

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

RIDGWAY TOWNSHIP
ELK COUNTY, PENNSYLVANIA

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RIDGWAY TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

An ordinance establishing rules, regulations and standards governing the subdivision or development of land within the Township, including mobile home parks, pursuant to the authority set forth in Act 247, the Pennsylvania Municipalities Planning Code, as amended. Sets forth the procedure to be followed by the Planning Commission and the Board of Supervisors in Applying and Administering these rules, regulations, and standards and providing penalties for the violation thereof.

ARTICLE I
PURPOSES, SCOPE, INTERPRETATION

Section 100 PURPOSE

The general purpose of the regulations shall be to guide and regulate the development and subdivision of land in order to protect and promote the health, safety, convenience, comfort, prosperity and general welfare of the township of Ridgway.

Section 101 OBJECTIVES

It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

- 101.1 Maintenance of the rural nature and beauty of the Township land.
- 101.2 The minimization of environmental pollution.
- 101.3 The protection of environmentally sensitive areas such as flood-plains and steep slopes.
- 101.4 The maintenance of quality watersheds, especially those providing public water supplies.
- 101.5 The provision of open space for recreational purposes.
- 101.6 Orderly development of land to obtain harmonious and stable neighborhoods.
- 101.7 Safe and convenient traffic circulation, vehicular and pedestrian.
- 101.8 Coordination of land development in accordance with the comprehensive plan and zoning ordinance of the Township.

Section 102 ADOPTION

The rules and regulations for the subdivision of land in Ridgway Township, Elk County, Pennsylvania, were adopted by Ordinance pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act 247, as amended; in accordance with Article V, Section 501 of that Act.

Section 103 SCOPE

From and after the effective date of this ordinance, any subdivision and land development shall be in conformity with this ordinance and all standards and specifications adopted as part of such ordinance.

Section 104 SHORT TITLE

This Ordinance shall be known and may be cited as "The Ridgway Township Subdivision Ordinance."

Section 105 INTERPRETATION

The provisions of this Ordinance shall be considered the minimum requirements in effect to promote and protect the public welfare. Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulations, the provisions of this Ordinance shall be controlling. Where the provisions of any other statute, ordinance, or regulation impose greater restrictions than this ordinance, the provision of such statute, ordinance or regulation shall be controlling.

Section 106 SUBJECT PROPERTIES

No subdivision of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be constructed, opened or dedicated for public use or travel; or for the common use of occupants of building abutting thereon, except in strict accordance with the provisions of this Ordinance.

Section 107 SALE OF LOTS

No lot in a subdivision may be sold; no permit to erect, alter or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision unless and until a subdivision plan has been approved and recorded and until the improvements recommended by the Township Planning Commission and required by the Township Board of Supervisors in connection therewith have either been constructed or guaranteed as hereinafter provided.

Section 108 SEVERABILITY

If any article, section, subsection, paragraph, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or of any other part.

Section 109 VARIANCES

When the subdivider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions, the Planning Commission may recommend and the Board of Supervisors authorize a variance. Any variance thus authorized shall be entered in the minutes of the Board of Supervisors and the reasoning on which the departure was justified.

ARTICLE II
DEFINITIONS

Section 200 GENERAL INTERPRETATION

For the purpose of this Ordinance, words used in the present tense or past tense include the future tense; the singular shall include the plural and the plural the singular. The terms "shall" and "will" are always mandatory, and the word "may" is permissive.

Section 201 MEANING OF TERMS

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning indicated below.

APPLICANT: A landowner or developer, including his heirs, successors, and assigns, or his authorized agent who has filed for approval of a subdivision plot, or who has applied for a certificate of registration and a license to operate a mobile home park.

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plot or plan.

APPOINTING AUTHORITY: The Ridgway Township Board of Supervisors.

AVAILABLE SEWER: A municipal sewer is considered available if it is within 1,000 feet or less from the nearest point of a subdivision.

BOARD: The Board of Supervisors of Ridgway Township.

BUILDING LINE: The line within the property defining the required minimum distance between any enclosed structure, or above-ground portion of a building, and the adjacent street right-of-way.

CARTWAY: That portion of the street right-of-way surfaced for vehicular use. Width is determined from face of curb to face of curb or, if no curb exists, from one edge of driving surface to the other edge of driving surface.

CERTIFICATE: Certificate of Registration of a mobile home park issued by the Pennsylvania Department of Environmental Resources.

