

**PROPOSED
SUBDIVISION
AND
LAND DEVELOPEMENT
ORDINANCE
WEST TAYLOR TOWNSHIP
1992**

**PREPARED BY
CAMBRIA COUNTY PLANNING COMMISSION
COURTHOUSE ANNEX
EBENSBURG PENNSYLVANIA**

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ARTICLE I
SHORT TITLE AND PURPOSE

SECTION 101 SHORT TITLE

This Ordinance shall be known, and may be cited as, the West Taylor Township Subdivision and Land Development Regulations of 1992.

SECTION 102 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. Encouraging and promoting flexibility, economy, and ingenuity in the layout and design of subdivisions and land development including the provisions authorizing the Municipality to alter site requirements and for encouraging other practices which are in accordance with modern and evolving principles of site planning and development.
- B. Assuring sites suitable for building purposes and human habitation.
- C. Providing for the harmonious development of the Municipality as outlined in the Municipality's Comprehensive Plan (if applicable).
- D. Assuring coordination of existing streets and highways with proposed streets, parks, or other features of the official plan or map of the Municipality.
- E. Providing for adequate open spaces for traffic, recreation, light, and air and for proper distribution of population.
- F. Assuring equitable and just processing of subdivision plans by providing uniform procedures and standards for the observance of both the subdivider and Municipal officials.
- G. Planning and managing storm water runoff in each watershed by regulating subdivisions, land development, and mobile home parks in a manner consistent with the Pennsylvania Storm Water Management Act, No. 167.

- H. Utilizing and preserving the desirable existing natural drainage system.
- I. Encouraging recharge of groundwaters.
- J. Maintaining the existing flows and quality of streams and water courses in the Municipality and the Commonwealth.
- K. Preserving and restoring the flood carrying capacity of streams.
- L. Providing for proper maintenance of all permanent storm water management structures which are constructed in the Municipality.

ARTICLE II
DEFINITIONS

SECTION 201 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 202 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 "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 203 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 204 SPECIFIC TERMS

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

Accelerated Erosion: The removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur because of the natural processes alone.

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

Building: A structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels, or property. When separated by walls which are common with the walls of adjoining dwellings, each portion of such structure shall be considered a separate building. It shall include any overhang, projection, or roof extending beyond a wall or support. Sun parlors and covered porches whether enclosed or unenclosed, but does not include walks, steps, or terraces.

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.

Cistern: An underground reservoir or tank for storing rainwater.

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.

Culvert: A structure with appurtenant works which carries surface water under or through an embankment or hill.

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.

Design Storm: The magnitude of precipitation from a storm event measured in probability of occurrence (e.g. 25-yr. storm) and duration (e.g. 24-hour), and used in computing storm water management control systems.

Detention Basin: A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event, or it can be designed to contain a permanent pool of water.

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.

Erosion: The removal of soil particles by the action of water, wind, ice, or other geological agents.

Groundwater Recharge: Replenishment of existing natural underground water supplies.

Impervious Surface: A surface which prevents the penetration of water into the ground.

Infiltration Structures: A structure designed to direct runoff into the ground, e.g. french drains, seepage pits, seepage trench.

Land Development:

- a. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 1. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure;
 2. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features.
- b. A subdivision of land;
- c. Excepting:
 - (i) the conversion of an existing single-family detached or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;

- (ii) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building;
- (iii) the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides.

This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

Lot: A tract or parcel of land, regardless of size, and accessible by means of a public street which is 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 inch (1/2") in diameter and at least twenty-four inches (24") in length.

Municipality: West Taylor Township, Cambria County, Pennsylvania acting through its Township Supervisors.

Municipal Officials: West Taylor Township Supervisors

Minor Subdivision: Any subdivision containing not more than five (5) lots fronting on an existing street, and not involving the extension of sanitary water and/or sewer lines, or the creation of any public improvements, and does not adversely affect the natural resources of the Municipality, and does not adversely affect the remainder of the parcel or adjoining property, and does not adversely affect the present or future development of the Municipality.

Mobile Home: A transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly contained in one unit or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile Home Park: A parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

Monument: A stone or concrete monument with a flat top at least four inches (4") in diameter and at least twenty-four inches (24") in length. Stone monuments shall contain an indented cross or one-fourth inch (1/4") 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 Municipality pursuant to statute, for the area of the Municipality in which the subdivision is located.

Paved or Pavement: An all-weather permanent surface composed of bituminous or concrete material applied over a base of stone or slag and used to convey motor vehicles.

Peak Discharge: The maximum rate of flow of water at a given point and time resulting from a storm event.

Planning Commission or Planning Committee: The Planning Commission or Committee of West Taylor Township.

Plat: The map or plan of a subdivision or land development, whether preliminary or final. The word Plat includes the word Plan.

Public Grounds: Includes:

1. parks, playgrounds, trails, paths, and other recreational areas and other public areas;
2. sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
3. publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

Public Meeting: A forum held pursuant to notice under the act of July 3, 1986 (P.L 388, No. 84), known as the "Sunshine Act."

Public Notice: Notice published once each week for two successive weeks in a newspaper of general circulation in the Municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

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 III, Section 311, 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 Planning Commission, and/or Municipality, 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 Municipality in their ultimate and final decisions.

Right-of-way (ROW): 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."

Runoff: That part of precipitation which flows over the land.

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.

Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

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.

Shoulder: Grass swale for storm water control.

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 feet (4-1/2') above the centerline of the road surface to a point one-half foot (1/2') 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 local Municipality.

Storm Water Management Plan: The plan for managing storm water runoff within Cambria County as required by the Act of October 4, 1978, P.L. 864, (Act 167), and known as the "Storm Water Management Act."

Street: A strip of land, including the entire right-of-way (not limited to the cartway), intended for use by the general public as a means of vehicular and pedestrian circulation to provide access to more than one lot. The word "street" includes street, avenue, boulevard, road, highway, freeway, thoroughfare, parkway, lane, alley, viaduct, and other terms that are used to describe the movement of vehicular or pedestrian traffic, whether public or private in nature. 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 (Minor Arterial): A street serving a large volume 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 side or rear of two (2) or more properties.

All streets, of any nature, shall be constructed according to the design standards, as included in Article V, Section 502, and approved in writing by the Municipality and the Municipal Engineer.

Structure: Any materials or combination of materials, which are constructed or erected, the use of which requires location on or in the land or water, or attached to something located on or in land or water, whether or not affixed to the land.

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

Substantially Completed: Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied, or operated for its intended use.

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

Swale: A low-lying stretch of land which gathers or carries surface water runoff.

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 dwellings and other buildings, but generally not confined to one neighborhood.

Zoning Officer: The agent or official designated by the Municipality to administrate and enforce the Municipal Zoning Ordinance.

ARTICLE III
SUBMISSION AND REVIEW PROCEDURES

SECTION 301 PROCEDURE

A. General

Hereafter all plans for the subdivision or development of land within the limits of the Municipality shall be reviewed by the Municipal Planning Commission and other Municipal, State, or County officials as deemed necessary and shall be approved or disapproved by the Municipality 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 III, Section 311, 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.

B. Phasing Development

If a developer proposes a large-scale development (10 acres or more) he may desire to construct said development in steps or phases. As the Pennsylvania Municipal Planning Code (Act 247) allows for such phased developments, the Municipality shall grant tentative approval for the entire project, or for that portion of the project that can be completed within five (5) years of initial plan submission. The developer shall then submit an application for final plan approval in phases, as delineated on the preliminary plan. As so submitted, site improvements would also be constructed in phases and not all at once. As each phase is completed, the developer shall submit an application for final approval of the next phase of development. This process shall continue until all phases of the project (development) are complete. If, however, no development takes place within three (3)

years from date of plan approval, the developer shall comply with any change in local ordinances that have been enacted since his preliminary plan was approved. Applicants are urged to consult the Cambria County Conservation District for assistance in determining the most effective storm water management measures to be utilized on the development site both during and after construction. The applicant is also urged to submit a sketch plan with a narrative description of these measures.

SECTION 302 SUBMISSION OF SKETCH PLAN

A. Plan to be Filed with Municipality:

Copies of the Sketch Plan for all proposed subdivisions and all required supporting data shall be submitted to the Municipal 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 IV, Section 401 of these regulations.

C. Distribution of Sketch Plan:

The Municipal Secretary (or his/her representatives) shall immediately (next business day) refer the Sketch Plans to the following:

- (1) One (1) copy to the County Planning Commission.
- (2) One (1) copy to the Municipal Planning Commission (if any).
- (3) One (1) copy to the Municipal Officials.
- (4) One (1) copy to the Municipal Engineer.

SECTION 303 REVIEW OF SKETCH PLAN

- A. A Sketch Plan shall be considered as a submission for informal discussion between the subdivider and the Municipality. Submission of a Sketch Plan shall not

constitute official submission of a plan to the Municipality.

B. Review by the Municipal Planning Commission:

- (1) Whenever a Sketch Plan has been submitted to the Municipal Secretary, the Secretary shall notify and distribute all Sketch Plan materials to the Municipal Planning Commission as required by Section 302 above. The Chairman of the Municipal Planning Commission shall then schedule a meeting to review the Sketch Plan within thirty (30) days of its receipt by the Municipal Planning Commission.
- (2) No official action shall be taken by the Municipal Planning Commission with respect to a Sketch Plan until the 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 Municipal 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 Municipal Planning Commission, the Commission shall send written notice of the Municipal Planning Commission's action, including changes or modifications, if any, required or recommended that it deems necessary or advisable, to the following:
 - (a) All Municipal Officials.
 - (b) The County Planning Commission.
 - (c) The subdivider or his agent.

In addition, the Municipal Planning Commission shall forward to the Municipal Officials all copies of reports received from the County Planning Commission.

- (4) If no Municipal Planning Commission or Committee exists at the time of Sketch Plan submission, then the Municipal Officials shall act in lieu of this Commission, following each of the above cited subsections.

SECTION 304 SUBMISSION OF PRELIMINARY PLAN

A. Plan to File with the Municipality:

Copies of the Preliminary Plan and all required supporting data (Department of Environmental Resources, PennDOT, and Cambria County Soil Conservation Service) shall be officially submitted to the Municipal Secretary by the subdivider or his representative authorized in writing to submit the plan.

B. Submission of Preliminary Plan Shall Comprise:

- (1) Three (3) completed copies of the Application for Review of Preliminary Subdivision Plan. (See Appendix.)
- (2) Eight (8) legible black-line or blue-line paper prints of the Preliminary Plan which shall fully comply with the requirements of Article IV, Section 402 of these regulations. Ten (10) copies required if a State road abuts or traverses subdivision.
- (3) Four (4) completed copies of the DER Sewage Facilities Planning Module for Land Development whenever soil percolation tests are required.
- (4) Three (3) copies of all other required information (DER, Cambria County Soil Conservation Service, PennDOT).

C. Filing Fee:

The Municipal Secretary (or his/her representative) shall collect a filing fee as established by the Municipality, by Resolution, 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 Municipal Secretary (or his/her representative) shall immediately (next business day) refer the Preliminary Plan, after all required fees have been collected, to the following:

- (1) One (1) copy of the plan to the Municipal Planning Commission, including one (1) copy of the application form and other required reports.
- (2) One (1) copy of the plan to the County Planning Commission and one (1) copy of all required supporting documents.
- (3) Four (4) copies of the plan to the Municipal Officials (plus Municipal File Copy) including one (1) copy of the application form and other required reports.
- (4) One (1) copy of the plan, and sewage facilities planning module to the Municipal Engineer.
- (5) One (1) copy of the plan to the Municipal Zoning Officer, if any.

SECTION 305 REVIEW OF PRELIMINARY PLAN

A. Review by the Municipal Engineer:

The Municipal Engineer shall review the Preliminary Plan to determine its conformance to the Municipal Subdivision Regulations. The Municipal Engineer may recommend changes, alterations or modifications, as he may deem necessary. The report of the Municipal Engineer shall be in writing and shall be submitted to the Municipal Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Municipal Planning Commission. The report shall include an estimate of the cost of construction of all improvements as required by this Ordinance. In the event that no Municipal Planning Commission exists, then all information requested above shall be sent to the Municipal Officials.

B. Review by the Municipal Zoning Officer:

The Municipal Zoning Officer shall review the Preliminary Plan to determine its conformance to the Municipal Zoning Ordinance. The Zoning Officer shall check all zoning data as required to be shown under Article IV, Section 402, to determine if information shown is in accordance with latest amendments to the Zoning Ordinance. The report from the Municipal Zoning Officer as to the accuracy of the information shown shall be submitted to the Municipal Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Planning Commission. In the event no Municipal Planning Commission exists, then all requested information stated above shall be sent to the Municipal Officials.

C. Review by the Pennsylvania Department of Transportation:

If a proposed subdivision abuts or is traversed by a State road, the Municipal 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 Municipal Planning Commission:

- (1) Whenever a Preliminary Plan has been submitted to the Municipal Secretary, the Secretary shall notify and distribute all Preliminary Plan materials to the Municipal Planning Commission as required by Section 302 above. The Chairman of the Municipal Planning Commission shall then schedule a meeting to review the Preliminary Plan within thirty (30) days of its receipt by the Planning Commission.
- (2) No official action shall be taken by the Municipal 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 Municipal Planning Commission may officially act without having received and considered such report. In any event, the Municipal Planning Commission shall take official action no later than five (5) days after the expiration of the aforesaid thirty (30) day period.

