLAN

- A. After approval by the Borough Council and the Borough Planning Commission, and with all endorsements indicated on the Record Plan, the subdivider shall record his plan. No subdivision plan may be legally recorded unless it bears the Borough Council approval and seal.
- B. After the Final Plan has been approved by the appropriate Borough authorities the Boro. Council and the County Planning Commission may require one (1) reproducible copy of the Final Plan, as approved, for their permanent files.
- C. The Record Plan shall be a clear and legible black-line or blue-line print on linen.

- D. The subdivider shall file the Record Plan with the County Recorder of Deeds within ninety (90) days of the date of final approval by the Borough Council. If the subdivider fails to record the Record Plan within such period, the action of the Borough Council and Borough Planning Commission shall be null and void unless an extension of time is granted in writing by the Borough Council after written request to do so by the subdivider.

SECTION 209 PERFORMANCE GUARANTEE

Prior to final approval of the Final Plan, the subdivider shall guarantee the installation of all required improvements by one of the following methods:

- A. By installing the improvements required by Article V of these Subdivision Regulations to the satisfaction of the Borough Engineer and the Borough Council and obtaining a certificate from the Borough Engineer that all improvements have been installed in accordance with the standards and requirements contained in these regulations or required by the Borough Council.
- B. In lieu of completing all of the improvements required, the subdivider may post a performance guarantee in the amount of 100 percent of the cost of all improvements required by this ordinance and as estimated by the Borough Engineer for that portion of the subdivision which the subdivider has submitted to the Borough Council for Final Plan approval. The performance guarantee may be either a performance bond with corporate surety, or other security acceptable to the Borough Council. Performance guarantees shall be submitted in a form and with a surety approved by the Borough Solicitor guaranteeing the construction and installation of all improvements within a stated period which shall not be longer than three (3) years from the date of final subdivision approval.

Upon written application signed by both the obligor and surety of a performance guarantee, in a form approved by the Borough Solicitor, the Borough Council may at their discretion extend said period by not more than three (3) additional years.

The amount of the performance guarantee may be reduced by the Borough Council by resolution as and when portions of the required improvements have been installed. In the event of default, the obligor and surety shall be liable thereon to the Borough Council for the cost of the improvements or parts thereof not installed. Upon receipt of the proceeds thereof, the Borough shall install the improvements. If cost of the improvements exceeds the amount of the per-

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formance guarantee, then the subdivider shall be liable for the amount in excess which the Borough has actually expended for such improvements. In case the amount of the performance guarantee exceeds the actual cost of improvements made, the Borough shall return the unused sum to the surety or the person who has paid or deposited the performance guarantee.

Performance guarantees shall not be released except by written permission from the Borough Council.

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SECTION 210 RELEASE OF PERFORMANCE GUARANTEE

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When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. The Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail.

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The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council; 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 Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Borough Council shall notify the developer in writing by certified or registered mail of their action.

If the Borough Council or the Borough Engineer fail 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 his performance guaranty.

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

SECTION 211 RESUBDIVISION PROCEDURE

Any revision or resubdivision of land which includes changes to a recorded plan shall be considered a subdivision and shall comply with all regulations of this Ordinance, except that:

A. Lot lines may be changed from those shown on a recorded plan, provided that in making such changes:

- (1) No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Gallitzin Boro. Zoning Ordinance.
- (2) Easements or rights-of-way reserved for drainage shall not be changed.
- (3) Street locations and block sizes shall not be changed.
- (4) No lot shall be created which does not abut an existing or a proposed street.

B. In every case wherein lot lines are changed as permitted by the above, the subdivider shall prepare a new Record Plan and shall submit the Record Plan to the Borough Council for the endorsements of the Borough Planning Commission and Borough Zoning Officer (the new Record Plan shall specifically identify the previous Record Plan superseded and shall also contain the record reference if the previous Record Plan has been recorded). The subdivider shall then record the new plan in accordance with Article II, Section 208, of this Ordinance.

SECTION 212 DEDICATION AND MAINTENANCE GUARANTEE

All streets, parks or other improvements shown on the subdivision plan, recorded or otherwise, shall be deemed to be private until such time as the same has been offered for dedication to the Borough and accepted by resolution of the Borough Council.

Before acceptance of any street, park, or other improvements, the Borough Council shall require the subdivider to file a maintenance guarantee in an amount of not less than five (5) percent of the Borough Engineer's estimate of the cost of all improvements required by this Ordinance. Such maintenance guarantee shall be in a form and with a surety approved by the Borough Solicitor, guaranteeing that the subdivider shall maintain all improvements in good condition for a period of two (2) years after completion of construction or installation of all improvements.

ARTICLE III
PLAN REQUIREMENTS

SECTION 301 SKETCH PLAN

- A. The Sketch Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that:
- (1) If the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one (1) inch equals one hundred (100) feet..
 - (2) If the subdivision proposes lots with an average frontage of less than fifty (50) feet, the plan may be drawn to a scale of one (1) inch equals twenty (20) feet.
 - (3) If the subdivision contains more than two hundred (200) acres, the plan may be drawn to a scale of one (1) inch equals two hundred (200) feet.
- B. Sketch Plan and all submitted prints thereof shall be made on sheets either:
- (1) Eighteen (18) inches by twenty-four (24) inches, or
 - (2) Twenty-four (24) inches by thirty-six (36) inches, or
 - (3) Thirty (30) inches by forty-two (42) inches.
- C. If the Sketch Plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.
- D. The Sketch Plan shall contain at least the following information but not necessarily showing precise dimensions:
- (1) Tract boundaries accurately labeled.
 - (2) Name of the municipality in which the subdivision is located.
 - (3) North point, scale (written and graphic) and date.
 - (4) Name of proposed subdivision or other identifying title.
 - (5) Significant topographical and physical features.
 - (6) Proposed general street and lot layout.

SECTION 302 PRELIMINARY PLAN

A. The Preliminary Plan shall include all information as required for Sketch Plan under Article III, Section 301, in these regulations and shall be drawn to the same scales and presented on the same sheet sizes as required for the Sketch Plan. In addition, the following information shall be shown:

- (1) Date, including the month, day, and year that the Preliminary Plan was completed and the month, day, and year that the Preliminary Plan was revised, for each revision.
- (2) Name of recorded owner and subdivider.
- (3) Name, address, license number, and seal of registered engineer or surveyor responsible for the subdivision plan.
- (4) Names of all owners of all abutting unplatted land and the names of all abutting subdivisions, if any, with the book and page number where recorded.
- (5) A key map for the purpose of locating the property being subdivided drawn at a scale not less than one (1) inch equals eight hundred (800) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, zoning districts, water courses, and any areas subject to flooding, and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property.
- (6) Total tract boundaries of the property being subdivided showing bearings and distances and a statement of total acreage of the property.
- (7) Include all of the following zoning data:
 - (a) Existing Borough zoning regulations, including district designations, requirements for lot sizes and front yards, and any zoning district boundary lines traversing the proposed subdivision.
 - (b) Any changes in the existing zoning to be requested by the subdivider.

- (c) Any Borough regulations other than zoning governing lot size and/or front yard requirements.
- (8) Contour lines at vertical intervals not more than one (1) foot for land with average natural slope of four (4) percent or less and at intervals of not more than four (4) feet for land with average natural slope exceeding four (4) percent.
- (9) Locations and elevation of the data to which contour elevations refer; where reasonably practicable, datum used shall be a known and established bench mark. It is suggested that USC&G datum be used where possible.
- (10) All existing sewer lines, water lines, fire hydrants, electric and telephone utility lines, culverts, bridges, railroads, quarries, strip mines, water courses, flood plain areas, and other significant man-made or natural features within the proposed subdivision and fifty (50) feet beyond the boundaries of the proposed subdivision.
- (11) All existing buildings or other structures and the approximate location of all existing tree masses, rock out-crops, water courses within the proposed subdivision or other significant features.
- (12) All existing streets on the Official Plan or Plans of the Borough (including unpaved streets), including streets of record (recorded but not constructed), easements and rights-of-way, including names, right-of-way widths, cartway (pavement) widths and approximate grades within the subdivision or within four hundred (400) feet of any part of the tract.
- (13) The full plan of proposed development, including:
- (a) Location and width of all streets, easements, and rights-of-way, with a statement of any conditions governing their use.
 - (b) Suggested street names and utility easement locations.
 - (c) Building reserve (setback) lines along each street.
 - (d) Lot lines with dimensions in feet and hundredths of a foot.

- (e) Lot numbers and statement of number of lots and parcels.
 - (f) A statement of the intended use of all non-residential lots and parcels.
 - (g) Sanitary and/or storm sewers (and other drainage facilities) with the size and material of each indicated, and any proposed connections with existing facilities.
 - (h) Parks, playgrounds, and other areas proposed to be dedicated or reserved for public use with any conditions governing such use.
- (14) Location of all required soil percolation test holes, if required.