CODE: The Pennsylvania Municipalities Planning Code (Act 247), as amended.

COVENANT: An obligation defined by law or agreement, the violation of which can be restrained by court action; these are usually stated in the deed.

CUL-DE-SAC: A residential street with one end open to traffic and pedestrian access and permanently terminated by a vehicular turnaround.

DEPARTMENT: The Pennsylvania Department of Environmental Resources.

DEVELOPER: Any person, individual, firm, partnership, association, corporation, estate, trust or any other group or corporation acting as a unit and including any agent of the developer dividing or proposing to divide land, so as to constitute a subdivision as defined by Article V of the Pennsylvania Municipalities Planning Code, Act 247, as amended.

EASEMENT: Grant by a property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, a corporation or a certain person or persons.

ENGINEER: The Engineer of Ridgway Township, or the consulting engineering firm representing Ridgway Township.

ESSENTIAL SERVICE: The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, including buildings necessary for the furnishing of adequate services for the public health, safety or general welfare.

FRONT YARD: The open space extending across the entire width of the lot between the front line of the building and the street line.

IMPROVEMENTS: Those physical changes to the land necessary to procure usable and desirable lots from raw acreage including but not limited to: grading, paving, curb, gutter, storm sewers and drains, improvements to existing water-courses, sidewalks, crosswalks, street signs, monuments, water supply facilities, and sewerage disposal facilities.

LOT: A tract or parcel of land intended for the transfer of ownership, use or improvement, whether immediate or future.

LOT DEPTH: The horizontal distance between the front lot line and the rear lot line.

MINOR SUBDIVISION: A subdivision of land under ten (10) lots with no new public street involved.

MAJOR SUBDIVISION: A subdivision of land of ten (10) lots or more, and any subdivision of land involving a new street right-of-way.

MOBILE HOME: A structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections 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: Any site, lot, field or tract of land, privately or publicly owned or operated which has been planned and improved for the placement of mobile homes for non-transient use, units of two or more mobile home lots.

MUNICIPALITY: Ridgway Township, Elk County, Pennsylvania.

PERSON: Shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, leasee, agent, servant, officer or employee of any of them.

PLAN, COMPREHENSIVE: The Comprehensive Plan of Ridgway Township. A composite of the mapped and written proposals for the future development of the Township and duly adopted by the Township Supervisors.

PLAN, PRELIMINARY: A tentative subdivision plan, in lesser detail than a final plan, showing approximate street and lot layout on a topographic map as a basis for consideration prior to preparation of a final plan.

PLAN, FINAL: A complete and exact subdivision plan, prepared for official recording as required by statute to define property right and proposed streets and all other improvements.

PLANNING COMMISSION: Ridgway Township Planning Commission.

PUBLIC SEWERS: Shall include only those designed and serving to conduct waste to an approved municipal treatment plant.

PUBLIC WATER SUPPLY: Water approved for drinking purposes and other public use by the Department of Environmental Resources supplied through approved piping facilities to places of private and public use, and being under the jurisdiction of the local Municipal Authority or representative thereof.

REAR YARD: The required open space extending from the rear of the main building to the rear lot line (not necessarily a street line) throughout the entire width of the lot.

RESUBDIVISION OR REPLATTING: The replatting of a recorded subdivision in whole or part, by a redesign of lots, by change of size, area, or by street layout.

RIGHT-OF-WAY: Any public highway, street or alley accepted by different levels of government for public use, usually by the Township Supervisors, all of which shall be recorded in the Recorder of Deeds Office, Elk County, Ridgway, Pennsylvania.

SEASONAL DWELLING: A dwelling which is designed for seasonal use, is occupied on a seasonal basis, and which does not have in excess of 1,000 square feet of living space (over 1,000 square feet permitted if approved in writing by the Planning Commission).

SEASONAL USE: The occupancy of a dwelling during certain months of the year, not to exceed an aggregate total occupancy exceeding eight (8) months of the year, nor to exceed occupancy by one person or a group of persons for a continuous period exceeding six (6) months. In addition, no person or persons shall use such dwelling as a permanent or legal address.

SEWAGE ENFORCEMENT OFFICER (SEO): The official of the local agency duly certified by the Commonwealth of Pennsylvania to issue and review permit applications and conduct such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act as amended.

SIDE YARD: The required open space extending from the side of any building along the side lot line throughout the entire depth of the building.