- (3) During review of the Preliminary Plan, the Municipal Planning Commission shall consider the written reports of the Municipal Engineer and the Municipal Zoning Officer, if any, before making its final decision.
- (4) If review by the Municipal Planning Commission is favorable, or unfavorable because the requirements of this Ordinance have not been met, or the Municipal 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 Municipal Planning Commission within two (2) days after the meeting at which the Preliminary Plan is reviewed to the following:
 - (a) All Municipal Officials.
 - (b) The County Planning Commission.
 - (c) The subdivider or his agent.

In addition, the Municipal Planning Commission shall forward to the Municipal Officials copies of all reports received from the County Planning Commission, Department of Transportation, Municipal Zoning Officer, and Municipal Engineer.

E. Review by the Municipal Officials:

- (1) When a Preliminary Plan has been officially referred to the Municipal Officials by the Municipal Planning Commission together with its recommendation, such Plan shall be reviewed at the next regularly scheduled meeting of the Municipal Officials, or

at the discretion of the Chairman/
President at a special meeting, which
may be held prior thereto.

- (2) In any event, the Municipal Officials shall render their decision and communicate it to the applicant no later than ninety (90) days after such application is filed. Failure of the Municipal Officials 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 Municipal Officials shall review the Preliminary Plan and the written reports and recommendations thereon of the Municipal Planning Commission, the County Planning Commission, (if same has been received), the Municipal Engineer, and by any other interested parties of the Municipality to determine the Preliminary Plan conformance to the standards contained in these regulations. Prior to these reports and recommendations, the Municipal Officials may hold a public hearing thereon after public notice to receive comments from the general public. After all desired input is received, the Municipal Officials may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.
- (4) The action of the Municipal Officials, either approving or disapproving the Preliminary Plan, shall be noted with the date of such action and the signature of the Chairman/President 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 be stated in the minutes and in writing. Subject to the requirements of subparagraph (2), within fifteen (15) days after the meeting at which the Preliminary Plan is reviewed, the Secretary of the Municipality 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 Municipal Planning Commission.

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

- (5) Approval of the 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 306 SUBMISSION OF FINAL PLAN

Within twelve (12) months of the Municipal Officials' approval of the Preliminary Plan, a Final Plan shall be officially submitted to the Municipality. However, an extension of time may be granted by the Municipality 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 respects to the Preliminary Plan as previously reviewed by the Municipal Planning Commission and the Municipal Officials and shall incorporate all modifications required by the Municipality in its review of the Preliminary Plan.

The Municipality may permit submission of the Final Plan in sections, or phases, each covering a

reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan.

A. Plans to be Filed with the Municipal Officials:

Copies of the Final Plan and all required supporting data shall be officially submitted to the Municipal 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 or mylar of the Final Plan which shall fully comply with Article IV, Section 403 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 Solicitor of the Municipality 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 restrictions previously imposed which may affect the title of the land being subdivided.
 - (c) Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Municipal Planning Commission or Municipal Officials may require the subdivider to submit, and also to record with the

Municipality on behalf of his heirs, successors and assigns and approved by the Solicitor of the Municipality 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 Municipal specifications or that the owners of the abutting lots shall include with the offer or dedication sufficient money, as estimated by the Municipal Engineer, to restore the street to conformance with the Municipal 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 percent (51%) 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 or the Cambria County Soil Conservation District is required for the water supply or sanitary sewage disposal system(s) or erosion and sedimentation control for a proposed subdivision, the Municipal Planning Commission or Municipal Officials 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 III, Section 304 for Preliminary Plan. In addition, the Municipal Secretary shall retain the linen or mylar print of the Final Plan for safe-keeping in the Municipal files.

SECTION 307 REVIEW OF FINAL PLAN

A. Review by the Municipal Engineer:

The Final Plan shall be reviewed and a written report submitted as required under Article III, Section 305 for Preliminary Plans.

B. Review by the Municipal Zoning Officer:

The Final Plan shall be reviewed and a written report submitted by the Municipal Zoning Officer as required under Article III, Section 305 for Preliminary Plans.

C. Review by the Municipal Planning Commission:

The Final Plan shall be reviewed, in accordance with the procedure required under Article III, Section 305 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 Final Plan "Reviewed and Approved by the Municipal Planning Commission," together with the date of such action.
- (2) The Final Plan with the Municipal Planning Commission's endorsement, shall be forwarded to the Municipal Officials.

D. Review by the Municipal Officials:

The Final Plan shall be reviewed in accordance with the procedures as required under Article III, Section 305 of these regulations for Preliminary Plan. In addition:

- (1) Before acting on a Final Plan, the Municipal Officials shall arrange for a public hearing. The public hearing may be held by the Municipal Officials after the Final Plan has been submitted to the Municipality and before the review required by Section 307A, 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 Municipal Officials approve the Final Plan, the Final Plan shall be signed by the Chairman/President and the Secretary, together with the date of action.
- (3) A performance guarantee or a certificate of satisfactory installation, as required under Article III, Section 309, shall be required before the Final Plan is released for recording.
- (4) The Final Plan with the Municipal Officials' approval and the Municipal seal, shall be forwarded to the subdivider for recording.

SECTION 308 RECORDING OF FINAL PLAN

- A. After approval by the Municipal Officials and the Municipal Planning Commission, and with all endorsements indicated on the Final Plan, the subdivider shall record his plan. No subdivision plan shall be legally recorded unless it bears the Municipal approval and seal. This action shall constitute the changing of the Final Plan to the Record Plan.
- B. After the Final Plan has been approved by the appropriate Municipal authorities, the Municipal Officials shall require that the developer shall supply 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 Municipality. If the subdivider fails to record the Record Plan within such period, the action of the Municipal Officials and Municipal Planning Commission shall be null and void unless an extension of time is granted in writing by the Municipality after written request to do so by the subdivider.

SECTION 309 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 VI of these Subdivision Regulations to the satisfaction of the Municipal Engineer and the Municipal Officials and obtaining a certificate from the Municipal Engineer that all improvements have been installed in accordance with the standards and requirements contained in these regulations or required by the Municipality.
- B. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the applicant or subdivider shall provide for deposit with the Municipality financial security in an amount sufficient to cover the costs of any improvements or common amenities, including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required. When requested by the developer, in order to facilitate financing, the Municipality shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be

deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Municipality; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer. Without limitation as to other types of financial security which the Municipality may approve, which approval shall not be unreasonably withheld, the following shall be deemed acceptable financial security for the purpose of this section:

- (1) Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- (2) Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within one year of the date fixed in the subdivision plan for the completion of such improvements.
- (3) The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Municipality may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Municipality may require the developer to post additional security in order to assure that the financial security equals said 110%.

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

- (4) If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as re-established on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- (5) In the case where development is projected over a period of years, the Municipality may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stage of development as it finds essential for the protection

of any finally approved section of the development.

- (6) As the work of installing the required improvements proceeds, the party posting the financial security may request the Municipality to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Such requests shall be in writing, addressed to the Municipality, and the Municipality shall have forty-five (45) days from receipt of such request within which to allow the Municipal Engineer to certify, in writing, to the Municipality that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Municipality shall authorize release by the bonding company or lending institution of an amount as estimated by the Municipal Engineer fairly representing the value of the improvements completed, or if the Municipality fails to act within said forty-five (45) day period, the Municipality shall be deemed to have approved the release of funds, as requested. The Municipality may, prior to final release at the time of completion and certification by its Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
- (7) Where the Municipality accepts dedication of all or some of the required improvements following completion, the Municipality may require the posting of financial security to secure structural integrity of said improvements, as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial securities shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed

15% of the actual cost of installation of said improvements.

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

SECTION 310 RELEASE OF PERFORMANCE GUARANTEE

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Municipality, in writing, by certified or registered mail, of the completion of the aforesaid improvements and the Municipality shall send a copy thereof to the Municipal Engineer. The Municipal Officials shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall, thereupon, file a report, in writing, with the Municipality, and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization from the Municipal Officials; 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 Municipal Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- B. The Municipality shall notify the developer within 15 days of receipt of the engineer's report, in writing, by certified or registered mail of their action.

- C. If the Municipality or the Municipal 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 guarantee.
- D. If any portion of the said improvements shall not be approved or shall be rejected by the Municipal Officials, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- E. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Municipality or the Municipal Engineer.
- F. Where herein reference is made to the Municipal Engineer, he shall be a duly registered professional engineer employed by the Municipality or engaged as a consultant thereto.
- G. The Municipality may prescribe that the applicant shall reimburse the Municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by Ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Municipal Engineer and/or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Municipality when fees are not reimbursed or otherwise imposed on applicants.
- (1) In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten working days of the date of billing, notify the Municipality that such expenses are disputed as unreasonable or unnecessary, in which case the Municipality shall not delay or disapprove a subdivision or land development application or any

approval or permit related to development due to the applicant's request over disputed engineer expenses.

- (2) If, within twenty (20) days from the date of billing, the Municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Municipality shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- (3) The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- (4) In the event that the Municipality and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the municipal engineer nor any professional engineer who has been retained by, or performed services for, the Municipality or the applicant within the preceding five (5) years.
- (5) The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000.00 or more, the Municipality

shall pay the fee of the professional engineer, but otherwise the Municipality and the applicant shall each pay one-half of the fee of the appointed professional engineer.

SECTION 311 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 Municipal 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 proposed street.
- B. In every case wherein lot lines are changed as permitted by the above, the subdivision shall prepare a new Record Plan and shall submit the Record Plan to the Municipality for the endorsements of the Municipal Planning Commission and Municipal 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 III, Section 308, of this Ordinance.

SECTION 312 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 Municipality and accepted by resolution of the Municipal Officials. Where the Municipality accepts dedication of all or some of the required improvements

following completion, the Municipality may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Ordinance with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15) percent of the actual cost of installation of said improvements.

ARTICLE IV
PLAN REQUIREMENTS

SECTION 401 SKETCH PLAN

- A. The Sketch Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one inch (1") equals fifty feet (50'), 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 inch (1") equals one hundred feet (100').
 - (2) If the subdivision proposes lots with an average frontage of less than fifty feet (50'), the plan may be drawn to a scale of one inch (1") equals twenty feet (20').
 - (3) If the subdivision contains more than two hundred (200) acres, the plan may be drawn to a scale of one inch (1") equals two hundred feet (200').
- b. Sketch Plan and all submitted prints thereof shall be made on sheets either:
- (1) Eighteen inches (18") by twenty-four inches (24"), or
 - (2) Twenty-four inches (24") by thirty-six inches (36"), or
 - (3) Thirty inches (30") by forty-two inches (42").
- 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 and general location map.

- (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) General street and lot layout (existing and/or proposed).

SECTION 402 PRELIMINARY PLAN

- A. The Preliminary Plan shall include all information as required for Sketch Plan under Article IV, Section 401, 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 Proposed Development.
 - (3) Name of recorded owner and subdivider.
 - (4) Name, address, license number, and seal of registered engineer or surveyor responsible for the subdivision plan.
 - (5) 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.
 - (6) A key map for the purpose of locating the property being subdivided drawn at a scale not less than one inch (1") equals two thousand feet (2000') 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 feet (1,000') of any part of the property.

- (7) Total tract boundaries of the property being subdivided showing bearings and distances and a statement of total acreage of the property.
- (8) Include all of the following zoning data:
 - (a) Existing Municipal 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 Municipal regulations other than zoning governing lot size and/or front yard requirements.
- (9) Contour lines at vertical intervals not more than five feet (5') for land with average natural slope of four percent (4%) or less and at intervals of not more than twenty feet (20') for land with average natural slope exceeding four percent (4%).
- (10) Locations and elevation of the data to which contour elevations refer; where reasonable practicable, datum used shall be a known and established bench mark. It is suggested that USC&G datum be used where possible.
- (11) 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 feet (50') beyond the boundaries of the proposed subdivision.
- (12) 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.

- (13) All existing streets on the Official Plan or Plans of the Municipality (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 feet (400') of any part of the tract.
- (14) 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.
 - (i) 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).

- (15) Any trees to remain in the street ROW shall be indicated.
- (16) Location of all required soil percolation test holes, if required.
- (17) The following storm water management information shall be included:
 - (a) Runoff calculations for the proposed project except where the watershed storm water management plan (if any) has determined no hydrologic effect will occur downstream.
 - (b) A description of proposed storm water control measures and devices.
 - (c) Maps showing:
 - i - The location of the proposed subdivision, land development, or mobile home park within the designated watershed (consult the Cambria County Storm Water Management Plan for the watershed boundaries when the plan is completed).
 - ii - The one hundred (100) year flood plain.
 - iii - Streams, swales, and drainage patterns (existing and proposed).
 - iv - Storm water management control measures and devices (temporary and permanent).
 - v - Areas subject to special deed restrictions affecting storm water management.

vi - Contours of existing and proposed development elevations at intervals of five (5) feet. In areas of steep slopes (greater than 15%), 20-foot contour intervals may be used.