B. The Preliminary Plan shall be accompanied by the following supplementary data as applicable:

- (1) Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on separate profile sheets:

Tentative profiles along the street centerline or along the top of curb for both sides of each proposed street shall be shown. Such profiles shall show existing and proposed grades at one of the following sets of scales:

- (a) One (1) inch equals ten (10) feet horizontal, and one (1) inch equals one (1) foot vertical.
 - (b) One (1) inch equals twenty (20) feet horizontal, and one (1) inch equals two (2) feet vertical.
 - (c) One (1) inch equals forty (40) feet horizontal, and one (1) inch equals four (4) feet vertical.
 - (d) One (1) inch equals fifty (50) feet horizontal, and one (1) inch equals five (5) feet vertical.
- (2) In lieu of the separate profile sheets required, the tentative finished cartway edge or top of curb grades for both sides of each street may be labeled on the Preliminary Plan.

- (3) Where deemed necessary by the Borough Planning Commission or the Borough Council, a plan for the surface drainage of the tract to be subdivided shall be shown. Such plan shall include storm water runoff calculations for the entire property being subdivided and shall show the proposed method, subject to Borough approval, of accommodating the anticipated runoff.
- (4) Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Water and Power Resources Board and/or the Pennsylvania Department of Transportation. Calculations for waterway opening shall be included. All designs shall be subject to approval by the Borough Council.
- (5) Where a Preliminary Plan shows the proposed subdivision of only a part of the subdivider's total property, a sketch shall be required showing the prospective street system in the remainder of the property so that the street system in the submitted portion shall be considered in relation to future connections with the unsubmitted portion. To prevent undue hardship in the case of extremely large properties, the Borough Planning Commission may, based on existing natural or man-made features, delimit the area for which a prospective street system shall be sketched.

SECTION 303 FINAL PLAN

- A. The Final Plan shall be of a size drawn to scale, and show all information as required for Preliminary Plans under Article III, Section 302 in these regulations. In addition the Final Plan shall show the following:
 - (1) Name of the recorded owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided, as shown by the County Recorder of Deeds.
 - (2) The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearings to one-quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplotted land of the subdivider (for example,

between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify, using the form specified in the Appendix, to the accuracy of the survey, the drawn plan, and the placement of the monuments.

- (3) The name (or number) and cartway width and lines of all existing public streets and the name and location of all other roads within the property.
- (4) The following data shall be shown for the cartway right-of-way and, if required, the ultimate right-of-way, for existing, recorded, (except those to be vacated) and proposed streets within or abutting the property to be subdivided: The length and width (in feet to the nearest hundredth of a foot) of all straight lines and radii of curved lines. The length of all arcs (in feet, to the nearest hundredths of a foot) and the central angle (in degrees, minutes and seconds).
- (5) All straight lot lines shall be dimensional (in feet, to the nearest hundredths of a foot) and all internal angles within lot lines shall be designated (in degrees, minutes and seconds). Curved lot lines shall show length of arc (in feet, to the nearest hundredths of a foot) and the central angle (in degrees, minutes and seconds).
- (6) A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if covenants are recorded, including the book and page number.
- (7) The proposed building reserve (setback) line for each lot, or the proposed placement of each building.
- (8) The location (and elevation, if established) of all existing and proposed required street monuments.
- (9) All easements of rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the

plan, and easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities.

- (10) Locations, size and invert elevations of all sanitary and/or storm sewers and location of all manholes, inlets and culverts (this data may be submitted as a separate plan).
- (11) If the subdivision proposes a new street intersection with a State Legislative Route, the intersection Occupancy Permit number(s) shall be indicated for all such intersections.
- (12) A Certification of Ownership, Acknowledgement of Plan and Offer of Dedication shall be lettered on the plan, using the form in the Appendix, and shall be duly acknowledged and signed by the owner(s) of the property, and notarized.
- (13) A blank space for approval of the Plan by the Borough Council and by the Borough Planning Commission.
- (14) A blank space measuring three and one-half (3 1/2) inches square shall be left, preferably adjacent to the Borough Council certification, in which the endorsement stamp of the County Planning Commission may be applied, if required.
- (15) A blank space measuring three (3) inches square shall be left along the lower edge of the sheet, in order that the Recorder of Deeds may acknowledge receipt of the Plan when it is presented.

B. The Final Plan shall be accompanied by such applicable supplementary data as is required in Article III, Section 302 in addition to profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labelled:

- (1) Existing (natural) profiles along both cartway edges or along the centerline of each street.
- (2) Proposed finished grade of the centerline, and proposed finished grade at the top of both curbs, or proposed finished grade at both cartway pavement edges.

- (3) The length of all vertical curves.
- (4) Existing and proposed sanitary sewer mains and manholes, storm sewer mains, inlets, manholes, and culverts and existing or proposed water mains.

ARTICLE IV
DESIGN STANDARDS

SECTION 401 APPLICATION AND GENERAL STANDARDS

- A. The standards and requirements contained in Articles IV and V are intended as the minimum for the promotion of the public health, safety, and general welfare, and shall be applied as such by the Borough Planning Commission and other Borough officials. in reviewing all subdivision plans.
- B. Whenever other Borough Ordinances and/or regulations impose more restrictive standards and requirements than those contained herein, such other ordinances and/or regulations shall be observed; otherwise, the standards and requirements of these regulations shall apply.
- C. The standards and requirements of these regulations may be modified by the Borough Council in the case of complete communities, neighborhood units or other large scale developments which, in the judgment of the Borough Council, achieve substantially the objectives of these regulations and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the subdivision plan.
- D. Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plan shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.
- E. Subdivision plans shall give due recognition to the "official Plans" of the Borough and of the County or to such parts thereof as may have been adopted pursuant to statute.

SECTION 402. STREETS

A. General Standards:

- (1) The location and width of all streets shall conform to the "Official Plans" or to such parts thereof as may have been adopted by the Borough Council.
- (2) The proposed street system shall extend existing or other streets on the "Official Plans" at the same width or larger but in no case at less than the required minimum width.

- (3) Where, in the opinion of the Borough Planning Commission, it is desirable to provide for street access to adjoining property, street stubs shall be extended by dedication to the boundary of such property.
- (4) New minor streets shall be so designed as to discourage through traffic, but the subdivider shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.
- (5) Where a subdivision abuts or contains an existing street of improper width or alignment, the Borough Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment.
- (6) Private streets (streets not to be offered for dedication) are prohibited unless they meet the design standards of these regulations.

B. Partial and Half Streets:

New half or partial streets shall be prohibited except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained.

C. Street Widths:

Minimum street right-of-way and pavement widths shall be as shown on the "Official Plans" or if not shown on such plans, shall be as follows:

<u>Street Type</u>	<u>Required Widths (in feet)</u>
Minor Street	
Right-of-way	40
Cartway	28
Collector Street	
Right-of-way	50
Cartway	36
Major Street	
Right-of-way	See Note (a)
Cartway	See Note (a)
Permanent Cul-de-Sac Street	
Right-of-way	See Paragraph 402A
Cartway	See Paragraph 402A
Marginal Access Street	
Right-of-way	See Note (b)
Cartway	26
Service Street	
Right-of-way	24
Cartway	24

NOTES: (a) As specified in the "Official Plans", or as determined after consulting with the Borough Council, the County Planning Commission and the Pennsylvania Department of Transportation.

(b) Variable, depending on the width of the adjacent right-of-way but not less than thirty-three (33) feet.

Additional right-of-way and pavement widths may be required by the Borough Planning Commission or Borough Council for the purpose of promoting the public safety and convenience or to provide parking in commercial and industrial areas and in areas of high density residential development.

D. Restriction of Access

- (1) Whenever a subdivision abuts or contains an existing or proposed street with an ultimate right-of-way of eighty (80) feet or more, the Borough Planning Commission may require restriction of access to said street by:

- (a) Provision of reverse frontage lots.
 - (b) Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets.
 - (c) Provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Borough Council under an agreement meeting the approval of the Borough Solicitor.
- (2) Except as specified under Paragraph c above, reserve strips shall be prohibited.

E. Street Grades:

- (1) There shall be a minimum centerline grade of three-quarters (3/4) percent.
- (2) Centerline grades shall not exceed the following:
 - (a) Minor Street -- ten (10) percent.
 - (b) Collector Street -- six (6) percent.
 - (c) Major Street -- six (6) percent.
 - (d) Street Intersection -- five (5) percent.
- (3) Grades up to twelve (12) percent may be permitted on a through minor street where access to the street is possible over streets with grades of ten (10) percent or less.

F. Horizontal Curves:

- (1) Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.
- (2) To ensure adequate sight distance, minimum centerline radii for horizontal curves shall be as follows:
 - (a) Minor Streets -- One hundred fifty (150) feet.
 - (b) Collector Streets -- Three hundred (300) feet.
 - (c) Major Streets -- Five hundred (500) feet.