STORM SEWERS: For the purpose of this Ordinance, the surface and subsurface facilities designed and operating to conduct storm water and other necessary surface drainage to a natural water course or other municipality approved outlet.

STREETS: A strip of land representing the entire right-of-way, which includes streets, avenues, boulevards, roads, highways, freeways, parkways, lane alley viaducts, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets shall be classed as follows:

- A. Arterial - traverses the municipality and serves primarily through or heavy traffic.
- B. Collector - serves the internal traffic movement within the Township. May be legislative routes or township roads. Primarily serves to connect residents and businesses with more heavily traveled arterial streets.
- C. Minor - serves to provide access to immediately adjacent land. These streets may be through or dead-end. Primarily carry local traffic within the neighborhood.

STREET MAINTENANCE: The procedure applied to new or existing streets or streets under construction for purposes of accommodating vehicular travel with a minimum of interruption, delay or safety hazard including resurfacing, regrading, drainage improvement, pothole repair, dust prevention practices and snow removal.

SUBDIVIDER: The owner, or authorized agent of the owner, of the subdivision.

SUPERVISORS: The Board of Supervisors of Ridgway Township.

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 purposes, whether immediate or future, of lease, transfer of ownership or building or lot development. Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.

TOPOGRAPHIC MAP: A map showing ground elevations by contour lines and the location of important natural and other manmade objects.

TOWNSHIP: The Township of Ridgway, Elk County, Pennsylvania.

VARIANCE: A special variation or modification given to a developer which exempts that developer from being in strict conformance with certain provisions of this ordinance; being granted only when there are unique circumstances or conditions of topographical or physical nature of the said property which prevents the development of such property under the general requirements of this Ordinance.

Section 202. CHANGES IN DEFINITIONS

The definitions of certain terms (i.e. subdivision, mobile home) are subject to change based on the formal definitions established by amendment to the Pennsylvania Municipalities Planning Code, the National Mobile Home Construction and Safety Standards Act, and other appropriate legislation.

ARTICLE III
APPLICATION AND PROCESSING PROCEDURES

Section 300 INTENT

Procedures are herein established and intended to define the steps by which a developer may design, make an application, record plats and construct improvements in the developing of land, and by which the Planning Commission may review, make recommendations, approve the plans and otherwise administer these regulations.

For those subdivisions hereinafter classified as minor subdivisions, a sketch plan and abbreviated procedure is established. For all others, which are classified as major subdivisions, a preliminary plan and final plat procedure is established. Sections 301 through 305 apply to major subdivisions only.

Section 301 PREAPPLICATION

Prior to the preparation and filing of the Preliminary Plan for a minor subdivision, the subdivider shall submit the following plans and data to the Planning Commission by the first day of the month for review during that month. (Major Subdivision: A subdivision of land ten (10) lots or more, and any subdivision of land involving a new street right-of-way.)

- A. General Information - Describes or outlines existing covenants, land characteristics, community facilities and utilities, and information describing the proposed subdivision such as the number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas, other public areas, proposed protective covenants, proposed utilities and street improvements.
- B. Location Map - Shows the relationship of the proposed subdivision to existing community facilities which serve or influence it and shall include development name, location of any existing facilities, traffic arteries, public or other schools, parks, playgrounds, utilities, churches, shopping centers, airports, hospitals, principal places of employment, title, scale, north arrow and date.
- C. Topographic Map - Existing U.S.G.S. quadrangle map or other acceptable available map showing topographic features.
- D. Sketch Plan - Drawn to a scale of one inch equals 100 feet or greater, showing in a simple sketch the proposed layout of streets, lots and other features in relation to existing conditions including:
 - 1. The proposed name of the subdivision.
 - 2. Name of the subdivider.
 - 3. Name of the registered owner.
 - 4. North point, scale and date.
 - 5. Name of the engineer, surveyor or other qualified person responsible for the map.
 - 6. Tract boundaries with bearing and distances.
 - 7. Topography, with elevations based on datum approved by the Commission, and showing contours at vertical intervals of two feet for land areas with a slope of five percent or less and five feet for land areas with a slope of greater than five percent.

8. Approximate location of watercourses, tree masses, rock outcrops, existing buildings, and actual location of sewers, inlets, water mains, easements, fire hydrants, railroads, existing or confirmed streets and their established grades.