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 inch (1") equals ten feet (10') horizontal, one inch (1") equals one foot (1') vertical.
 - (b) One inch (1") equals twenty feet (20') horizontal and one inch (1") equals two feet (2') vertical.
 - (c) One inch (1") equals forty feet (40') horizontal and one inch (1") equals four feet (4') vertical.
 - (d) One inch (1") equals fifty feet (50') horizontal, and one inch (1") equals five feet (5') 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 Municipal Planning Commission or the Municipal Officials, 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 Municipal 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 Department of Environmental Resources and/or the Pennsylvania Department of Transportation. Calculations for waterway opening shall be included. All designs shall be subject to approval by the Municipality.
- (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 Municipal Planning Commission or Municipal Officials may, based on existing natural or man-made features, delimit the area for which a prospective street system shall be sketched.

SECTION 403 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 IV, Section 402 in these regulations. In addition, the Final Plan shall show the following:
 - (1) Name of 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 foot (1') in ten thousand feet (10,000'); 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, 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, 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 Municipal Officials and by the Municipal Planning Commission (if any).
- (14) A blank space measuring three and one-half inches (3-1/2") square shall be left, preferably adjacent to the Municipal certification, in which the endorsement stamp of the County Planning Commission may be applied, if required.
- (15) A blank space measuring three inches (3") 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.

(16) The following storm water management information shall be included:

- (a) All information pertaining to storm water management from the preliminary plan along with any changes.
- (b) All required permits (or letters of intent to issue such permits pending final Municipal approval) from the Department of Environmental Resources, Pennsylvania Department of Transportation, Public Utility Commission, or any other agency if appropriate.
- (c) All deed restrictions, easements, and rights-of-way.
- (d) The ownership and maintenance responsibilities for storm water management control devices. The identity of the responsible individual corporation, association, or other specific entity and the specific maintenance responsibility must be detailed.
- (e) Where the applicant is proposing the dedication of permanent storm water management control facilities to the Municipality, such request must include:
 - 1. Easements to all facilities; and
 - 2. A financial guarantee (acceptable to the Municipality) to insure that the control facilities are properly installed and functioning satisfactorily.

B. The Final Plan shall be accompanied by such applicable supplementary data as is required in Article IV, Section 402 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.

SECTION 404 MINOR SUBDIVISIONS

A. Definition of Minor Subdivision - in the case of any proposed subdivision, land site, or other division of land, the Plan Requirements of this Ordinance may be waived and the proposal deemed to be a Minor Subdivision, provided that the following criteria are met:

- (1) The proposal does not involve the extension of any public facilities including:
 - (a) New Streets;
 - (b) Paving or other improvements
 - (c) New or improved water lines, sewer lines, or storm drainage lines
 - (d) New or improved public facilities or services.
- (2) The proposal does not adversely affect the natural resources of the Municipality, or have the potential to adversely affect the health or safety of the Municipality.
- (3) The proposal does not adversely affect the development of the remainder of the parcel.
- (4) The proposal does not adversely affect adjoining property.
- (5) The proposal does not adversely affect the present or future development of the Municipality.

If the subdivision or land development contains not more than five (5) lots, sites, or other divisions of land, and such subdivision or land development meets with all of the five (5) criteria as stated above, then the Municipal Officials shall have the authority, at their discretion, to classify such subdivision or land development as "Minor" provided that the Municipality has received documents, guarantee, or proof of improvements installation as they may require.

B. Plan Requirements for Minor Subdivision or Land Developments

- (1) Plans shall be clearly and legibly drawn on a print of the County Tax maps, showing all properties and names of property owners of abutting properties.
- (2) Plans shall be accompanied by the most current USGS (7-1/2 minute) quadrangle covering the property.
- (3) All information or accompanying documentation required by Article IV, Section 401 and Section 403 shall be submitted as part of the application, only if applicable, except that the filing fee shall be established by the Municipality, by Resolution.
- (4) A survey prepared by a surveyor registered to practice in the Commonwealth of Pennsylvania.

C. Submission and Review Procedures for Minor Subdivision or Land Developments

The submission and review procedures for all minor subdivision and land developments shall comply with the applicable requirements of Article III, Sections 306, 307, and 308 (submission of Final Plan, Review of Final Plan, and Recording of Final Plan) except that Section 307 D(1) may be excluded (public hearing) at the discretion of the Municipality.

ARTICLE V
DESIGN STANDARDS

SECTION 501 GENERAL STANDARDS

- A. The standards and requirements contained in Articles V and VI are intended as the minimum for the promotion of the public health, safety, and general welfare, and shall be applied as such by the Municipal Planning Commission and Municipal Officials in reviewing all subdivision plans.
- B. Whenever other Municipal 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 subdivision shall be so designed that streets in and bordering the subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, and facilitate fire protection.
- D. Land subject to hazards to life, health, or property, such as may arise from underground fires, floods, diseases, subsidence, 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 conform to the "Official Comprehensive Plans" of the Municipality and of the County or to such parts thereof as may have been adopted pursuant to statute.

SECTION 502 STREETS

A. General Standards

- (1) The locations and width of all streets shall conform to the "Official Plan" or to such parts thereof as may have been adopted by the Municipality.

- (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 Municipal Planning Commission or Municipal Officials, 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 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 Municipal Planning Commission or Municipal Officials 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 for 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. Refer to PennDOT publication on the construction of local streets if adequate information is not indicated on the following chart.

STREET WIDTHS

	<u>Average Daily Traffic Volume</u> ¹	<u>Base Construction</u>	<u>Grass Shoulder Widths</u>	<u>Paved Cartway Width</u> ³	<u>Total Street Right-of-Way</u> ³
Minor Street	0-600	See Note 2	10' on each side	20'	40'
Collector Street	600-1,500	See Note 2	10' on each side	20'	40'
Major Street (Minor Arterial- two-lane)	1,500 and over	See Note 2	13' on each side	24'	50'
Permanent Cul-de-Sac Street	See Paragraph 502J				
Marginal Access Street	N/A	See Note 2	10' on each side	20'	40'
Service Street	N/A	See Note 2	4' on each side	20'	28'

NOTES: 1 - As determined by Municipal Engineer

2 - Refer to PennDOT publication #70 for appropriate base construction standards.

3 - Additional pavement widths and ROW widths may be required by the Municipal Planning Commission or Municipal Officials for the purpose of promoting the public safety and convenience or to provide parking in commercial 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 feet (80') or more, the Municipal Planning Commission or Municipal Officials may require reconstruction 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 Municipality under an agreement meeting the approval of the Municipality's 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 percent ($3/4\%$).

(2) Centerline grades shall not exceed the following:

(a) Minor Street -- ten percent (10%).

(b) Collector Street -- six percent (6%).

(c) Major Street -- six percent (6%).

(d) Street Intersection -- five percent (5%).

(3) Grades up to twelve percent (12%) may be permitted on a through minor street where access to the street is possible over streets with grades of ten percent (10%) or less.

F. Horizontal Curves:

- (1) Whenever street lines are deflected in excess of five degrees (5°), 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 feet (150').
 - (b) Collector Streets - Three hundred feet (300').
 - (c) Major Streets - Five hundred feet (500').
- (3) A tangent of at least one hundred feet (100') 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 (Dip):

At all changes of street grades where the algebraic difference exceeds one percent (1%), vertical curves shall be provided to allow an easy or smooth transition.

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 degrees (60°) or more than one hundred twenty degrees (120°).
- (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 feet (150') between centerlines measured along the centerline of the street being intersected.

- (4) Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five percent (5%) within fifty feet (50') of the intersection of the nearest right-of-way lines.
- (5) Intersections with major streets shall be located not less than one thousand feet (1,000') apart measured from centerline to centerline along the center line of the major street.
- (6) Street curb intersections shall be rounded by a tangential arc with a minimum radius of:
 - (a) Twenty feet (20') for intersections involving only minor streets.
 - (b) Twenty-five feet (25') for all intersections involving a collector street.
 - (c) Twenty-five feet (25') 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 inches (30") and below ten feet (10') measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of:
 - (a) Seventy-five feet (75') from the point of intersection of the centerline, except that:
 - (b) Clear sight triangles of one hundred fifty feet (150') shall be provided for all intersections with Major Streets. (See Appendix.)

- (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 six hundred feet (600') 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 feet (50') and the minimum radius of the right-of-way shall be fifty feet (50').
- (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 shall not exceed ten percent (10%), and the grade of the diameter of the turn-around shall not exceed five percent (5%).
- (8) All cul-de-sac street widths shall follow the same minimum street widths as prescribed for minor streets.

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 Municipality and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court, lane, etc.
- (3) All street names shall be subject to the approval of the Municipal Officials.

L. Service Streets (Alleys):

- (1) Service streets may be permitted, provided that the subdivider produces evidence satisfactory to the Municipal Planning Commission or the Municipal Officials of the need for such service streets.
- (2) No part of any structure shall be located within twenty feet (20') 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 or equal with a minimum radius of the outer pavement edge of fifty feet (50').
- (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 feet (40') 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 percent (7%). Entrances should be rounded at a minimum radius of five feet (5'), or should have a flare construction that is equivalent to the radius at the point of intersection with the cartway edge.
- (3) No driveway entrances shall be permitted off any cul-de-sac, or equal type of turn-around.

SECTION 503 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.
- (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 feet (1,600') and a minimum length of five hundred feet (500'), provided however that the Municipal Planning Commission or Municipal Officials 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 feet (1,000'), 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 feet (1,000') long.

C. Crosswalks:

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

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 Municipal Planning Commission or Municipal Officials may approve a single tier or lots.

E. Commercial and Industrial Blocks:

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

SECTION 504 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 exists remnants of land, they shall be either:
 - (a) Incorporated in existing or proposed lots, or
 - (b) Legally dedicated to public use, if acceptable to the Municipality.

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 feet (10') 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 Municipal Zoning Ordinance, or if no municipal zoning exists then the following dimensions and areas shall prevail:

- (1) The minimum lot area for residential buildings with access to public water or on-lot water and public sewage

collection and treatment shall be twenty-three thousand square feet (23,000 sq. ft.), and a width at the building line of not less than one hundred fifty feet (150 ft.).

- (2) The minimum lot area for residential buildings without access to public water and public sewage collection and treatment shall be one (1) acre, and a width at the building line of not less than two hundred feet (200 ft.).
- (3) The minimum lot area for residential buildings with public water and without public sewage collection and treatment shall be one (1) acre, and a width at the building line of not less than two hundred feet (200 ft.).
- (4) The minimum building setback from any right-of-way (ROW) shall be forty feet (40 ft.).
- (5) The minimum building setback from any property line shall be fifteen feet (15 ft.).

SECTION 505 SANITARY SEWAGE DISPOSAL

- A. 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 suitably capped at the limits of the subdivision, and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided. 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 Municipal 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 or another appropriate system, which meets the design standards of the Pennsylvania Department of Environmental Resources, the Municipal 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 Municipality 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 connecting to a public 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 506 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.
- B. Soil percolation tests shall be made in accordance with the procedure required by the Pennsylvania Department 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, or at such rates required by the Department of Environmental Resources.
- C. The engineer and/or sewage enforcement officer shall enter the result of the test

and all other information on four (4) copies of the required Department of Environmental Resources form and shall submit these with the Preliminary Plans.

- D. 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 Municipal Planning Commission and Municipal Officials in conjunction with the Pennsylvania Department 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 size proposed, the Municipal Planning Commission or the Municipal Officials 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 507 WATER SUPPLY

- A. Water supply shall be installed in accordance with the requirements of the water authority serving that area. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Municipality that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or other utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

- B. 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 feet (100') of any part of the absorption (tile) field of any on-site sanitary sewage disposal system, nor within fifty feet (50') from lakes, streams, ponds, quarries, etc.
- C. 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 bedrock at least fifty feet (50') deep, having a production capacity of at least five (5) gallons per minute of safe potable drinking water as certified by State or Municipal health officer.

SECTION 508 STORM WATER DRAINAGE

Any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures consistent with the provisions of the applicable watershed storm water management plan as are reasonably necessary to prevent injury to health, and of person's safety and/or damage to adjacent property. Such measures shall include such actions as are required:

- 1. to assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; or
- 2. to manage the quantity, velocity and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.

A. General Criteria

- 1. The storm water management plan must consider all the storm water runoff flowing over the project site.
- 2. All storm water runoff easements and detention controls shall be located and designed by a person qualified and/or experienced in the location and design of such structures.

3. The method used in calculating storm water runoff shall be the method designated in the Cambria County storm water management plan, or an equal method (approved by DER) if said plan has not been completed or adopted.
4. Storm water roof drains and pipes shall discharge water into cisterns, french drains (where soils are suitable), sheet drains or other storm water runoff dispersion and absorption control device and not into storm sewers unless recommended in the watershed storm water plan.
5. No discharge of toxic materials into any storm water management system is permitted.
6. Flow velocities from any storm drain may not result in a deflection of the receiving channel.
7. Developers are encouraged to consult the following storm water management and erosion sedimentation control publications in preparing their plans.
 - (a) Chapter 102. Erosion Control, Title 25, Rules and Regulations of the Department of Environmental Resources.
 - (b) Chapter 105. Water Obstructions and Encroachments, Title 25, Rules and Regulations of the Department of Environmental Resources.
 - (c) Engineering Field Manual for Conservation Practices, 1975, U.S. Department of Agriculture, Soil Conservation Service.
 - (d) Erosion and Sediment Control Handbook, Cambria County Conservation District.
 - (e) Guidelines for Storm Water Management, Department of Environmental Resources, Bureau of Dams and Waterway Management.