- (3) A tangent of at least one hundred (100) feet shall be introduced between all horizontal curves on collector and major streets.
- (4) To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

G. Vertical Curves:

At all changes of street grades where the algebraic difference exceeds one (1) percent, vertical curves shall be provided to permit the following minimum sight distances:

- (1) Minor Streets -- Two hundred (200) feet.
- (2) Collector Streets -- Three hundred (300) feet.
- (3) Major Streets -- Four hundred (400) feet.

H. Intersections:

- (1) Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than sixty (60) degrees or more than one hundred twenty (120) degrees.
- (2) No more than two streets shall intersect at the same point.
- (3) Streets intersecting another street shall either intersect directly opposite to each other or shall be separated by at least one hundred fifty (150) feet between centerlines measured along the centerline of the street being intersected.
- (4) Intersected shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five (5) percent within fifty (50) feet of the intersection of the nearest right-of-way lines.
- (5) Intersections with major streets shall be located not less than one thousand (1,000) feet apart measured from centerline to centerline along the centerline of the major street.
- (6) Street curb intersections shall be rounded by a tangential arc with a minimum radius of:

- (a) Twenty (20) feet for intersections involving only minor streets.
 - (b) Thirty (30) feet for all intersections involving a collector street.
 - (c) Forty (40) feet for all intersections involving a major street.
- (7) Street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.

I. Sight Distance at Intersections:

- (1) Clear sight triangles shall be provided at all street intersections. Within such triangles, no vision-obstructing object other than utility poles shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of:
- (a) Seventy-five (75) feet from the point of intersection of the centerlines, except that:
 - (b) Clear sight triangles of one hundred fifty (150) feet shall be provided for all intersections with Major Streets.
- (2) Wherever a portion of the line of such triangles occurs behind (i.e., from the street) the building reserve (setback) line, such portion shall be shown on the Final Plan of the subdivision and shall be considered a building setback (reserve) line.

J. Cul-de-Sac Streets:

- (1) Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
- (2) Any dead-end street for access to an adjoining property or because of authorized stage development shall be provided with a temporary all-weather turn-around within the subdivision, and the use of such turn-around shall be guaranteed to the public until such time as the street is extended.
- (3) Cul-de-sac streets, permanently designed as such, shall not exceed five hundred (500) feet in length and shall not furnish access to more than twenty (20) dwelling units.

- (4) Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street in full width.
- (5) All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn-around. The minimum radius to the pavement edge or curb line shall be fifty (50) feet, and the minimum radius of the right-of-way line shall be fifty (50) feet.
- (6) Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.
- (7) The centerline grade on a cul-de-sac street shall not exceed ten (10) percent, and the grade of the diameter of the turn-around shall not exceed five (5) percent.

K. Street Names:

- (1) Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
- (2) In no case shall the name of a proposed street be the same as or similar to an existing street name in the Borough and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, drive, way, place, court, lane, etc.
- (3) All street names shall be subject to the approval of the Borough Council.

L. Service Streets (Alleys):

- (1) Service streets may be permitted, provided that the subdivider produces evidence satisfactory to the Borough Planning Commission or the Borough Council of the need for such service streets.

- (2) No part of any structure shall be located within twenty (20) feet of the centerline of a service street.
- (3) Dead-end service streets shall be avoided, but where this proves impossible, dead-end service streets shall terminate with a paved circular turn-around with a minimum radius to the outer pavement edge (curb line) of fifty (50) feet.
- (4) Service street intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.

M. Driveway:

- (1) Private driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines.
- (2) In order to provide a safe and convenient means of access, grades on private driveways shall not exceed seven (7) percent. Entrances should be rounded at a minimum radius of five (5) feet, or should have a flare construction that is equivalent to this radius at the point of intersection with the cartway edge (curb line).

SECTION 403 BLOCKS

A. Layout:

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

- (1) Provision of adequate sites for buildings of the type proposed.
- (2) Zoning requirements, if any.
- (3) Topography.
- (4) Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

B. Length:

- (1) Blocks shall have a maximum length of one thousand six hundred (1,600) feet and a minimum length of five hundred (500) feet, provided however that the Borough Planning Commission or Borough Council may decrease the maximum and/or minimum lengths of blocks if in the opinion of either body, topography of the land in question and/or surface water drainage condition warrant such a decrease.
- (2) In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- (3) Where practicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

C. Crosswalks:

- (1) Crosswalks shall be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities, as well as in blocks of over one thousand (1,000) feet in length.
- (2) Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than five (5) feet.

D. Depth:

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Borough Planning Commission or Borough Council may approve a single tier of lots.

E. Commercial and Industrial Blocks:

Blocks in commercial and industrial areas may vary from the elements of design detailed above as required by the nature of the use.

SECTION 404 LOTS AND PARCELS

A. General Standards:

- (1) Insofar as practical, side lot lines should be at right angles to straight street lines or radial to curved street lines.

- (2) Where feasible, lot lines should follow municipal boundaries rather than cross them in order to avoid jurisdictional problems.
- (3) Generally, the depth of residential lots should be not less than one (1) nor more than two and one-half (2 1/2) times their width.
- (4) Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading, and unloading, setbacks, landscaping, etc.
- (5) If, after subdividing, there exist remnants of land, they shall be either:
 - (a) Incorporated in existing or proposed lots, or
 - (b) Legally dedicated to public use, of acceptable to the Borough.

B. Lot Frontage:

- (1) All lots shall have direct access to a public street, existing or proposed, or to a private street if it meets the requirements of these regulations.
- (2) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- (3) All residential reverse frontage lots shall have, within such rear yard and immediately adjacent to the right-of-way, a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

C. Lot Size:

Lot dimensions and areas shall not be less than specified by the Gallitzin Borough Zoning Ordinance, or as determined by Section 406 of this Ordinance, whichever shall be the larger.

SECTION 405 SANITARY SEWAGE DISPOSAL

- A. Each property shall be connected with a public sewer system if accessible. Where the public sewer is not yet accessible but is planned for extension to the subdivision, the subdivider shall install 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 suitable

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. Design of capped sewer system shall be subject to approval by the Department of Environmental Resources.

- B. Sanitary sewers shall be designed and constructed in strict accordance with Department of Environmental Resources Standards of the Commonwealth of Pennsylvania and Borough Construction standards.
- C. Sanitary sewers shall not be used to carry storm water.
- D. All lots which cannot be connected to a public or community sanitary sewage disposal system in operation at the time of construction of a principal building shall be provided with an on-site sanitary sewage disposal system consisting of a septic tank(s) connected with a tile disposal field and which shall, as a minimum requirement, meet the design standards of the Pa. Dept. of Environmental Resources, the Borough Zoning Ordinance and any amendments or supplements thereto or any regulations adopted pursuant thereto.
- E. If on-site sanitary sewage disposal facilities are to be utilized, the Borough Planning Commission may require that the subdivider submit an Economic Feasibility Report. Such Report shall compare the cost of providing on-site facilities and the cost of community sanitary sewer system with a temporary sewage treatment plant. The temporary treatment plant will have to be abandoned when public trunk sewers are installed in the area.
- F. Where on-site sanitary sewage facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary length of tile fields at a safe distance from, and at a lower elevation than the proposed building(s) in accordance with the Department of Environmental Resources.

SECTION 406 SOIL PERCOLATION TEST REQUIREMENTS

- A. Soil percolation tests shall be performed for all subdivisions wherein building(s) at the time of construction will not be connected to a public or community sanitary sewage disposal system in operation.
- B. Soil percolation tests shall be made in accordance with the procedure required by the Pa. Dept. of Environmental Resources, by a registered professional engineer or a qualified sewage enforcement officer, at the rate of one (1) test site for each acre or part thereof for the property being subdivided.
- C. The engineer and/or sanitarian shall enter the result of the test and all other information on four (4) copies of the Subdivision Sewage Disposal Report form and shall submit these with the Preliminary Plans, provided, however, that where the

approval of the proposed sanitary sewage disposal facilities by the Pa. Dept. of Environmental Resources is otherwise required (2) copies of its report of investigation and approval may be submitted in lieu of the Subdivision Sewage Disposal Report.

- D. Where possible, soil percolation tests shall be performed near the site of the proposed on-site sanitary sewage disposal facilities and spaced evenly throughout the property.
- E. The results of the soil percolation tests shall be analyzed by the Borough Planning Commission and Borough Council in conjunction with the Pa. Dept. of Environmental Resources in relation to the physical characteristics of the tract being subdivided and of the general area surrounding the tract being subdivided, and the Final Plan lot layout shall be based on this analysis.
- F. If the analysis of the soil percolation test results reveals that the soil is unsuitable for the intended use at the lot site proposed, the Borough Planning Commission or the Borough Council may require that the lot size(s) be increased in accordance with the test results or that additional tests be made on each proposed lot at the location of the contemplated disposal facilities, and the data submitted for review.