9. Adjacent streets.

Section 302 PROCEDURE FOR PREAPPLICATION REVIEW

The Planning Commission shall indicate the suitability of the Plan for development into Preliminary Plans after review and discussion with the Subdivider or his representative at the regular Planning Commission meeting.

- A. In assessing the suitability of the Plan, the Planning Commission shall consider the Township Comprehensive Plan of future land use, transportation plan, community facilities plan or of any plans of the Planning Commission, including, but not limited to, proposed streets, recreation areas, and drainage reservations.
- B. Also to be considered is whether the land is subject to hazards of life, health and safety. Such land shall not be subdivided until such hazards are removed. These hazards shall be interpreted to mean land subject to flooding, slides due to excessive slope or excavation, land of excessive or improper fill material or land improperly drained.

Section 303 PRELIMINARY PLANS AND DATA

Shall include but not be limited to the following:

- A. The Preliminary Plan shall be drawn at a scale of one inch equals 100 feet or larger and shall show all required features upon the lot to be developed and within 300 feet of the boundary of the lot.
- B. The Plan shall show or be accompanied by the following:
1. Material required in Article III, Section 301.
 2. Draft of protective covenants, if any.
 3. Title to include:
 - a. Name by which the subdivision will be recorded.
 - b. Location by municipality, County and State.
 - c. Names and addresses of the owner or owners.
 - d. Name of registered engineer or surveyor who surveyed the property and prepared the plan.
 - e. North point, date and graphic scale.
 4. Tract boundaries with bearings, distances, and area in acres to the nearest hundredths.
 5. Existing easements, their location, width and distance.
 6. Tract closures and block closures with an allowable error of 1:10,000.
 7. Contours at vertical intervals of five feet for land areas with a slope of greater than five percent, and two feet for land areas with a slope of five percent or less.
 8. Datum to which contour elevations refer.

9. Bench marks.
10. Existing physical features to include:
 - a. Watercourses, culvert, bridges, and drains.
 - b. Buildings, sewers, water mains, and fire hydrants.
 - c. Street and alleys on or adjacent to the tract, including name, right-of-way widths and cartway widths.
 - d. Subsurface condition of the tract.
 - e. Names and addresses of abutting property owners.
11. Proposed improvements, and related data, shall include:
 - a. Lot lines with bearings and dimensions.
 - b. Building lines.
 - c. Reservations of grounds for public use.
 - d. All rights-of-way and easements.
 - e. Proposed land use of the improvement.
 - f. Location, name and width of all proposed streets and alleys and paved cartway widths, plus all sidewalks and crosswalks.
 - g. Profiles showing existing ground and proposed centerline street grades, and typical cross sections of roadways and sidewalks.
 - h. General drainage plan for storm water to include directions of flow for storm water in relation to natural channels, with required disposition control to avoid the extension of drainage to adjoining properties.
 - i. A plan of the proposed sanitary sewerage system or a plan, where required, showing the proposed location of on-lot sewage disposal facilities. The plan shall include location of manholes, invert elevations, grades and sizes of sanitary sewers.
 - j. A plan of the proposed water distribution system, or a plan showing the location of individual wells. The size of all water pipes and the location of valves and fire hydrants shall be shown.

Section 304 PRELIMINARY PLAN REVIEW

- A. Application - On reaching conclusions as recommended above regarding the general program and objectives, the Subdivider shall prepare and submit to township secretary prior to the regular monthly meeting of the Planning Commission, three copies of the Preliminary Plans of the total land to be ultimately developed for review by the Planning Commission according to the requirements and standards contained herein. Upon receipt of the Plan, the Planning Commission shall forward a copy to the Elk County Planning Commission for a review and report at County expense: Provided, that the Township shall not approve such application until the County report is received or, until the expiration of 30 days from the date the application was forwarded to the County, or the County agrees to waive their review and comment period.
- B. Planning Commission Review - The Planning Commission shall review the plan submitted covering the requirements of this Ordinance point by point, and shall consult with the Engineer and officials of any other department or authority concerned.
- C. Planning Commission Action - The Planning Commission shall notify the Subdivider of the scheduled meeting, place, date, time and agenda schedule. The proposed subdivision will be reviewed and discussed with the Subdivider or his representative at the scheduled Planning Commission meeting.

Within 30 days of this scheduled agenda review, the Planning Commission shall report to the Board of Supervisors on the subdivision, recommending approval, conditional approval or disapproval, each with reasons for action. Any modifications of the Preliminary Plan shall be preceded by the consideration and approval of the Planning Commission of such modifications.