- (f) Soil Erosion and Sedimentation Control Manual, Department of Environmental Resources, Bureau of Soil and Water Conservation and Bureau of Water Quality Management.
- (g) Urban Hydrology for Small Watersheds, Technical Release No. 55, Soil Conservation Service, U.S. Department of Agriculture, January, 1975.
- (h) Cambria/Somerset Disaster Recovery Plan, Cambria County Planning Commission, Ebensburg, Pennsylvania.

B. Specific Criteria

- 1. Storm water rate and quality for the specific watershed to be developed in the Municipality must be prepared as indicated in the Cambria County Storm Water Management Plan when completed, or its equal (approved by Department of Environmental Resources).
- 2. Until such time as a county-wide or municipal storm water management plan is available, a recommended method for calculating storm water runoff is included in the Appendix of this Ordinance.
- 3. Erosion and Sedimentation - All activities shall be conducted in such a way as to minimize accelerated erosion and resulting sedimentation. Measures to control erosion and sedimentation shall at a minimum meet the standards of the Cambria County Conservation District and Chapter 102 (Erosion Control) of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Resources.

SECTION 509 PUBLIC USE AND SERVICE AREA

A. Public Open Spaces:

- (1) In reviewing subdivision plans, the Municipal Planning Commission and Municipal Officials 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 Municipality 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 Municipal Planning Commission or Municipal Officials the minimum standards for various community facilities applicable to the tract being subdivided.
3. In subdivisions which are intended to provide housing, the Municipal Planning Commission or Municipal Officials shall consider the need for suitable open areas for recreation and shall make a recommendation thereon. However, if the Municipality has a formally-adopted recreation plan, then the land area to be dedicated, or the fees to be paid in lieu thereof, shall conform to said recreation plan and shall be a condition precedent to Final Plan approval.

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. A temporary construction easement of thirty (30) feet and a permanent maintenance easement of fifteen (15) 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 feet (50'), 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 VI
IMPROVEMENT REQUIREMENTS

SECTION 601 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 Municipal Ordinances or Regulations.

- A. As a condition to review of a Final Plan by the Municipal Planning Commission or Municipal Officials, the subdivider shall agree with the Municipality as to the installation of all improvements shown on the Plan and required by these or other Municipal Ordinances or Regulations.
- B. All improvements installed by the subdivider shall be constructed in accordance with the design specifications of the Municipality.

Where there are no applicable Municipal Design Specifications, improvements shall be constructed in accordance with specifications furnished by the Municipal 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 Municipal or State regulations, the Municipality may authorize that specifications be prepared by the Municipal Engineer or an Engineering Consultant.

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

SECTION 602 REQUIRED IMPROVEMENTS

The following improvements shall be installed by the subdivider or a guarantee suitable to the Municipality shall be provided by the subdivider which shall ensure the provision of the improvements at the standards set forth in these regulations.

- 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 Municipal Specifications.

C. Curbs:

Curbs are to be installed when deemed necessary by the Municipal Engineer based on the need to control storm water runoff and/or on-street parking and approved by the Municipality.

D. Sewers:

1. Storm Sewers:

Storm sewers and related facilities shall be installed consistent with the design principles and requirements contained in Article V 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 V 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 Pennsylvania Department of Environmental Resources and such system shall be further subject to satisfactory provision for the maintenance thereof.

E. Water Supply:

1. Water supply system(s) shall be installed consistent with design principles and requirements contained in Article V 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 in accordance with these regulations.
3. Wherever economically feasible, the subdivision shall be provided with a complete public or community water distribution system.

F. Fire Hydrants:

Wherever a public or community water supply system is provided, fire hydrants shall be installed as required by the local water supplier of all existing and proposed structures, measured by way of accessible streets.

G. Monuments and Markers:

Permanent reference monuments of precast concrete or poured on-site concrete shall be installed by a professional land surveyor, as that term is defined by Act No. 367 of 1945. Precast monuments shall be at least six (6) inches square at the top and bottom and at least thirty (30) inches in depth, with a steel dowel. Poured on-site monuments shall be at least nine (9) inches in diameter and at least thirty (30) inches in depth with a

steel dowel. Monuments shall be set at all corners and angle points of the boundaries of the original tract to be subdivided prior to approval of the Plan. Markers shall be installed at all lot corners and shall consist of iron or steel bars at least eighteen (18) inches long, and not less than three quarter (3/4) inch in diameter.

H. 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 Municipality.

I. Street Lights:

In accordance with the conditions to be agreed upon by the subdivider, the Municipality, and the appropriate public utility, street lights are required 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.

J. Recreational Facilities:

As a condition precedent to final plan approval, the subdivider, upon agreement with the Municipality, shall dedicate land for the construction of recreational facilities, pay fees in lieu thereof, or reserve private land, or a combination thereof, for park or recreational purposes only if the Municipality has a formally-adopted recreation plan. The standards for determining the proportion of a development to be dedicated and/or the amount of any fee to be paid in lieu thereof shall be indicated in Section 509 of this Ordinance, if applicable.

SECTION 603 RECOMMENDED IMPROVEMENTS

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

A. Shade Trees:

Every effort must 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 inches (1-1/2") should be provided in accordance with conditions to be agreed upon by the Municipality. Where provided, such trees should be planted between the sidewalk and the building reserve (setback) line at least five feet (5') from the sidewalk or between the curb and the sidewalk provided the planting strip is a minimum of six feet (6') wide. If no curb or sidewalk is provided, trees shall set back a minimum of ten feet (10') from the street ROW.

B. Sidewalks:

1. When required by the Municipality, sidewalks with a minimum width of four feet (4') 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 Municipality.

ARTICLE VII
MOBILE HOME PARKS

SECTION 701 PURPOSE

The purpose of this Article shall be to provide for the planning and siting of mobile homes and mobile parks in such a manner that will eliminate and prevent health and safety hazards; will promote the economical and orderly development and utilization of land; will preserve natural and scenic values; will not create a traffic hazard or otherwise impair the function and amenity of the mobile home occupants and/or the surrounding neighborhood.

SECTION 702 DEFINITIONS

Unless otherwise expressly stated, the following words and phrases shall be constructed throughout this Article to have the meanings herein indicated.

Accessory Structure- Any structural addition to a mobile home which includes awnings, carports, porches, storage cabinets and similar appurtenant structures.

Common Recreation Area- Any area or space designed for joint use of tenants occupying a mobile home park.

Certification of Registration- The written approval as issued by the Department of Environmental Resources, authorizing a person to operate and maintain a mobile home park.

Community System (Water or Sewerage)- A central system which serves all living units and is not publicly owned.

Density- The number of mobile home stands per gross acre.

Department of Environmental Resources- The Pennsylvania Department of Environmental Resources.

Lot- A parcel of land for the placement of a mobile home and the exclusive use of its occupants.

Lot Area- The total area reserved for exclusive use of the occupants of a mobile home.

Lot Line- A line bounding the Lot as shown on the accepted plot plan.

Mobile Home- A single-family dwelling designed for transportation after assembly and fabrication, on streets and highways on its own running gear, and used for non-transient residential purposes, and constructed with the same, or similar, electrical, plumbing and sanitary facilities as immobile housing.

Mobile Home Park- Any lot of ground on which two or more mobile homes, occupied for dwelling or sleeping purposes, are located.

Mobile Home Space- A plot of ground within a mobile home park designated for the accommodation of one mobile home.

Occupied Area- The area of individual mobile home lot which has been covered by a mobile home and its accessory structures.

Owner- Any individual, firm, trust, partnership, corporation, company, association, or other entity.

Permit- A written approval as issued by the Supervisors, authorizing a person to operate and maintain a mobile home or a mobile home park under the provisions of this Article.

Planning Commission- The West Taylor Township Planning Commission.

Power Supply Assembly- The conductors, including the grounding conductors, insulated from one another, the connectors, attachment plug caps, and all other fittings, grommets, or devices installed for the purpose of delivering energy from the service equipment to the distribution panel within the mobile home.

Public System (Water or Sewerage)- A system which is owned and operated by a local governmental authority or by an established public utility company which is adequately controlled by a governmental authority.

Rights-of way- The area, either public or private, over which the right of passage exists.

Service Building- A building housing toilet, lavatory and such other facilities as may be required by this regulation.

Service Equipment- The necessary equipment, usually consisting of circuit breaker or switch and fuses and their accessories located near the point of entrance of supply conductors to or in a building or mobile home and intended to constitute the main control and means of cutoff for the supply to that mobile home or building.

Sewer Connection- A connection consisting of all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewerage system serving the mobile home park.

Sewer Riser Pipe- That portion of the sewer lateral which extend vertically to the ground elevation terminates at each mobile home space.

Stand- That part of an individual mobile home lot which has been reserved for the placement of a mobile home.

Water Connection- All pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

Water Riser Pipe- That portion of the water service pipe which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

Water Service Pipe- All pipes, fittings, valves and appurtenances from the water main of the park distribution system to the water outlet of the distribution system within the mobile home.

SECTION 703 PERMITS AND CERTIFICATE OF REGISTRATION

A. Permits Required

It shall be unlawful for any person to maintain, construct, alter or extend any mobile home park within the limits of the municipality unless he holds a valid certificate of registration issued by the Department of Environmental Resources in the name of such person and also a permit issued by the Municipality.

B. Application to Pennsylvania Department of Environmental Resources.

All applications for a certificate of registration shall be made by the Owner of the mobile home park or his authorized representative in accordance with the Rules and Regulations, Commonwealth of Pennsylvania Department of Environmental Resources, Chapter 4, Article 415, Regulations for Mobile Home Parks, Adopted October 30, 1959, Amended January 22, 1965, or as hereafter amended.

C. Application to the Township

A copy of the said Department of Environmental Resources application shall be concurrently filed with the Supervisors.

D. Renewal Permits

Renewal permits shall be issued by the Supervisors upon proof furnished by the applicant that his park continued to meet the standards prescribed by the Department of Environmental Resources and this Article.

A representative of the Supervisors may inspect a mobile home park at reasonable intervals, and at reasonable times, to determine compliance with this Article.

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

E. Compliance of Existing Mobile Home Parks

Mobile home parks in existence at the date of adoption of this Ordinance and being duly authorized to operate as same by the Department of Environmental resources may be continued so long as they otherwise remain lawful.

Existing mobile homes parks shall be required to submit an existing plot plan, drawn to scale, when applying for a mobile home park permit as required under Section 708.

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

Any existing mobile home park which in the opinion of the Supervisors creates a fire or health hazard shall be required to comply with this Article within a reasonable period of time as determined by the Supervisors.

F. Individual Mobile Homes

Individual mobile homes not located in a mobile home park shall not be required to obtain a mobile home park permit, however, they shall be required to obtain a building permit as prescribed by the Building Permit Ordinance of the Township.

Individual mobile homes shall comply with all other applicable Ordinance and regulations that govern single-family homes in this Township.

SECTION 704 FEES

The following fees shall hold whenever applicable. All checks, unless specified, shall be made payable to West Taylor Township Supervisors.

SECTION 704.1 SKETCH PLANS \$15.00

SECTION 704.2 PRELIMINARY PLANS

A. \$25.00 plus \$2.00 for each lot over five lots, plus County Review Fee if applicable.

B. Corrected Preliminary Plan \$25.00

SECTION 704.3 FINAL PLANS

A. Minor Subdivisions \$10.00

B. Major Subdivisions \$25.00

C. Corrected Final Plan \$15.00

SECTION 704.4 INSPECTION FEE

2% of estimated improvement cost prior to commencement of improvements. Balance prior to final plan approval. Unused fee returned after final plan officially recorded.

SECTION 705 APPLICATION FOR PERMIT AND PLAN REQUIREMENTS

- A. Five copies of the application for the mobile home park permit shall be filed with the Township Secretary. The application shall be in writing, signed by the Owner and shall include the following:
1. The name and address of the Owner.
 2. The location and legal description of the mobile home park.
 3. A complete plan of the park in conformity with the requirements of this Article.
 4. Plans and Specifications of buildings, improvements and facilities constructed or to be constructed within the mobile home park.
 5. Such further information as may be requested by the Supervisors and/or the Planning Commission to enable it to determine if the proposed park will comply with legal requirements.
- B. Whenever a designated flood plain is involved, the appropriate application, fee, and plan shall be submitted to the Department of Community Affairs for their review under the Provisions of the PA Flood Plain Management Act.