SECTION 407 WATER SUPPLY

- A. Whenever an existing public or approved community water system is geographically and economically accessible to a proposed subdivision, a distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrants located to meet the specifications of the Middle Department Association of Fire Underwriters. A copy of the approval of such system by the appropriate public agency or utility company shall be shown on the Final Plan. Suitable agreements shall also be established for the design, specifications, construction, ownership and maintenance of such distribution system.
- B. Where such systems are not accessible, and particularly where on-site sanitary sewage disposal systems are to be used, a community water supply system is strongly recommended. A community water supply system shall be approved by the Pa. Dept. of Environmental Resources, and appropriate measures shall be provided to insure adequate maintenance. Suitable agreements shall also be established for the construction, ownership and maintenance of such a distribution system.
- C. Where individual on-site water supply system(s) are to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system and wells shall be placed uphill from sewage disposal systems and shall not be within one hundred (

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feet of any part of the absorption (tile) field of any on-site sanitary sewage disposal system, nor within fifty (50) feet from lakes, streams, ponds, quarries, etc.

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- D. Where individual on-site water supply system(s) are to be utilized, it is recommended that the subdivider provide at least one (1) test well for each ten (10) proposed dwelling units. Such wells should be drilled, cased, and grout sealed into bed rock at least fifty (50) feet deep, having a production capacity of at least five (5) gallons per minute of safe potable drinking water as certified by State or Borough health officer.

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SECTION 408 STORM DRAINAGE

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- A. Storm sewers, culverts, and related installations should be provided, as necessary, to:
- (1) Permit unimpeded flow of natural water courses.
 - (2) Insure adequate drainage of all low points along the line of streets.
 - (3) Intercept storm water run-off along streets at intervals related to the extent and grade of the area drained.
 - (4) Provide positive drainage away from on-site sewage disposal facilities.
- B. Storm sewers and related installations shall be required only when, in the opinion of the Borough Engineer, the run-off of storm water cannot be satisfactorily handled within the street pavement.
- C. Where existing storm sewers are reasonably accessible, proposed subdivisions shall be required, if necessary, to connect therewith.
- D. In the design of storm drainage facilities, special consideration shall be given to avoidance of problems which may arise from the concentration of storm water run-off onto adjacent developed or undeveloped properties.
- E. Storm drainage facilities should 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 all the property at a higher elevation in the same watershed is fully developed.
- F. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water

course, drainage way, channel, or stream and of such width as will be adequate 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 Water and Power Resources Board, where this Board has jurisdiction.

- G. All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way.
- H. Adequate facilities shall be provided at low points along streets and where necessary to intercept run-off.

SECTION 409 PUBLIC USE AND SERVICE AREAS

A. Public Open Spaces:

- (1) In reviewing subdivision plans, the Borough Planning Commission and Borough Council shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the subdivision, and shall make such report thereon as they deem necessary in the public interest.
- (2) Subdividers and the Borough Planning Commission shall give earnest consideration to providing facilities or reserving areas for facilities normally required in residential neighborhoods, including churches, libraries, schools and other public buildings; parks, playgrounds and playfields; shopping and local business centers. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to the preparation of plans, subdividers of large tracts should review with the Borough Planning Commission the minimum standards for various community facilities applicable to the tract being subdivided.
- (3) In subdivisions which are intended to provide housing, the Borough Planning Commission shall consider the need for suitable open areas for recreation and shall make a recommendation thereon.

B. Community Assets:

Consideration shall be shown for all natural features such as large trees, water courses, historic areas and structures, and similar community assets which, if preserved, will add attractiveness and value to the remainder of the subdivision.

C. Utility Easements:

- (1) Easements with a minimum width of twenty (20) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.
- (2) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- (3) There shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.
- (4) Subdividers are urged to avail themselves of the services provided by the various public utility companies in determining the proper locations for utility line easements.
- (5) Utility service for residential development is recommended to be provided through the use of underground facilities in accordance with the standards and approval of the utility company having appropriate jurisdiction.

ARTICLE V
IMPROVEMENT SPECIFICATIONS

SECTION 501 GENERAL REQUIREMENTS

Physical improvements to the property being subdivided shall be provided, constructed, and installed as shown on the Record Plan, in accordance with the requirements of these regulations, or other Borough Ordinances or Regulations.

- A. As a condition to review of a Final Plan by the Borough Planning Commission, the subdivider shall agree with the municipality as to the installation of all improvements shown on the Plan and required by these or other Borough Ordinances or Regulations. Before the Record Plan is endorsed by the Borough Planning Commission and Borough Council, the subdivider shall submit a completed original copy of the Subdivision Improvements Agreement.

- B. All improvements installed by the subdivider shall be constructed in accordance with the design specifications of the Borough.

Where there are no applicable Borough Design specifications, improvements shall be constructed in accordance with specifications furnished by the Borough Engineer, County Engineer, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Resources, Pennsylvania Department of Forests and Waters, or such other State agency as applicable. If there are no applicable Borough or State regulations, the Borough Planning Commission may authorize that specifications be prepared by the Borough Engineer or an Engineering Consultant.

- C. Supervision of the installation of the required improvements shall in all cases be the responsibility of the Borough Engineer or of appropriate state regulatory agency.

SECTION 502 REQUIRED IMPROVEMENTS

The following improvements, as shown on the Record Plan, shall be provided by the subdivider in all subdivisions requiring approval and are recommended in all other subdivisions.

- A. Street Grading:

All streets shall be graded at full right-of-way width.

- B. Cartway Paving:

All streets intended to be dedicated to public use shall be paved to full cartway width (as shown on the Final Plan) in accordance with Borough Specifications.

C. Curbs:

Concrete curbs shall be installed along both sides of all streets, except along service streets in accordance with existing Borough standards. Curbs shall be the vertical type. Adequate provision shall be made for driveway entrances.

D. Sidewalks:

- (1) When required by the Borough Council, sidewalks with a minimum width of four (4) feet shall be installed on both sides of all streets except that no sidewalks shall be required along service streets.
- (2) All sidewalks, curbs, and gutters shall be installed in accordance with these regulations and with curb, gutter, or sidewalk ordinances of the Borough.

E. Sewers:

(1) Storm Sewers:

Storm sewers and related facilities shall be installed consistent with the design principles and requirements contained in Article IV of these regulations.

(2) Sanitary Sewage Disposal System(s):

- (a) Sanitary sewage disposal systems shall be provided consistent with the design standards and requirements contained in Article IV of these regulations.
- (b) Whenever a subdivider proposes that individual on-site sanitary sewage disposal systems shall be utilized within the subdivision, the subdivider shall either install such facilities or shall require (by deed restriction or otherwise), as a condition of the sale of each lot or parcel within the subdivision, that such facilities shall be installed by the purchaser of such lot or parcel at the time that a principal building is constructed and in accordance with these regulations.
- (c) In all other cases, the subdivider shall provide a complete community or public sanitary sewage disposal system. the design and installation of such public system shall be subject to the approval of the Pa. Dept. of Environmental Resources and such system shall be further subject to satisfactory provision for the maintenance thereof.

F. Water Supply:

- (1) Water supply system(s) shall be installed consistent with design principles and requirements contained in Article IV of these regulations.
- (2) Where the subdivider proposes that individual on-site water supply system shall be utilized within the subdivision, the subdivider shall either install such facilities or shall require (by deed restriction or otherwise), as a condition of the sale of each lot or parcel within the subdivision, that the facilities shall be installed by the purchaser of such lot or parcel at the time that a principal building is constructed and accordance with these regulations.
- (3) Wherever economically feasible, the subdivision shall be provided with a complete public or community water distribution system.

G. Fire Hydrants:

Wherever a public or community water supply system is provided, fire hydrants shall be installed within six hundred (600) feet of all existing and proposed structures, measured by way of accessible streets (as specified by the Middle Department Association of Fire Underwriters).

H. Monuments:

- (1) Monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided.
- (2) All monuments shall be placed by a registered professional engineer or surveyor so that the scored (or an indented cross or drill hole in the top of the monument) point shall coincide exactly with point of intersection of the lines being monumented.
- (3) Monuments shall be set with their top level with the finished grade of the surrounding ground, except:
 - (a) Monuments which are placed within the lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their location will not be affected by lateral movement of the sidewalks.
 - (b) Where monuments are located beneath a sidewalk proper access shall be provided for their use.

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

- (a) At least one monument at each intersection.
- (b) At changes in direction of street lines, excluding curb arcs at intersections.
- (c) At each end of each curved street line, excluding curb arcs at intersections.
- (d) Intermediate monument shall be placed wherever topographical or other conditions make it impossible to sight between two otherwise required monuments.
- (e) At such other places along the line of streets as may be determined by the Borough Engineer to be necessary so that any street may be readily defined in the future.

I. 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 Borough Council.

SECTION 503 RECOMMENDED IMPROVEMENTS

The following improvements, intended to enhance the sales value of the subdivision as well as to benefit the Borough, are recommended:

A. Street Lights:

In accordance with the conditions to be agreed upon by the subdivider, the Borough, and the appropriate public utility, street lights are recommended to be installed in all subdivisions. However, whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installation upon consultation with the public service utility company involved.

B. Shade Trees:

Reasonable efforts should be made by the subdivider to preserve existing shade trees and, in addition, deciduous hardwood trees with a minimum caliber of one and one-half (1 1/2) inches should be provided in accordance with conditions to be agreed upon by the Borough and if necessary the appropriate public utility. Where provided, such trees should be planted between the sidewalk and the building reserve (setback) line at least five (5) feet from the sidewalk or between the curb and the sidewalk provided the planting strip is a minimum of six (6) feet wide.

C. Markers:

Metal markers are recommended to be accurately placed at a lot corners.

ARTICLE VI DEFINITIONS

SECTION 601 TENSE, GENDER AND NUMBER

Words in the singular include the plural and those in the plural include the singular; words in the present tense include the future tense; words used in the masculine gender include the feminine and neuter.

SECTION 602 GENERAL TERMS

The words "person", "subdivider" and "owner" include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual. The word "street" includes thoroughfare, avenue, boulevard, court, expressway, highway, lane, arterial, and road. The word "building" includes structures and shall be construed as if followed by the phrase "or part thereof." The word "watercourse" includes channel, creek, ditch, drain, dry run, spring and stream. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

SECTION 603 TERMS OR WORDS NOT DEFINED

Where terms or words are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

SECTION 604 SPECIFIC TERMS

Terms or words used herein, unless otherwise expressly stated, shall have the following meanings:

Block: A tract of land, a lot, or groups of lots, bounded by streets, public parks, railroad rights-of-way, water courses, boundary lines of the Borough, unsubdivided land or by any combination of the above.

Building: Any combination of materials forming any structure which is erected on the ground and permanently affixed thereto, designed, intended, or arranged for the housing, sheltering, enclosure, or structural support of persons, animals, or property of any kind.

Building Reserve Line: The line within a property defining the minimum required distance between any building to be erected and an adjacent right-of-way. Such line shall be measured at right angles from the front street right-of-way line which abuts the property upon which said building is located and shall be parallel to said right-of-way line.

Cartway (Roadway): The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

Clear Sight Triangle: An area of unobstructed vision at the street intersection defined by lines of sight between points at a given distance from the intersection of street center lines.

County: Cambria County, Commonwealth of Pennsylvania.

County Planning Commission: The Cambria County Planning Commission.

Crosswalk (Interior Walk): A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

Dedication: The deliberate appropriation of land by its owner for any general and public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters for a single housekeeping unit.

Easement: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the grantor shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Engineer: A licensed professional engineer registered in the Commonwealth of Pennsylvania.

Lot: A tract or parcel of land, regardless of size, intended for transfer of ownership, use, lease, or improvements or for development, regardless of how it is conveyed. Lot shall also mean parcel, plot, site, or any similar term.

Lot Area: The area contained within the property lines of a lot excluding space within all streets and within all permanent drainage easements, but including the areas of all other easements.

Marker: A metal pipe or pin of at least one-half (1/2) inch in diameter and at least twenty four (24) inches in length.

Mobile Home (Trailer): Any vehicle designed, intended, and used for living, sleeping, or office purposes, that is, or has been intended for mobility whether standing on wheels or on rigid supports. The term "mobile home" shall include camp cars and campers.

Monument: A stone or concrete monument with a flat top at least four (4) inches in diameter or square and at least twenty four (24) inches in length. Stone monuments shall contain an indented cross or one-fourth (1/4) inch drill hole. Concrete monuments shall contain a copper or brass dowel (plug).

Official Plans: The Comprehensive Development Plan and/or Official Map and/or Topographical Survey and/or such other Plans, or portions thereof, as may have been adopted by the Borough Council pursuant to statute, for the area of the Borough in which the subdivision is located.

Planning Commission or Borough Planning Commission: The Planning Commission of, Gallitzin Borough.

Resubdivision: Any replatting or resubdivision of land, limited to changes in lot lines on the approved Final Plan or Recorded Plan as specified in Article II, Section 211, of these regulations. Other plattings shall be considered as constituting a new subdivision of land. See "Subdivision."

Record Plan: The copy of the Final Plan which contains the original endorsements of the Borough Planning Commission, Borough Council, and which is intended to be recorded with the County Recorder of Deeds.

Reverse Frontage Lot: A lot extending between and having frontage on two (2) generally parallel streets, (excluding service streets) with vehicular access solely from one street.

Review: Whenever the County Planning Commission possesses such review jurisdiction, the action of review shall not limit the appropriate authorities of the Borough Council in their ultimate and final decisions.

Right-of-Way: The total width of any land reserved or dedicated as a street alley, crosswalk, or for other public or semi-public purposes.

Roadway: See "Cartway".

Sanitary Sewage Disposal, On-Site: Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

Sanitary Sewage Disposal, Community: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and disposal plant, generally serving a neighborhood area.

Sanitary Sewage Disposal, Public: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

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.

Sight Distance: The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point four and one-half (4 1/2) feet above the centerline of the road surface to a point one-half (1/2) feet above the centerline of road surface.

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.

Solicitor: The solicitor appointed by the Gallitzin Borough Council or his duly authorized representative.

Street: A strip of land, including the entire right-of-way (not limited to the cartway), intended for use as a means of vehicular and pedestrian circulation to provide access to more than one lot. Streets are further defined as follows:

- (1) Minor Street: A street used primarily to provide access to abutting properties.
- (2) Cul-de-Sac Street: A minor street intersecting another street at one end and terminating at the other end by a permanent vehicular turn-around.
- (3) Half (Partial) Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street.
- (4) Marginal Access Street: A minor street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and controls intersections with the major street.
- (5) Collector Street: A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route and gives access to community facilities and/or other collector and major streets. (Streets in industrial and commercial subdivisions shall generally be considered collector streets.)
- (6) Major Street: A street serving a large volume of comparatively high-speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
- (7) Service Street: A minor right-of-way providing secondary vehicular access to the site or rear of two (2) or more properties.

Structure: Any materials or combination of materials, which are constructed or erected, the use of which requires location on the ground or attached to something located on the ground.

Subdivider: Any individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit (or agent authorized thereby) which undertakes the subdivision of land, as defined by these regulations as the owner, equitable owner (or agent authorized thereby) of the land being subdivided.

Subdivision:

- (1) "Subdivision" is hereby defined as the division of a single lot, tract or parcel of land or a part thereof into two (2) or more lots, tracts or parcels of land, either by lots or metes and bounds, including changes in street lines or lot lines for the purpose, immediate or future, of conveyance, transfer of ownership, improvement or sale.

- (2) A subdivision as defined above includes division of a parcel of land having frontage on an existing street into two (2) or more parcels having frontage on the existing street.
- (3) For the purpose of these regulations, division of land for agricultural purposes in parcels of more than ten (10) acres and not involving any new street or easement of access shall not be deemed a subdivision.
- (4) The term subdivision shall also include any development of a parcel of land (including industrial parks, mobile home parks, shopping centers, or a multiple dwelling project) which fronts on existing streets or involves installation of new streets and/or service streets, even though the streets and/or service streets might not be dedicated to public use and the parcel might not be divided immediately for purposes of conveyance, transfer, or sale, or even though the owner does not transfer legal or equitable title.
- (5) The term subdivision includes resubdivision.
- (6) The term subdivision shall refer, as appropriate in these regulations, to the process of subdividing land or to the land proposed to be subdivided.

Surveyor: A licensed surveyor registered by the Commonwealth of Pennsylvania.

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 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, but generally not confined to one neighborhood.

Zoning Officer: The agent or official designated by the Borough Council to administrate and enforce the Gallitzin Borough Zoning Ordinance.

ARTICLE VII
ADMINISTRATION, AMENDMENT, SEVERABILITY

SECTION 701 REVISION AND AMENDMENT

- A. The Borough Council may, from time to time on their own motion revise, modify, or amend these regulations in order to increase their effectiveness or to expedite the approval of subdivision plans.
- B. Any revisions, modifications or amendments to these regulations shall be made in accordance with the procedures established by law, after a public hearing on the proposed revisions, modifications, or amendments.

In addition, in the case of amendment other than that prepared by the Borough Planning Commission, the Borough Council shall submit each amendment to the Borough Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

SECTION 702 MODIFICATIONS

The provisions of these regulations are intended as minimum standards for the protection of the public health, safety, and welfare of the residents and inhabitants of the Borough. The Borough reserves the right, in unusual situations, to modify or to extend them conditionally in individual cases as may be necessary in the public interest, provided, however, that such variation shall not have the effect of nullifying the intent and purpose of these regulations. The list of such modifications and the reasons for them shall be entered in the minutes of the Borough Planning Commission or Borough Supervisors, and a copy of this entry shall be transmitted to the Borough Secretary. Modifications shall be clearly defined and entered on the Final Plan and signed by the Chairman of the Borough Council.