SECTION 706 PRELIMINARY PLAN REVIEW

The following sequence of events and time limits shall be followed when reviewing a preliminary plan:

- A. Upon receipt of the complete preliminary plan submission, the Township Secretary shall, within two working days, transmit copies of the plan and application form to:
1. County Planning Commission (along with county review fee). (Plan only)
 2. PennDOT, if a state road is involved. Supervisors if Township road is involved. (Plan only)
 3. The Township Engineer. (Plan, application form, and supporting documentation)
 4. The Township Planning Commission. (2 copies of plan and all other data)

- B. The Township Secretary shall, within two working days of receipt of the complete preliminary plan, notify the Planning Commission of receipt of the plan and arrange to place the plan on the agenda of the next Planning Commission meeting which occurs at least 45 days but not more than 75 days subsequent to submission of the plan to the county planning commission.
- C. The Township Secretary shall place the plan on the agenda of the next regularly scheduled Supervisor's meeting which will occur subsequent to the Planning Commission meeting at which the plan is to be considered.
- D. The Township Secretary shall, within three working days of receipt of the complete preliminary plan, send the applicant a written notice of receipt of the plan and the dates, times, and locations of the Planning Commission meeting, and the Supervisors meeting when the plan will be acted upon.
- E. The Township Engineer shall review the plan for technical accuracy and submit a written statement as to the accuracy of the plan and the suitability of the sewage, water, storm drainage, and street designs. The engineer's report shall be entered in the record of the Planning Commission meeting at which action is taken on the plan.
- F. The Planning Commission shall review and take formal action on the preliminary plan at the scheduled meeting. The Planning Commission shall either recommend approval or rejection of the plan. If rejection of the plan is recommended, the specific reasons for rejection shall be given, referenced to the appropriate section of the ordinance. All copies of the plan submitted shall be stamped wither Approval Recommended or Denial Recommended, dated, and signed by the Planning Commission.

If for any reason the meeting is not held as scheduled or action on the plan is tabled for later consideration, the applicant shall be promptly notified.

- G. The Planning Commission, within 5 working days, shall notify, in writing, the applicant and the Supervisors of its recommendation. Notification to the subdivider shall include the action taken, reasons for decision, and a signed, stamped copy of the plan. Notification to the Supervisors shall include the action taken, reasons for decision, and two copies of the signed, stamped plan. One copy of the plan and notification shall be retained by the Planning Commission.
- H. The Supervisors shall take action on the preliminary plan at the scheduled meeting. They shall either approve or reject the plan. If the plan is rejected, the specific reasons for the rejection, referenced to the appropriate ordinance sections shall be cited. All copies of the plan submitted shall be stamped either approved or rejected, dated, and signed by the supervisors.

If for any reason, no action is taken as scheduled, the applicant shall be notified promptly in writing of the date, time, and place of the rescheduled meeting.

- I. The Supervisors shall notify the applicant personally or in writing within 15 days of their action. Notification shall include the action taken, reasons for decision, and a signed copy of plan stamped either approved or rejected. The Supervisors shall retain one copy of the plan and notification.
- J. If the Supervisors fail to act within the time limit prescribed by Section 508 of Act 247, the preliminary plan shall be automatically approved as submitted and the applicant may proceed to prepare a final plan.

SECTION 707 FINAL PLAN REVIEW

The following sequence of events and time limits shall be followed when reviewing a Final Plan:

- A. Upon receipt of the complete Final Plan Submission, the Township Secretary shall, within two working days, transmit copies of the plan and supporting data to:
 1. Township Engineer (plan, application, and supporting data)
 2. Planning Commission (reproducible and 3 copies of plan, application, and supporting data)
 3. Township Supervisors (plan only)
- B. The Township Secretary shall, within two working days of receipt of the complete final plan, notify the Planning Commission of receipt of the plan and arrange to place the plan on the agenda of the next Planning Commission meeting which occurs at least 15 days but not more than 45 days subsequent to submission of the plan to the Township Secretary.
- C. The Township Secretary shall place the plan on the agenda of the next regularly scheduled Supervisor's meeting which will occur subsequent to the planning commission meeting at which the plan is to be considered.
- D. The Township Secretary shall, within three working days of receipt of the complete final plan, send the applicant a written notice of receipt of the plan and the dates, times, and locations of the Planning Commission meeting, and the Supervisors meeting when the plan will be acted upon.
- E. The Planning Commission shall review and take formal action on the final plan at the scheduled meeting. The Planning Commission shall either recommend approval or rejection of the plan. If rejection of the plan is recommended, the specific reasons for rejection shall be given, referenced to the appropriate section of the ordinance. The reproducible and all copies of the final plan submitted shall be stamped either Approval

Recommended or Denial Recommended, dated, and signed by the Planning Commission.

If for any reason the meeting is not held as scheduled or action on the plan is tabled for later consideration, the applicant shall be promptly notified.

- F. The Planning Commission within 5 working days, shall notify, in writing, the applicant and the Supervisors of its recommendation. Notification to the subdivider shall include the action taken, reasons for decision, and signed, stamped copy of the plan. Notification to the Supervisors shall include the action taken, reasons for decision, and the reproducible and two copies of the signed, stamped plan. One copy of the plan and notification shall be retained by the Planning Commission.
 - G. The Supervisors shall take action on the final plan at the scheduled meeting. They shall either approve or reject the plan. If the plan is rejected, the specific reasons for rejection, referenced to the appropriate ordinance sections, shall be cited. The reproducible and all copies of the plan submitted shall be stamped either approved or rejected, dated, and signed by the supervisors.
- If for any reason, no action is taken as scheduled, the applicant shall be notified promptly in writing of the date, time, and place of the rescheduled meeting.
- H. The Supervisors shall notify the applicant personally or in writing within 15 days of their action. Notification shall include the action taken, reasons for decision, and the signed reproducible and one copy of the plan stamped either approved or rejected. The supervisors shall retain one copy for their files.
 - I. If the Supervisors fail to act within the time limit prescribed by Section 508 of Act 247, the final plan shall be automatically approved as submitted, and the Supervisors shall stamp and sign the plan, and the applicant may proceed to record the plan.

SECTION 708 DESIGN STANDARDS

- A. Upon favorable review of the application by DCA and the Township, and upon being furnished a copy of the certificate of registration issued by the Department of Environmental Resources to the Owner, and payment of the fee prescribed herein, said Supervisors shall issue a mobile home park permit to the Owner which shall be valid for a period of one (1) year thereafter.
- B. The plan of a proposed Mobile Home Park shall be clearly and legibly drawn to a scale of not less than one (1) inch to fifty (50) feet and not more than one (1) inch to one hundred (100) feet).

- C. Mobile home park plans shall be prepared by a registered surveyor or engineer, landscape architect, land planner or other similarly qualified person. Property surveys shall be performed only by a licensed surveyor. Utility and construction designs shall be performed only by a registered engineer.
- D. The plan shall show:
1. Name of the proposed mobile home park.
 2. North point, graphic scale and date, including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision, if any.
 3. Name of record owner and developer.
 4. Name and address of registered surveyor or engineer, landscape architect, land planner or other similarly qualified person responsible for the plan.
 5. Name of all abutting property owners, if any, with the County Recorder of Deeds book and page numbers were recorded.
 6. A key map, for the purpose of locating the property being subdivided, showing the relationship to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within on thousand (1,000) feet of any part of the property.
 7. Total tract boundaries of the property being plotted showing bearings and distances, and a statement of total acreage of the property.
 8. All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, water courses, and significant man-made or natural features within fifty (50) feet from the boundaries of the proposed mobile home park.
 9. All existing buildings or other structures, and the approximate location of all existing tree masses, within the proposed mobile home park.
 10. Location and elevation of the datum to which contour elevations refer; where reasonably practical, datum used shall be a known, established bench mark.
 11. The number, location and size of each mobile home lot referenced to a schedule giving the size of the mobile home unit proposed for each lot.
 12. Contour lines of existing and proposed finished grades at vertical intervals of two (2) feet.

13. Profiles of natural and finished grades of access and collector streets shall be given to the scale of 1 inch to 10 feet horizontal and 1 inch to 1 foot vertical.
14. Designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Department of Environmental Resources and PennDOT.
15. The location and datum levels of water and sewer lines and riser pipes.
16. Plans and specifications of the water supply and refuse and sewage disposal facilities.
17. Plans and specifications of building constructed or to be constructed within the mobile home park.
18. The location and details of lighting and electrical systems.

SECTION 709 ENVIRONMENTAL, OPEN SPACE AND ACCESS REQUIREMENTS

A. Site Location

A mobile home park shall be located only upon property designated for that use by the appropriate public planning agency.

No part of any park shall be used nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.

Condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or the safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse influences, and no portion subject to predictable sudden flooding, or erosion shall be used for any purpose which would expose persons or property to hazards.

All requirements of the Pennsylvania Flood Plain Management Act must be met.

B. Site Drainage Requirements

The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.

Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled in a manner approved by the Department of Environmental Resources.

No water from any plumbing fixture or sanitary sewer line shall be deposited upon the ground surface in any part of a mobile home park.

C. Soil and Ground Cover Requirements

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

Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.

D. Lot Requirements, Setbacks, Recreation Areas and Screening

The maximum density of mobile homes shall be regulated by minimum lot size, separation requirements and recreation area requirements as set forth below.

Each lot shall contain at least five thousand (5,000) square feet of area with a width of not less than fifty (50) feet exclusive of easements.

Mobile homes shall be located at least fifty (50) feet from any park property boundary line abutting upon a public street or highway right-of-way and at least 15 feet from other park property boundary lines.

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

Mobile homes shall be separated from each other and from service buildings and other structures by at least 30 feet provided that mobile homes placed end-to-end may have a clearance of 20 feet where opposing rear walls are staggered. An accessory structure which has a horizontal area extending 25 square feet shall, for purposes of this separation requirement, be considered to be part of the mobile home.

A common recreation area or areas shall be provided in the mobile home park, centrally located, and of an area not less than the total of mobile home stands multiplied by four hundred (400) square feet per home. Recreation areas shall be planned in the layout with dimensions such that the average length shall not exceed twice the average width.

Screening of evergreen plantings, not less than six feet high, shall be provided by the Owner along all property and street boundaries of a mobile home park.

E. Streets

The general requirements and design standards for street layout, street design and street names shall be in accordance with this West Taylor Township Requirements.

F. Walks

All mobile home parks shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

A common walk system shall be provided and maintained between locations where pedestrians traffic is concentrated. Such common walks shall have a minimum width of three and one-half feet.

All mobile home stands shall be connected to common walks, or to street, or to driveways or to parking spaces. Such individual walks shall have minimum width of two feet.

- G. The limits of each lot shall be marked on the ground by suitable means. Location of lot limits on the ground shall be the same as shown on accepted plans.

The mobile home stand shall be improved to provide adequate support for the placement and tie-down of the mobile home. The stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. Anchor or tie-downs if provided, such as cast-in-place concrete "dead men," eyelets imbedded in concrete, screw augers or arrow head anchors shall be placed at each corner of the stand at intervals of at least 20 feet. Each device shall be able to sustain a minimum load of 4,800 pounds.

Improved driveways shall be provided on lots where necessary for convenient access to mobile homes. The minimum width shall be 10 feet.

The design criteria for automobile parking shall be based upon two parking spaces for each mobile home lot.

Lighting shall be designed to produce a minimum of 0.1 foot-candle throughout the street system. Potentially hazardous locations, such as major street intersections and steps or stepped ramps shall be individually illuminated with a minimum of 0.3 foot candle.

- H. All mobile homes will re required to have metal or fiberglass skirting istalled between the bottom of the home and the mobile home stand.

SECTION 710 WATER SUPPLY AND DISTRIBUTION SYSTEM

A. General Requirements

An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Department of Environmental Resources or other authorities having jurisdiction.

B. Source and Volume of Supply

The water supply shall be capable of supplying a minimum of 150 gallons per day per mobile home.

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

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

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

C. Water Storage Facilities

All water storage reservoirs shall be covered, water-tight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with over-lapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

D. Water Distribution System

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

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

The system shall be designed and maintained as to provide a pressure of not less than 20 pounds and not more than 80 pounds per square inch, under normal operating conditions,

at service buildings and other locations requiring potable water supply.

Where a public supply of water is provided, a fire hydrant system shall be provided and shall permit the operation of a minimum of two 1-1/2 inch hose streams. Each of two nozzles, held four feet above the ground, shall deliver at least 75 gallons of water per minute at a flowing pressure of at least 20 pounds per square inch at the highest elevation point of the mobile home park. Fire hydrants shall be located within 500 feet of any mobile home, service building or other structure in the park.

Water mains, if installed parallel to sewer lines, shall be separated, whenever possible, at least 10 feet horizontally from any sanitary sewer, storm sewer or sewer manhole. In case of unusual conditions, separation requirements can be waived, provided the sewer is constructed of materials and with joints that are equivalent to water main standards of construction and shall be pressure tested to assure watertightness prior to backfilling.

E. Individual Water-Riser Pipes and Connections

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

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

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

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

SECTION 711 SEWAGE COLLECTION AND DISPOSAL

- A. An adequate and safe system shall be provided in all mobile home parks for conveying and disposing of all sewage. Wherever feasible, connection shall be made to a public system. All new improvements shall be designed, constructed and maintained in accordance with the Department of Environmental Resources regulations.