SECTION 703 RECONSIDERATION, APPEALS AND CHALLENGES

- A. Any subdivider aggrieved by a finding, decision, or recommendation of the Borough Planning Commission may request and shall receive an opportunity to appear before the Borough Planning Commission to present additional relevant information and request, in writing, reconsideration of the original finding, decision or recommendation.
- B. Any persons aggrieved by a finding, decision or recommendation of the Borough Planning Commission may appeal, in writing, to the Borough Council within ten (10) days after the date of action of the Borough Planning Commission.

- C. Upon receipt of such appeal, the Borough Council shall hold a hearing after proper notification to all parties in interest, and in the manner prescribed by law.
- D. After such hearing the Borough Council may affirm or reverse the action of the Borough Planning Commission by a recorded vote and in the manner prescribed by law. The findings and reasons for the disposition of the appeal shall be stated on the records of the Borough Council, a copy shall be given to the appellant. Affirmative action shall authorize the subdivider to continue application from the point at which it was interrupted.
- E. Any person aggrieved by action of the Borough Planning Commission or Borough Council may appeal within thirty (30) days directly to the Court of Common Pleas of Cambria County in accordance with and in a manner prescribed by the Pennsylvania Municipalities Planning Code.
- F. Challenges by any persons to the validity of this Subdivision Ordinance or any amendments thereto shall be taken in accordance with the Pennsylvania Municipalities Planning Code.

SECTION 704 FEES

- A. The Borough Council shall establish by resolution a collection procedure and Schedule of Fees to be paid by the subdivider at the time of filing a Preliminary Plan.
- B. The Schedule of Fees shall be posted in the Borough Secretary's office or in such other place as the Borough Council may designate.
- C. In the event the subdivider is required to pay additional fees at the filing of the Final Plan, such fees shall be collected by the Borough Secretary prior to distributing the Final Plan. There shall be no refund or credit of any portion of the fee should the subdivider fail to apply for final approval within the required period of time or if the Final Plan covers only a section of the subdivision for which Preliminary Approval has been obtained.
- D. No Final Plan shall be approved unless all fees and charges have been paid in full.

SECTION 705 PENALTIES

- A. No lot in a subdivision shall be sold, no permit to erect any building upon land in a subdivision shall be issued, and no

building shall be erected in a subdivision until a Final Plan of such subdivision shall have been approved and properly recorded and until improvements have been either constructed or guaranteed.

B. Any person, co-partnership or corporation who shall subdivide any lot, tract, or parcel of land, lay out, construct, open or dedicate any street, sanitary sewer, storm sewer or water main or other improvements for public use, travel or for the common use of occupants for buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any lot or erect any building in a subdivision without first having complied with all the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one hundred dollars (\$100) per lot or parcel or per dwelling within each lot or parcel. The description by metes and bounds in the instrument of transfer or other documents used for selling or transferring shall not exempt the seller or transferor from such penalties.

C. The Borough Council may initiate and maintain civil action:

(1) To obtain a writ of injunction against the owner or agency who attempt the improper sale or conveyance of land.

(2) To set aside and invalidate any conveyances of land made prior to Final Plan Approval of any subdivision.

D. Nothing herein shall prevent the Borough Council from taking such other action necessary to prevent or remedy any violation.

SECTION 706 KEEPING OF RECORDS

The Borough Planning Commission and the Borough Council shall keep a record of their findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be made available to the public for review.

SECTION 707 RESPONSIBILITY

The subdivider shall be responsible for observing the procedures established in this Ordinance and for submitting all plans and documents as may be required.

08 CONFLICTS

A. Whenever there is a difference between the minimum standards specified herein and those included in other Borough Ordinances or regulations the more stringent requirements shall apply.

- B. All existing ordinances or regulations or parts thereof which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 709 SEVERABILITY

Should any article, section, subsection, paragraph, clause, phrase, or provision of these Regulations be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of the Regulation as a whole or any part or provision thereof other than the part so declared to be invalid or unconstitutional.

SECTION 710 EFFECTIVE DATE

This Ordinance shall become effective ten (10) days after the same which have been passed by the Gallitzin Borough Council and approved by the Solicitor of the Borough.

DULY ENACTED AND ORDAINED BY THE Borough Council of Gallitzin Borough,
Cambria County, Pennsylvania, this _____ day of _____,
19_____, in lawful session duly assembled.

BY

ATTEST:

Secretary

APPENDIX

Gallitzin Borough Planning Commission

APPLICATION FOR REVIEW OF A PRELIMINARY SUBDIVISION PLAN

The undersigned hereby applies for Review by the Planning Commission of the Preliminary land subdivision plan submitted herewith and described below:

1. Name of subdivision: _____ Plan Dated: _____
County Deed Book No.: _____ Page No. _____

2. Name of property owner (s): _____
(if corporation, list corporation's name and address
and two (2) officers of corporation)

Address: _____
_____ Phone No. _____

3. Name of applicant: _____
(if other than owner)

Address: _____
_____ Phone No. _____

4. Applicant's interest if other than owner: _____

5. Engineer or surveyor responsible for plan: _____

Address: _____
_____ Phone No. _____

6. Total acreage: _____ Number of Lots: _____

7. Acreage of adjoining land in same ownership (if any): _____

8. Type of development planned: _____
_____ Single family
_____ Two-family
_____ Row
_____ Multi-family
_____ Commercial
_____ Industrial
_____ Other (Specify)

9. Will construction of buildings be undertaken immediately? Yes _____ No _____
- By Whom? _____ Subdivider
 _____ Other developers
 _____ Purchasers of individual lots
10. Type of water supply proposed Public (municipal) system
 _____ Individual on-site
11. Type of sanitary sewage disposal proposed Public (municipal) system
 _____ Live Capped
 _____ Individual on-site
12. Are all streets proposed for dedicatior? Yes _____ No _____
13. Acreage proposed for park or other public or semi-public use: _____
14. Zoning changes, if any, to be requested: _____
15. Have appropriate public utilities been consulted? Yes _____ No _____
16. Material accompanying this application:

<u>Number</u>	<u>Item</u>
a) _____	Final Plan
b) _____	Copies of Deed Restrictions
c) _____	
d) _____	

The undersigned represents that to the best of his knowledge and belief all the above statements are true, correct, and complete.

The undersigned further represents that, except as otherwise specifically noted on the attached sheet, all proposed public improvements and facilities as shown on the Final subdivision plan are to be improved, constructed and completed, or a bond posted with the municipality in sufficient amount to cover full estimated cost of construction thereof, prior to sale, transfer or agreement of sale of any subdivided parcels as shown on the plan.

Date: _____ Signature of Owner or Applicant: _____
 (by): _____

TO BE FILLED IN BY PLANNING COMMISSION

1. Date application was received _____

Amount of fee paid \$ _____

2. Date reviewed by Planning Commission _____

3. Referrals and dates:

(a) County Planning Commission _____

(b) _____ Engineer _____

(c) State Dept. of Health _____

(d) _____ Zoning Officer _____

(e) Others _____

4. Reports received:

(a) County Planning Commission _____

(b) _____ Engineer _____

(c) State Dept. of Health _____

(d) _____ Zoning Officer _____

(e) Others _____

5. Planning Commission Action

Approved

(date)

Approved subject to the following
modifications:

(date)

Disapproved for the following reasons:

(date)

Attest:

Chairman

(Secretary)

Gallitzin Borough Planning Commission

APPLICATION FOR REVIEW OF A FINAL SUBDIVISION PLAN

The undersigned hereby applies for Review by the Planning Commission of the Final land subdivision plan submitted herewith and described below:

1. Name of subdivision: _____ Plan Date: _____
County Deed Book No. _____ Page No. _____
County Tax Map No. _____ Parcel No. _____
2. Name of property owner(s): _____
(if corporation, list corporation name and address
and two officers of corporation)
Address: _____
_____ Phone No. _____
3. Name of applicant: _____
(if other than owner)
Address: _____
_____ Phone No. _____
4. Applicant's interest if other than owner: _____
5. Engineer or surveyor responsible for plan: _____
Address: _____
_____ Phone No. _____
6. Total acreage: _____ Number of lots: _____
7. Acreage of adjoining land in same ownership (if any): _____
8. Type of development planned: _____
_____ Single family
_____ Two-family
_____ Row
_____ Multi-family
_____ Commercial
_____ Industrial
_____ Other (Specify)

9. Will construction of buildings be undertaken immediately? Yes _____ No _____

By whom? _____
Subdivider
Other developers
Purchasers of individual lots

10. Type of water supply proposed _____
Public (municipal) system
Semi-public (community) system
Individual on-site

11. Type of sanitary sewage disposal proposed _____
Public (municipal) system
Live Capped
Semi-public (community) system
Individual on-site

12. Are all streets proposed for dedication? Yes _____ No _____

13. Acreage proposed for park or other public or semi-public use: _____

14. Zoning changes, if any, to be requested: _____

15. Have appropriate public utilities been consulted? Yes _____ No _____

16. Material accompanying this application:

Number	Item
a) _____	Final Plan
b) _____	Copies of Deed Restrictions
c) _____	
d) _____	

The undersigned represents that to the best of his knowledge and belief all the above statements are true, correct, and complete.