- B. Sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the water supply system at a safe distance (see 708 D above). Sewers shall be at a grade which will insure a velocity of two feet per second when flowing full. The system shall be designed to be adequate for a minimum flow of 150 gallons per day per lot. All sewer lines shall be constructed of materials approved by the Township Engineer, shall be adequately vented, and shall have watertight joints.
- C. Each stand shall be provided with a four inch diameter sewer riser pipe. The sewer riser pipe shall be located in vertical line with the mobile home drain outlet.

The sewer connection (see definition) shall have a nominal inside diameter of three inches, and the slope of any portion thereof shall be at least one-fourth inch per foot. The sewer connection shall consist of one pipe line only without branch fittings. All joints shall be watertight.

All materials used for sewer connections shall be semi-rigid, corrosive resistant, not-absorbent, and durable. The inner surface shall be smooth.

Provisions shall be made for adequately sealing of the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches above the ground elevation.

D. Sewage Treatment and/or Discharge

Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Department of Environmental Resources prior to construction. Effluents from sewage treatment facilities shall be discharged only as permitted by the Department of Environmental Resources.

SECTION 712 SOLID WASTE DISPOSAL SYSTEM

- A. The storage, collection and disposal of refuse in every mobile home park shall be conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.
- B. Solid waste collection stands shall be provided for all waste containers. Such stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.
- C. Refuse shall be stored in flytight, watertight, rodent-proof containers, which shall be located not more than 150 feet away from any mobile home space. Containers shall be

provided in sufficient number and capacity to properly store all refuse.

- D. The burning upon premises of any paper, boxes, garbage, leaves or other disposal material is prohibited.
- E. Refuse containing garbage shall be collected at least once weekly. Where suitable collection service is not available from municipal or private agencies, the management shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

SECTION 713 ELECTRICAL DISTRIBUTION SYSTEM

A. General Requirements

Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with the local electric power company's specifications and approvals regulating such systems.

B. Power Distribution Lines-Underground

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

C. Individual Electrical Connections

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

The mobile home shall be connected to the outlet receptacle by an approved power supply assembly and permanent wiring method.

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

SECTION 714 GAS DISTRIBUTION SYSTEM

- A. Gas supply systems, where available for a mobile home park, shall comply with the provisions of the State regulations governing equipment, installation, volume of supply, shut off valves, connectors, mechanical protection and location of equipment.

SECTION 715 FUEL OIL DISTRIBUTION SYSTEM

- A. Distribution systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems. Piping installed below ground shall have a minimum earth cover of 18 inches.
- B. Piping from outside fuel storage tanks or cylinders to mobile homes shall be permanently installed and securely fastened in place.
- C. Fuel oil storage tanks or cylinders shall be installed underground and not located inside or beneath any mobile home or accessory structure, or less than five feet from any mobile home exit.
- D. Every tank shall be vented by a vent not less than 1-1/4 inches iron pipe size, so designed and installed to prevent entrance of rain or debris.
- E. A shutoff valve located immediately adjacent to the gravity feed connection of a tank shall be installed in the supply line to the mobile home.
- F. Fuel oil connectors from the tank to the mobile home shall be brass or copper tubing or approved flexible metal hose, not smaller than 3/8 inch iron pipe size or tubing, and shall be protected from physical damage. Aluminum tubing shall not be used.
- G. Valves and connectors shall be listed standard fittings maintained liquid-tight to prevent spillage of fuel oil on the ground.

SECTION 716 FUEL SUPPLY AND STORAGE

- A. Liquified petroleum gas containers installed on a mobile home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than 25 or more than 100 pounds LP-Gas capacity.
- B. No liquified petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home, or any other structure.
- C. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any mobile home or less than five feet from any mobile home exit. Fuel tanks or cylinders shall be approved for fuel storage and maintained as to prevent oxidation/corrosion.

SECTION 717 TELEPHONE AND TELEVISION

- A. Where telephone service to stands is provided, the distribution systems shall be underground.

- B. Where central television antenna systems are to be installed as part of the property to be covered by mortgage insurance, a warranty shall be obtained to assure satisfactory service. Distribution to stands shall be underground.
- C. If local CATV service is available and utilized the distribution system shall be underground in accordance with the local CATV company's standards.

SECTION 718 SERVICE BUILDING AND OTHER COMMUNITY FACILITIES

A. General

The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities such as:

1. Management offices, repair shops and storage areas.
2. Sanitary facilities.
3. Laundry facilities.
4. Indoor recreation areas.
5. Commercial uses supplying essential goods or services for exclusive use of park occupants.

B. Community Sanitary Facilities

Every mobile home park shall be provided with the following emergency sanitary facilities: for each 100 lots, or fractional part thereof, there shall be one flush toilet and one lavatory. The building containing such emergency sanitary facilities shall be accessible to all mobile homes.

C. Permanent Buildings

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

Rooms containing sanitary or laundry facilities shall:

1. Have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, non-absorbent, waterproof material or covered with moisture resistant material
2. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than

10 percent of the floor area served by them.

3. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room.
4. Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
5. Illumination levels shall be maintained as follows:
 - a. General seeing tasks- five footcandles;
 - b. Laundry room work area- 40 footcandles;
 - c. Toilet room, in front of mirrors- 40 footcandles;
6. Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

SECTION 719 FIRE PROTECTION

- A. Mobile home parks and each lot shall be kept free of litter, rubbish and other flammable materials.
- B. Portable fire extinguishers rated for classes B and C shall be kept in service building and at other locations conveniently and readily accessible for use by all occupants and shall be maintained in good operating condition. Their UL or Factory Mutual rating shall not be less than 6.
- C. Fires shall be made only in stoves, incinerators and other equipment intended for such purposes.
- D. Fire hydrants, shall comply with Section 708 D.
- E. All mobile homes will be required to have UL approved smoke and or heat detecting devices installed.

SECTION 720 INSECT AND RODENT CONTROL

- A. Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Department of Environmental Resources.
- B. The community shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests.
- C. Storage areas shall be so maintained as to prevent rodent

harborage; lumber, pipe and other building material shall be stored at least one foot above the ground during construction periods, after which all such materials shall be removed from open areas of the park.

- D. Where the potential for insect and rodent infestation exists all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
- E. The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers and other noxious insects. The park shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

SECTION 721 MANAGEMENT AND SUPERVISION

- A. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate management and supervision to maintain the park, its facilities and equipment in good repair and in a clean sanitary condition and shall:
 - 1. Supervise the placement of each mobile home stand which includes securing its stability and installing all utility connections.
 - 2. Give the Supervisors or their representatives free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspections.
 - 3. Maintain a register containing the names and addresses of all park occupants. Such register shall be available to any authorized person inspecting the park.
 - 4. Notify the Department of Environmental Resources immediately of any suspected communicable or contagious disease within the park.
 - 5. Notify the park residents of all applicable provisions of this Ordinance and inform them of their duties and responsibilities relating to the need for sanitary conditions, the proper placement of mobile home units, the control of pets, the prior approval of porches, skirtings, awnings and accessory structures, the periodic storage of garbage, and maintaining of fire extinguishers.

SECTION 722 REVOCATION OF PERMIT

- A. Whenever, upon inspection of any mobile home park, the Supervisors determine that there are reasonable grounds to believe that conditions or practices exist which are in violation of any provision of this Ordinance, or of any regulations adopted pursuant thereto, the Supervisors or their

representative shall give notice in writing to the person to whom the permit was issued, advising them that unless such conditions or practices are corrected within a period of time specified in the notice, the permit to operate shall be suspended.

At the end of such period, such mobile home park shall be reinspected and if such conditions or practices have not been corrected, the Supervisors shall suspend the permit and give notice in writing of such suspension to the person to whom the permit is issued.

- B. Whenever the Supervisors find that an emergency exists which requires immediate action to protect the public health, they may without notice to hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as they may deem necessary to meet the emergency including the suspension of the permit or license. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately.

SECTION 723 SEVERABILITY

Should section, subsection, or requirement of these regulations be declared invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the regulations as a whole, or of any other part thereof.

ARTICLE VIII
ADMINISTRATION, AMENDMENT, SEVERABILITY

SECTION 801 REVISION AND AMENDMENT

- A. The Municipal Officials 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, modification, or amendments to these regulations shall be made in accordance with the procedures as provided in Act 247, Article V, Section 505, after a public hearing on the proposed revisions, modifications, or amendments.

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

- C. Proposed Subdivision and Land Development Ordinance and amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in Act 247, Article V, Section 506. The municipal officials shall publish the proposed ordinance or amendment once in a newspaper of general circulation in the municipality not more than 60 days nor less than 7 days prior to passage.

SECTION 802 MODIFICATIONS

- A. The municipality may grant a modification or waiver from the requirements of one or more of the provisions within this Subdivision and Land Development Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification or waiver will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

- B. All requests for a modification or waiver shall be in writing and shall accompany and be part of the application for subdivision or land development review. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of the Ordinance involved, and the minimum modification necessary.
- C. The Municipality shall keep a written record of the action on all requests for modifications and/or waivers.
- D. In reviewing the subdivider's request for a modification/waiver from these Regulations, the following criteria should be used:
 - 1. An unnecessary hardship should be established upon a finding of fact.
 - 2. The particular hardship must stem from these regulations.
 - 3. The situation must be unique, not one shared similarly by other properties in the neighborhood.
 - 4. The hardship cannot be self-created by the property owner.
 - 5. Hardship is not to be construed to mean that less profit will be made under the existing regulations than might be realized with the granting of a modification/waiver.
 - 6. The hardship must be suffered by the parcel of land under question and not by other parcels owned by the subdivider or by the community as a whole.
 - 7. If these regulations were in existence at the time of the purchase of the parcel of land under question, the condition of the parcel itself or the neighborhood must have changed since the time of the purchase. The changed condition must have a unique bearing on the parcel under question.
- E. In granting modifications/waivers, the Municipality may impose such condition as will, in its judgement, secure substantially the original objectives of the now modified requirements.

- F. In order to encourage flexibility, economy, and ingenuity in the layout and design of subdivision and land developments, and to encourage the provision of amenities not otherwise required by this Ordinance or other applicable regulations, the Municipality may waive, modify, reduce, or otherwise alter the standards and requirements of this Ordinance, provided, that such actions do not conflict with the purposes of this Ordinance.

SECTION 803 RECONSIDERATION, MEDIATION, AND APPEALS

- A. If, upon the judgement of the Municipality, the subdivider has additional relevant information to present, any subdivider aggrieved by a finding, decision, or recommendation of the Municipality may request and receive reconsideration of the original finding, decision, or recommendation by the Municipality.
- B. The Municipality may offer a mediation option as an aid in completing proceedings authorized by Article V, Section 508 of Act 247: "Approval of Plats". In exercising this option, the Municipality and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX, Section 908.1 of Act 247, as re-enacted and amended.
- C. Any subdivider aggrieved by a finding, decision, or recommendation of the Municipality may appeal such finding, decision, or recommendation to the Court of Common Pleas.
- D. All subdivision and land development appeals shall be filed not later than thirty (30) days after issuance of notice of the decision or report of the Municipality. All appeals shall be in accordance with the provisions of Article V, Act 247.

SECTION 804 FEES

- A. The Municipal Officials 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 Municipal Secretary's office or in such other

place as the Municipal Officials 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 Municipal 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 covered 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 to the Municipality.

SECTION 805 REMEDIES, ENFORCEMENT, AND JURISDICTION

- A. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies to effect completion of said improvements. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.
- B. In addition to other remedies, the Municipality may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violation, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The

description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

- C. The Municipality may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

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

- D. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Municipality, pay a

judgement of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof. No judgement shall commence or be imposed, levied, or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgement, the Municipality may enforce the judgement pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation, further determines that there was a good faith basis for the person, partnership, or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continued shall constitute a separate violation. The court of common please, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgement pending a final adjudication of the violation and judgement.

- E. District justices shall have initial jurisdiction in proceedings brought under enforcement remedies.

SECTION 806 KEEPING OF RECORDS

The Municipal Planning Commission and the Municipal Officials 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 807 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.

SECTION 808 CONFLICTS

- A. Whenever there is a difference between the minimum standards specified herein and those included in other Municipal 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 809 SEVERABILITY

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

SECTION 810 EFFECTIVE DATE

This Ordinance shall become effective ten (10) days after the date on which it has been passed by the Municipality and approved by the Solicitor of the Municipality.

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

BY _____

ATTEST:

Secretary

APPENDIX

APPLICATION FOR REVIEW OF A MINOR SUBDIVISION PLAN

The undersigned hereby applies for Review by the Municipality of the Minor 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: _____ (Maximum of 5)
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. Are lots adjoining paved public or private streets? _____ Yes _____ No

(If no, minor subdivision classification may be denied.)