The undersigned further represents that, except as otherwise specifically noted on the attached sheet, all proposed public improvements and facilities as shown on the Final subdivision plan are to be improved, constructed and completed, or a bond posted with the municipality in sufficient amount to cover full estimated cost of construction thereof, prior to sale, transfer or agreement of sale of any subdivided parcels as shown on the plan.

Date: _____ Signature of Owner or Applicant: _____

(by) : _____

CERTIFICATION OF ACCURACY

The following certification, in the wording shown, must be labeled and completed on the Final subdivision plan:

I hereby certify that the plan shown and described hereon, as well as all drawings bearing my seal, are true and correct to the accuracy required by the Land Subdivision Regulations, and were prepared by me or under my direction and for which I accept full responsibility. The perimeter monuments have been accurately placed as required by Article VI, Section 602.

(2)

, 19____

(1)

- (1) Signature of the Registered Engineer or Registered Surveyor responsible for the preparation of the plan.
- (2) Apply seal of the engineer or surveyor.

CERTIFICATION OF OWNERSHIP, ACKNOWLEDGEMENT
OF PLAN, AND OFFER OF DEDICATION

The following certification, in the wording shown, must be labeled and completed on the Final subdivision plan:

Commonwealth of Pennsylvania
County of Cambria

SS

On this, the _____ day of _____, 19____, before me,
the undersigned officer, penalties appeared _____,
who being duly sworn according to law, deposes and says that he
is the _____ (1) _____ of the property shown on this plan,
that the subdivision plan thereof was made at his/its direction,
that he acknowledges the same to be his/its act and plan
_____ (2) _____, and that all streets _____ (3) _____ shown
and not heretofore dedicated are hereby dedicated to the public
use _____ (4) _____.

_____ (5) _____ (6) _____ (7)

_____ (8) _____ (9)

My commission
expires _____, 19____

- (1) Insert either: owner
equitable owner
president of the (name of corporation) which is the
owner
- (2) Whenever applicable, insert: and desires the same to be recorded as
such according to law
- (3) Whenever applicable, insert: and open spaces contained in lots number
- (4) If necessary, insert: except those labeled "not for dedication" (and
other restrictions or reservations)
- (5) Where necessary, signature of secretary of corporation
- (6) Signature of individual, of partners, or of president of corporation
- (7) If necessary, corporate seal
- (8) Signature and (9) seal of notary public or other officer

Gallitzin Borough Planning Commission

SUBDIVISION IMPROVEMENTS AGREEMENT

In consideration of the mutual covenants contained herein, it is hereby agreed between the _____ of the _____ of _____, and _____, the subdivider of the property shown on the plan of _____, dated _____, 19____, that in accordance with municipal requirements and specifications, the responsibility for the provision of the improvements shown on the plan will be as follows:

<u>Improvement</u>	<u>To be provided by</u>		
	<u>Est. Cost</u>	<u>Subdivider</u>	<u>Municipality</u> <u>Other (specify)</u>
Street grading	_____	_____	_____
Street base	_____	_____	_____
Street paving	_____	_____	_____
Curbs	_____	_____	_____
Sidewalks	_____	_____	_____
Storm sewer facilities	_____	_____	_____
Sanitary sewers; Trunk lines	_____	_____	_____
Mains	_____	_____	_____
House connections	_____	_____	_____
On-site sewage facilities	_____	_____	_____
Water Distribution: Mains	_____	_____	_____
Meters	_____	_____	_____
Service Connections	_____	_____	_____
On-site water supply	_____	_____	_____
Fire hydrants	_____	_____	_____
Street monuments	_____	_____	_____
Street name signs	_____	_____	_____
Street lights	_____	_____	_____
Supervision of all installations	_____	_____	_____
Total Estimated Cost	_____	_____	_____

Prior to the _____ Planning Commission's endorsement of the Record
lan of this aforementioned subdivision, an original copy of this agreement
hall be filed with the _____ Planning Commission. A copy of this agree-
ent shall also be filed with the _____, notwithstanding
ther completion guarantees (in the form of a bond or the deposit of funds or
ecurities in escrow) as may be required.

This agreement shall be subject to such modifications as may be mutually
greed upon by the subdivider and the _____.

(witness)

(signature of subdivider)

(witness)

Approved by resolution of the _____, 19____.
at the meeting of _____

(seal)

CERTIFICATE OF MUNICIPAL APPROVAL

The approval of the Final Plan by _____ in which the subdivision is located must be indicated on the Record Plan in substantially the following form:

At a meeting held on _____, 19____, the _____
of _____ by _____ (1)
duly enacted, approved the subdivision plan of the property
of _____ (2), as shown hereon.

(3)

(4)

- (1) Insert either a Resolution, or Ordinance #
- (2) Insert name of property owner
- (3) Signatures of _____
- (4) Municipal seal

Gallitzin Borough Planning Commission

SUBDIVISION SEWAGE DISPOSAL REPORT

The following information is required for subdivisions where individual septic tanks and sub-surface disposal fields are planned. Three (3) copies of this report, accompanied by the required copies of the preliminary subdivision plan showing the location of test holes, shall be filed with the

The Secretary will forward these to the Office of the Pennsylvania Department of Health for its analysis and recommendations. Percolation tests shall be made and tabulated by a licensed Engineer or qualified Sanitarian. The procedures for conducting the tests shall be as required by the Pennsylvania Department of Health.

Name of Subdivider: _____ Phone No. _____

Address: _____

Subdivision Name: _____

Location: _____

Total area: _____ acres. Proposed typical lot areas: _____ sq. ft.

Maximum number of bedrooms per dwelling unit: _____

Water supply: _____ Public system _____ Community system _____ On-Lot wells

Distance to nearest public water supply: _____

Name of system: _____

Distance to nearest public sewage system: _____

Name of system: _____

Is public sewerage planned for the area? _____ If so, when? _____

Is public water planned for the area? _____ If so, when? _____

Distance to nearest stream: _____ Name: _____

Give information on subsoil conditions to a depth of at least six feet: _____

Give information on water table elevations: _____

The results of the soil percolation tests shall be entered in the table appearing on the Soil Percolation Test Report Form, which constitutes a part of this report (use as many sheets of form as are necessary).

Date: _____ Signature of Owner or Applicant: _____

Date of Tests: _____ (by): _____

ANALYSIS OF SUBDIVISION DISPOSAL REPORT
(by Pennsylvania Department of Environmental Resources)

We have examined the results of the soil percolation tests and the other information listed in this report. It is the opinion of this office that the tract as a whole is:

___ Suitable for the use of individual septic-tank system provided that:

1. The design of the subdivision provides for each building lot a sub-surface disposal field having a gross area of at least _____ sq. ft. per bedroom.
2. The tract, or portions of the tract designated, conforms to the following conditions:

___ Unsuitable for use of individual septic tank systems for the following reasons:

Suggested alternate method of sewage disposal:

Pennsylvania Department of Health

Reviewing Officer _____ Date: _____

It is understood that the conclusions rendered on this report do not cover the installation of the individual septic tank systems. The design, construction, and installation of each facility should be based upon specific conditions affecting each building lot.

Gallitzin Borough Planning Commission

SOIL PERCOLATION TEST REPORT

Test Hole	Time	Depth of Water	Drop	Remarks
No. _____	_____	_____	_____	_____
Depth _____	_____	_____	_____	_____
Soil type _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Rate of fall _____	_____	_____	_____	_____
_____ min/in.	_____	_____	_____	_____
_____	_____	_____	_____	_____
No. _____	_____	_____	_____	_____
Depth _____	_____	_____	_____	_____
Soil type _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Rate of fall _____	_____	_____	_____	_____
_____ min/in.	_____	_____	_____	_____
_____	_____	_____	_____	_____
No. _____	_____	_____	_____	_____
Depth _____	_____	_____	_____	_____
Soil type _____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Rate of fall _____	_____	_____	_____	_____
_____ min/in.	_____	_____	_____	_____
_____	_____	_____	_____	_____

I hereby certify that the above information is true and correct and that these tests were made under my supervision by _____ in accordance with the procedures required by the Planning Commission of _____

Registered Engineer or Qualified Sanitarian

(seal)

Date

DESIGN STANDARDS
ON-SITE SANITARY SEWAGE DISPOSAL FACILITIES

The following tables of recommended design specifications have been adapted from the Manual of Septic Tank Practice (U.S. Public Health Service Publication #526), the Minimum Property Standards for One and Two Living Units (Federal Housing Administration Publication #300) and the Household Sewage Disposal for Rural and Suburban Areas (Pennsylvania Department of Health), and include allowances for household appliances common in residential use.

* * * * *

The results of percolation tests must be evaluated in the light of information from soil investigations, percolation test rates and topographic features at each site. The following absorption area requirements (area of trench bottom) should be used to determine the size of absorption field necessary:

TABLE I

ABSORPTION AREA REQUIREMENTS FOR PRIVATE RESIDENCES

Absorption Area Requirements for Private Residences
(Provides for Garbage Grinder and Automatic-Sequence Washing Machines)

Percolation Rate (time for water to fall 1 in. in min.)	Septic Tank Effluent Required Absorption Area Sq. ft./bedroom	Aerobic Tank Effluent Required Absorption Area (Standard trenches, seepage beds, seepage pits)
15 or less	175	*120
16 - 30	250	*210
31 - 45	300	300
46 - 60	330	330

* Indicates reduced absorption area other than required for conventional septic tank effluent. Aerobic sewage treatment systems utilizing reduced absorption areas for effluent disposal are experimental and shall be so indicated on the permit.

TABLE II

ABSORPTION AREA REQUIREMENTS FOR OTHER ESTABLISHMENTS

Absorption Area Requirements for Multiple Dwellings and Other Establishments (with or without Garbage Grinder. (G.G.) and Automatic sequence washing machine (A.W.). Absorption area for standard trench is computed as trench-bottom area.

Percolation Rate	Maximum Rate of Septic Tank Effluent Application			
	Sq. ft./GPD *	Sq.ft./GPD with G.G.	Sq.ft./GPD with A.W.	Sq.ft./GPD With G.G. & A.W.
15 or less	.75	.90	1.05	1.20
16 - 30	1.10	1.30	1.55	1.75
31 - 45	1.25	1.50	1.75	2.00
46 - 60	1.65	2.00	2.30	2.65

*GPD - Gallons Per Day

TABLE III

SEWAGE APPLICATION RATES

Percolation Rate	Maximum Rate of Aerobic Tank Effluent Application			
	Sq.ft./GPD	Sq.ft./GPD with G.G.	Sq.ft./GPD With A.W.	Sq.ft./GPD With G.G. & A.W.
15 or less	*.50	*.60	*.75	*.85
16 - 30	*.95	*1.10	*1.30	*1.50
31 - 45	1.25	1.50	1.75	2.00
46 - 60	1.65	2.00	2.30	2.65

* Indicates reduced absorption area other than required for conventional septic tank effluent. Aerobic sewage treatment systems utilizing reduced absorption areas for effluent disposal are experimental and shall be so indicated on the permit.

TABLE IV

RECOMMENDED SEPTIC TANK CAPACITY PER BEDROOM

Number of Bedrooms	Recommended Minimum Tank Capacity (gallons)
3 or less	900
4	1000

For each additional bedroom, add 100 gallons.

Tile disposal fields should be constructed to provide the minimum absorption areas shown in Table I. Table IV should be used as a guide in the general design of tile disposal fields:

TABLE V
SUBSURFACE ABSORPTION FIELD STANDARDS

Item	Unit	Max.	Min.
Number of tile lines	---	---	3
Length of line	feet	100	
Width of trench (bottom)	inches	36	18
Distance between center-line of trenches if trench width is:			
12 to 18 inches	feet	---	6.0
18 to 24 inches	feet	---	6.5
24 to 30 inches	feet	---	7.0
30 to 36 inches	feet	---	7.5
Depth of tile line (bottom)	inches	36	18
Slope of tile line	inches in 100/feet	6	2
Depth of coarse filter material			
Under line	inches	---	6
Over line	inches	---	2
Under line within 10' of trees	inches	---	12

Location of subsurface sewage systems should not be less than as follows:

TABLE VI
MINIMUM SAFE SETBACKS (IN FEET)

From	To	
Well	50	100
Property line	5	10
Foundation wall	10	10
Water line	10	10
Stream	25	50
Large trees	10	10

SOIL PERCOLATION TEST PROCEDURE

In any new subdivision, all lots which cannot be connected to a public or community sanitary sewerage system must, prior to the time of building occupancy, be provided with an on-lot sewage disposal system. In order to determine the general adequacy of the property for subsurface sewage disposal systems, as well as to establish the minimum lot sizes for each such facility, soil percolation tests must be performed for review by the County Planning Commission. These tests must be made at the rate of one per acre of the property being subdivided, except that tests need not be made on any lot larger than five (5) acres. The results of these tests will be analyzed by the Pennsylvania Department of Health to determine whether or not the soil is generally suitable for on-lot disposal systems, but the precise length of field-tile necessary for each separate system generally requires a separate test on each lot at the location and final grade level of the unit.

Generally, three conditions should be met for satisfactory functioning of on-lot systems:

- 1) The percolation rate should not exceed (not longer than) one (1) inch in sixty (60) minutes.
- 2) The maximum elevation of the ground-water table should be at least four (4) feet below the surface; and
- 3) Rock formations or other impervious strata should be at a depth greater than four (4) feet below the bottom of trench.

Unless these conditions are satisfied, the site is unsuitable for a subsurface sewage disposal system, except for isolated systems.

Subsurface investigations are necessary to determine subsurface formations in a given area. In some cases, an examination of road cuts, stream embankments or building excavations will give useful information. Wells and well-driller's logs can also be used to obtain information on ground water and subsurface conditions. In some areas, subsoil strata vary widely in short distances, and borings must be made at the site of the system using an auger. If the subsoil appears suitable, percolation tests should be made at points and elevations selected as typical of the area in which the disposal field will be located.

¹
Adapted from Manual of Septic Tank Practice, U.S. Department of Health, Education and Welfare, Public Health Service Publication No. 52 and Household Sewage Disposal for Rural and Suburban Areas, as revised, Commonwealth of Pennsylvania, Department of Health.

Under the regulations of the Department of Health, soil percolation tests must be supervised and certified by a registered professional engineer or by a qualified sanitarian. Where approval by the Department of Health is otherwise required, two (2) copies of the Department's report of investigation and approval may be submitted to satisfy the percolation test requirement of the county Subdivision Regulations.

The test procedure, as recommended by the Department of Health, is as follows:

- 1) Dig or bore the test hole, with a horizontal dimension between four (4) and twelve (12) inches and with vertical sides, to the depth of the proposed absorption trench, i.e., eighteen (18) inches to thirty inches deep. In order to save time, labor, and volume of water required per test, the holes can be bored with a four (4) inch auger.
- 2) Carefully scratch or roughen the bottom and sides of the hole with a knife blade or sharp-pointed instrument in order to remove any smeared soil surfaces and to provide a natural soil interface into which water may percolate. Remove all loose material from the hole. Add a two (2) inch layer of coarse sand or fine gravel to protect the bottom from scouring and sediment.
- 3) Fill the test hole with clear water to a minimum depth of twelve (12) inches over the gravel and maintain this water level by an automatic siphon or other suitable means for at least four (4) hours and preferably overnight. This procedure is to insure that the soil is given ample opportunity to swell and to approach conditions similar to those during the wettest seasons of the year. Thus, the test will give comparable results in the same soil, whether made in a dry or in a wet season. In sandy soils containing little or no clay, the test may be made after the water from one (1) filling of the hole has completely seeped away.
- 4) After the required swelling period, the water level should be adjusted to a depth of six (6) inches above the sand or gravel. The time required for all of the water to seep away should then be recorded. This length of time divided by six (6) equals the average time required for one (1) inch of water to seep away and is the percolation rate to be reported. Or if, after adjustment, the water in the hole is seeping away at a slow rate, proceed as follows: From a fixed point, measure and record the drop of water level at approximately thirty (30) minute intervals for four (4) hours. The drop that occurs during the final thirty (30) minute period should then be used to calculate the percolation rate.

1
It is important to distinguish between saturation and swelling. Saturation means that the void spaces between soil particles are full of water. This can be accomplished in a short period of time. Swelling is caused by intrusion of water into the individual soil particles. This is a slow process, especially in clay-type soil, and is the reason for requiring a prolonged soaking period.

- 5) Mark the locations of the test holes on the preliminary, or sketch plan and note the proximity of steep slopes, ten (10) percent or more, springs, seepage areas or swamps. Complete three (3) copies of the Subdivision Sewage Disposal Report and the Soil Percolation Test Report and submit these copies to the _____ Planning Commission along with the plan. After the Department of Health has entered its recommendations, one copy will be forwarded to the municipality in which the subdivision is located.