10. Are lots accessible to existing water supply? ☐ Public
☐ Individual on-site
11. Are lots accessible to existing sanitary sewage disposal? ☐ Public
☐ Individual on-site
12. Will this subdivision adversely affect the natural resources of the municipality?
☐ No ☐ Yes
(If yes, minor subdivision classification must be denied.)
13. Will this subdivision adversely affect adjoining property?
☐ No ☐ Yes
(If yes, minor subdivision classification must be denied.)
14. Will this subdivision adversely affect present or future development of the municipality (as outlined in a municipal plan)?
☐ No ☐ Yes
(If yes, minor subdivision classification must be denied.)
15. Is proposed development compatible with the existing zoning ordinance (if any)?
☐ No ☐ Yes
Current zoning district of subdivision _____

The undersigned certifies that to the best of his/her knowledge and belief, all the above statements are true, correct, and complete. The undersigned acknowledges that no extension of any public facility (street, water, sewer, etc.) will be required for the type of development being planned.

Signature of owner/applicant _____ Date _____

APPLICATION FOR REVIEW OF A PRELIMINARY SUBDIVISION PLAN

The undersigned hereby applies for Review by the Municipality 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
_____ 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: :

<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 knowldege 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): _____

APPLICATION FOR REVIEW OF A FINAL SUBDIVISION PLAN

The undersigned hereby applies for Review by the Municipality 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:

<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): _____

STORM WATER RUNOFF CALCULATIONS
for:

All calculations require a storm of 25 years with a 24 hour, duration.

Sites covering an area equal to or less than 1.00 acre shall be based on the Rational Method: $Q = CIA$

where

Q = RUNOFF FROM RAINFALL (CFS)

C = RUNOFF COEFFICIENT

I = INTENSITY (INCHES/HOUR)

A = AREA (ACRES)

Q after development must be less than or equal to Q prior to development. The following table shows the values of the Run Off Coefficient that are to be used in calculations:

TYPE	SLOPE <2%	SLOPE <10%	SLOPE >10%
Bituminous Pavement	0.90	0.95	0.95
Concrete	0.95	0.95	0.95
Gravel	0.20	0.25	0.30
Roofs	0.95	0.95	0.95
Grassed Areas	0.25	0.30	0.30
Earth-No Vegetation	0.60	0.65	0.70
Wooded Areas	0.10	0.15	0.20

Minimum Recommended Storm Intensity=1.68 INCHES/HOUR

Run-off is to be calculated as one of the types listed in the preceding table.

Q should be calculated for each type and combined into a total Q .

If run-off storage is required, it should be calculated as $R = C(0.4)(A)$. The amount of run-off to be stored should be the difference between the total run-off under existing conditions subtracted from the total run-off after development. In most cases there will be an increase in run-off after development.

where

R = RUN-OFF STORAGE FOR EACH TYPE MATERIAL (CUBIC FEET)

C = RUN-OFF COEFFICIENT

A = AREA (SQUARE FEET)

When more than one type of material is considered, the storage is considered to be the sum of each of the run-off storage types.

WORKSHEET

EXISTING CONDITIONS

$$I=1.68$$

MATERIAL TYPE C A

- 1.
- 2.
- 3.

$$Q_E = CIA$$

$$R = C(0.4)A$$

AFTER DEVELOPMENT

$$I=1.68$$

MATERIAL TYPE C A

- 1.
- 2.
- 3.

$$Q_A = CIA$$

$$R = C(0.4)A$$

If Q_A (after development) is not less than or equal to Q_E (existing conditions), then on site storage will be required.

If a pipe discharge is used then:

$$A = \frac{Q_E(\text{existing conditions})}{\sqrt{2gh}}$$

where

A=AREA OF PIPE DISCHARGE(SQ. FT.)

Q=EXISTING CONDITIONS

c=0.8(PVC PIPE RECOMMENDED)

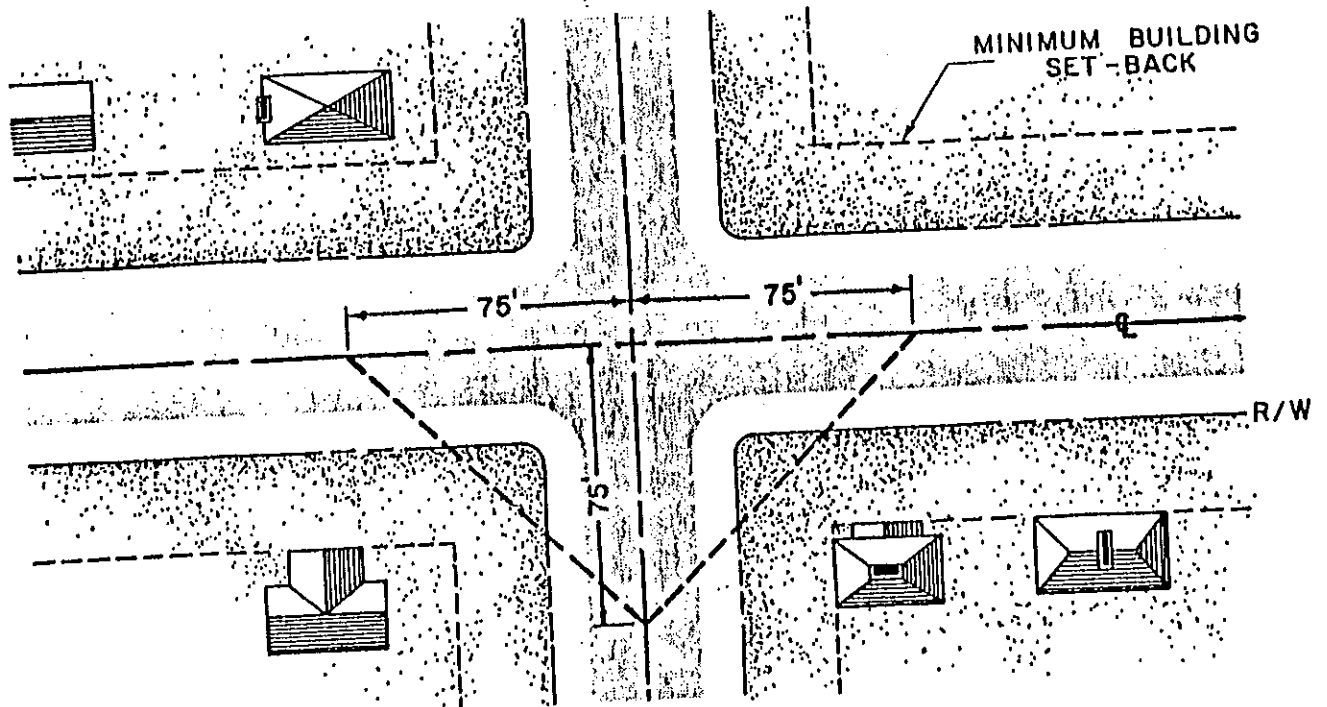
g=32.2 ft/second squared

h=HEAD(FEET)

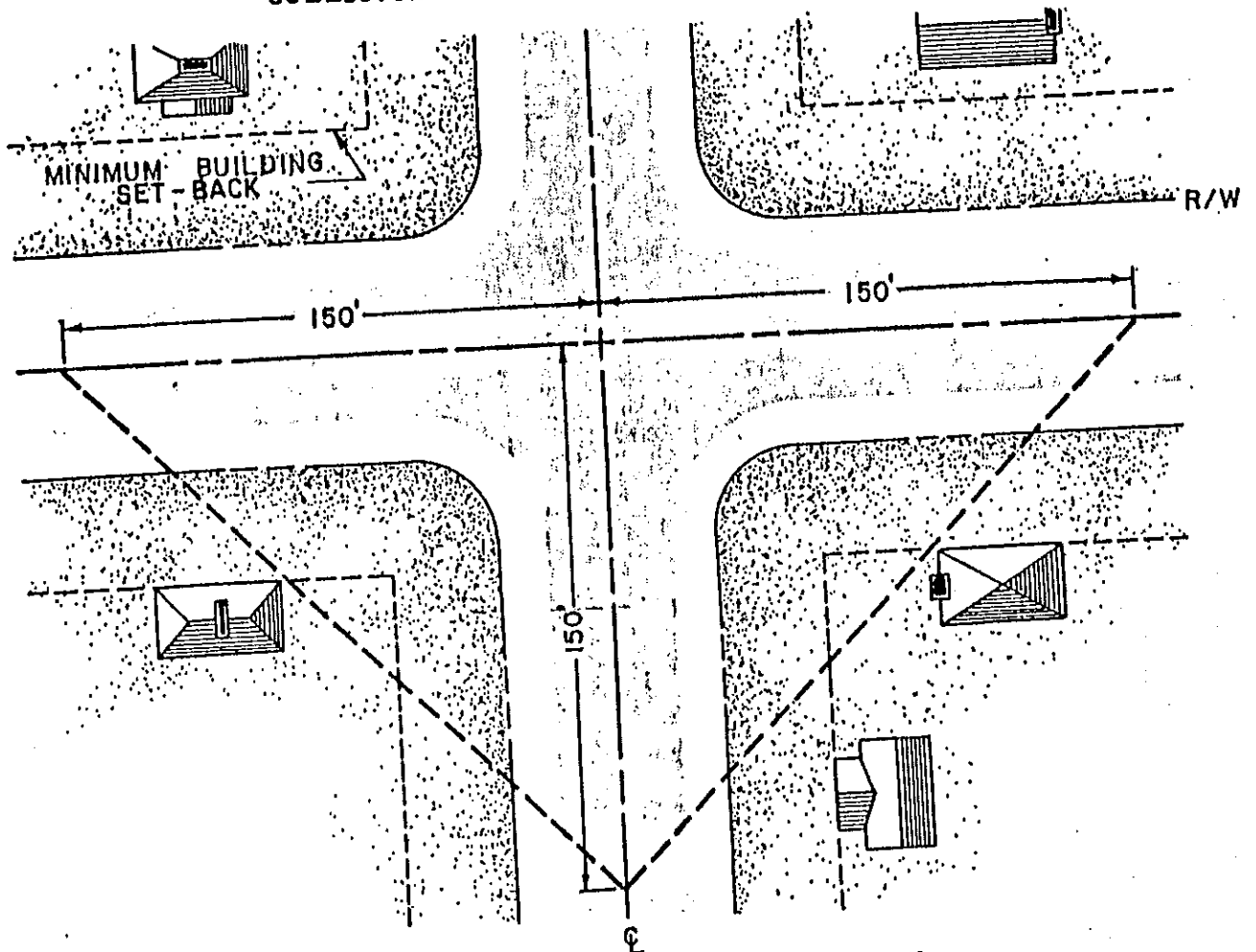
Sites covering one to five acres may use either the Rational Method or the SCS Method. If the SCS Method is used, you must follow the format as given in the U.S. Department of Agriculture Soil Conservation Field Manual.

Sites covering five acres or more must use the SCS Method.

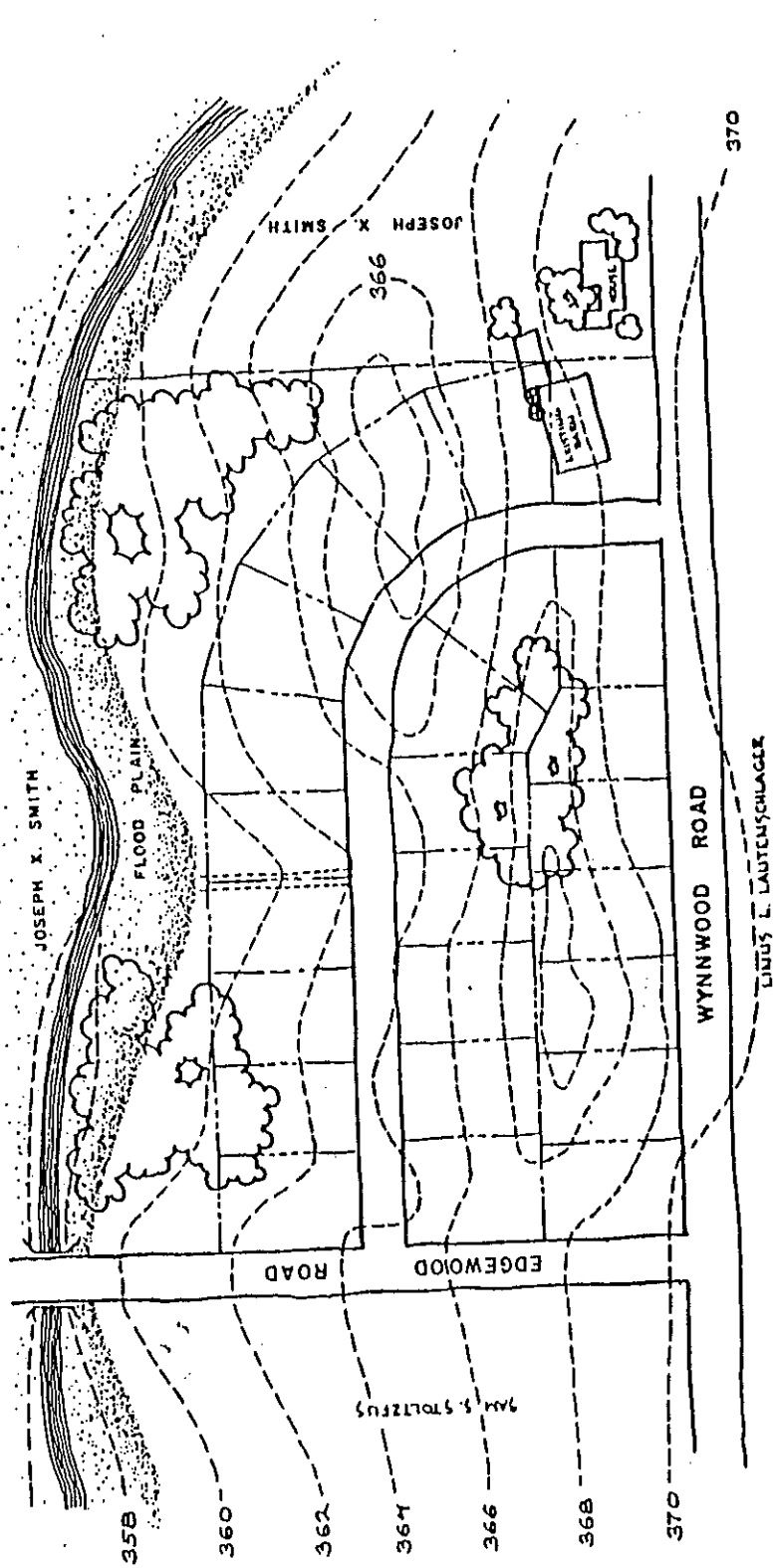
MINOR TO MINOR INTERSECTION



COLLECTOR TO COLLECTOR INTERSECTION



INTERSECTION SIGHT DISTANCE



NOTES:

1. PROPERTY TO BE SERVED BY EXISTING 10" WATER MAIN IN WYNNWOOD ROAD.
2. PROPERTY TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS.

SKETCH PLAN
TREEHAVEN TERRACE

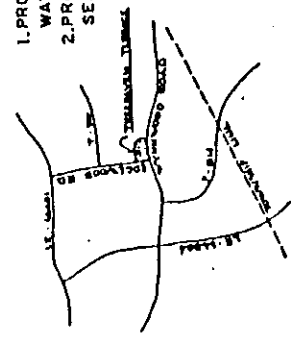
TOWNVILLE TOWNSHIP - ANY COUNTY, PENNA.
SCALE - 1" = 100'
DATE - MARCH 15, 1974

LAND DEVELOPMENT ENGINEERS
TOWNVILLE, PENNSYLVANIA

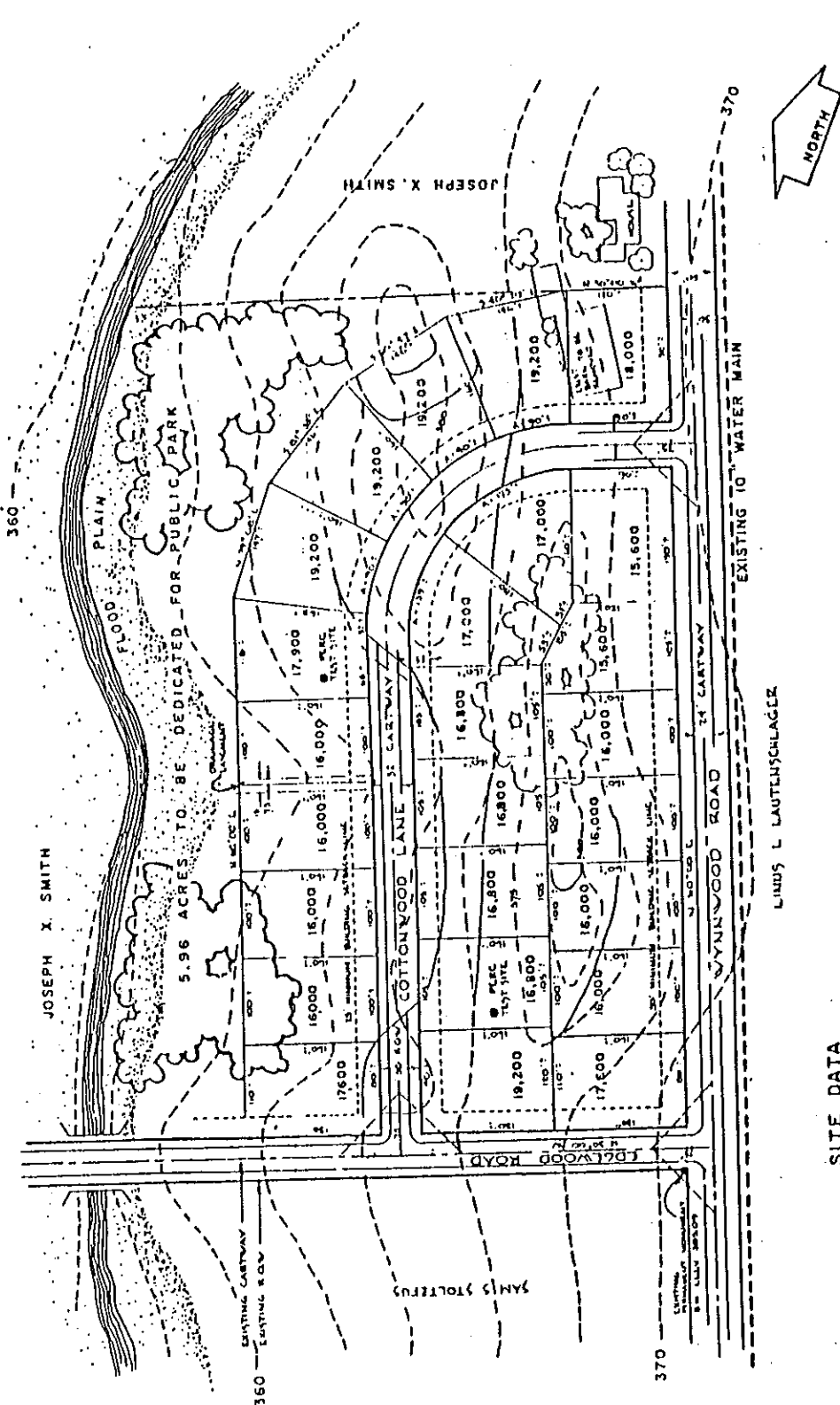


OWNER - SUBDIVIDER

JOHN A. JONES
R.D. 1
TOWNVILLE, PENNSYLVANIA



LOCATION MAP
SCALE - 1" = 2000'



SITE DATA

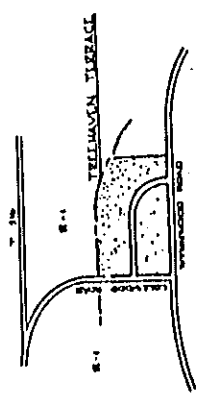
NUMBER OF LOTS — 25
 NUMBER OF ACRES — 18.3
 ZONING — R-1
 TYPE OF DEVELOPMENT — SINGLE FAMILY DETACHED

OWNER — SUBDIVIDER

JOHN A. JONES
 R.O. I
 TOWNVILLE, PENNSYLVANIA

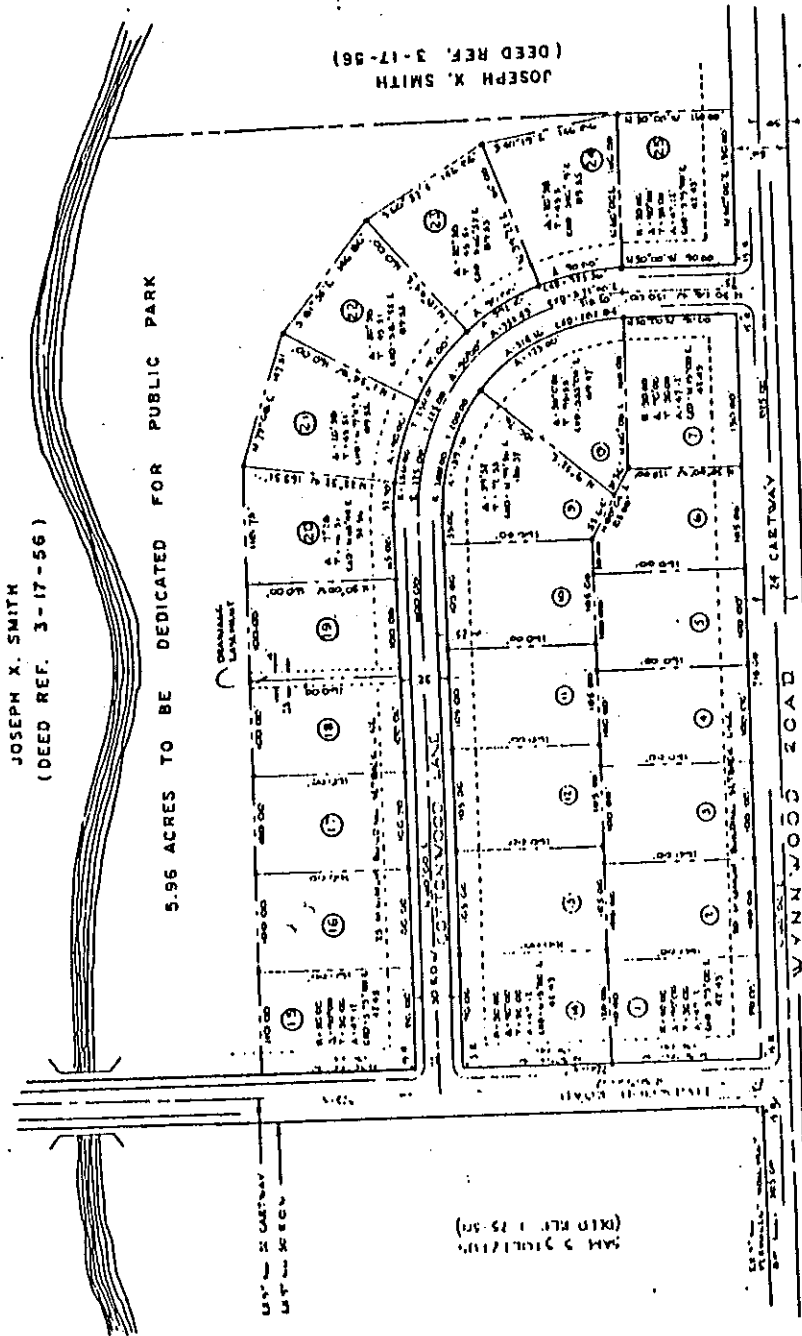
PRELIMINARY PLAN
OF
TREEHAVEN TERRACE

TOWNVILLE TOWNSHIP
 ANY COUNTY
 PENNSYLVANIA
 SCALE: 1" = 100'
 JUNE 1, 1974
 LAND DEVELOPMENT ENGINEERS
 TOWNVILLE, PENNSYLVANIA



NEIGHBORHOOD MAP

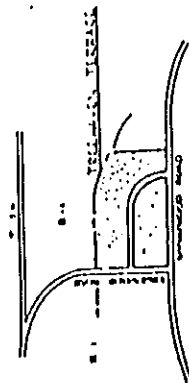
SCALE: 1" = 1,000'
 0 100 200



NOTE:

1. PERMANENT MONUMENTS AND MARKERS WILL BE INSTALLED UPON COMPLETION OF THE GRADING.
2. ST. STREET PARKING SPACE TO BE PROVIDED ON EACH LOT.
3. ENV. INSPECTION AND APPROVAL OF SEPTIC TANKS AND TILE FIELD INSTALLATION.
4. ETC.
5. ETC.

LINUS L. LAUTENSCHLAGER
(DEED REF. 2-2-170)



NEIGHBORHOOD MAP

ON THIS, THE DAY OF 19, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____, WHO DEPOSES AND SAYS SWORN ACCORDING TO LAW, THAT HE IS THE OWNER AND/OR EQUITABLE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT HE ACKNOWLEDGES THE SAME TO BE HIS ACT AND PLAN AND DESIRES THE SAME TO BE RECORDED AS SUCH, ACCORDING TO LAW, AND THAT ALL STREETS, AND OPEN SPACES, AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC USE.

OWNER'S SIGNATURE _____

NOTARY PUBLIC _____

MY COMMISSION _____ 19 _____
EXPIRES

APPROVED BY THE _____ OF _____
(MUNICIPALITY) THIS DAY OF 19 _____

APPROVED BY THE _____ PLANNING
COMMISSION THIS DAY OF 19 _____

REVIEWED BY: _____ DATE _____

MUNICIPAL ENGINEER _____

REVIEWED BY THE ANY COUNTY PLANNING
COMMISSION THIS DAY OF 19 _____

CHAIRMAN _____ DIRECTOR _____

SOURCE OF TITLE OWNER-SUBDIVIDER
RECORDED IN DEED JOHN A. JONES
BOOK _____ VOLUME _____ R.D. 1
PAGE _____ TOWNVILLE, PENNA.

I CERTIFY THAT THIS SURVEY
AND PLAT ARE CORRECT.

SIGNATURE _____

SEAL

FINAL PLAN

OF
TREEHAVEN TERRACE

TOWNVILLE TOWNSHIP

ANY COUNTY PENNSYLVANIA

SCALE: 1" = 100' OCTOBER 1, 1974

100 0 100 200

SEAL

LAND DEVELOPMENT ENGINEERS
TOWNVILLE, PENNSYLVANIA