- D. Action of Board of Supervisors - The Board of Supervisors shall act on the Preliminary Plan within 30 days of the receipt of the Planning Commission report, but in no case later than ninety (90) days after the application is filed, stating its approval, conditional approval or disapproval, giving reasons for each, and may authorize in writing submission of a Final Plan for approval. Any modifications of the Preliminary Plan shall be preceded by the consideration and approval of the Board of Supervisors of such modifications.
- E. Nature of approval - Approval of a Preliminary Plan shall not constitute approval of a Final Plan, but rather an expression of approval of the layout submitted on the Preliminary Plan as a guide to the preparation of the Final Plan.
 - 1. No applicant may proceed with any grading or improvement of streets or installation of public utilities until a preliminary application has been approved by the Governing Body.
 - 2. No applicant shall sell, transfer, lease or otherwise convey any lot, parcel or tract in a subdivision, or construct or commence the construction of a structure in a subdivision until the final plat has been approved by the Governing Body and recorded as required herein.

Section 305 FINAL PLAN AND DATA REQUIRED FOR APPROVAL

For any subdivision requiring final approval, the plan submitted:

- A. Shall be drawn on tracing cloth, plastic drafting media, or other comparable permanent material and shall be on sheets 18 inches by 24 inches or 24 inches by 36 inches including a border of one-half inch on all sides except the binding edge which shall be one inch. More than one 24 inch x 36 inch sheet may be used for larger tracts and must be of the same scale and indexed.
- B. Shall be drawn with waterproof black india ink and all records, data, entries, statements, etc., thereon shall also be made with the same type of ink or reproducible typing, except that contour lines when shown, may be drawn with waterproof brown ink or with diluted waterproof india ink, so that the said contour lines will show faintly on a print made from the said plan. Reproduction of black lines on plastic drafting media may be substituted for india ink.
- C. Shall be drawn to a scale of one inch equals 100 feet, or greater, and shall be of sufficient size to clearly show all notations, dimensions and entries. All dimensions shall be shown in feet and decimals of a foot.
- D. Shall contain the following information, in the lower right corner where possible:

1. Name under which the subdivision is to be recorded.
2. Date of plan, graphic scale and location of subdivision.
3. Name of subdivision owner.
4. Name and address of the registered professional engineer or surveyor preparing plan.

E. All Final Plans submitted shall be drawn according to the following:

Outside of Subdivision:

1. Streets and other ways by medium solid lines.
2. Property lines of adjacent subdivisions by medium dashed and two dotted lines.
3. Lot lines by light dotted lines.
4. Restriction lines, easements, etc., by light dashed lines.

Within Subdivision:

1. Streets or ways by heavy solid lines.
2. Perimeter property lines of the Subdivision by heavy dashed and two dotted lines.
3. Lot lines by light solid lines.
4. Restriction or building lines by light dashed lines.
5. Easements or other reserved areas by light dashed lines.

F. The Final Plan shall show and/or include:

1. Primary control points, approved by the Engineer, or description and ties to which all dimensions, angles, bearings, and similar data shall be referred.
2. Acreage of plot.
3. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites with accurate dimensions, bearings or deflection angles, radii, arcs and central angles of all curves.
4. Name and right-of-way width of each street or right-of-way.
5. Location, dimensions and purpose of all easements.
6. Number to identify each lot or site.
7. Purpose for which sites other than residential are to be dedicated.
8. Building setback line on all lots and sites.
9. Location and description of survey monuments.
10. Names of record owners of adjoining unplotted land.
11. Certification of surveyor or professional engineer as to the accuracy of survey and plat showing name, address, registration number and seal.
12. Statement by the owner dedicating streets, rights-of-way sites for public uses.
13. Protective covenants, if any, in form for recording.
14. Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of this Ordinance.
15. Certification blocks for the appropriate governing and planning bodies.
16. A copy of the Sedimentation and Erosion Control Plan, if required by State law.

Section 306 APPROVAL OF FINAL PLAN

- A. Application to Planning Commission - All Final Plans and other exhibits required for approval shall be submitted to the Planning Commission within three (3) years after approval of the Preliminary Plan. Otherwise, such approval shall become null and void unless an extension of time is applied for and granted by the Planning Commission. When filing an application for approval of a Final Plan, upon approval of the Preliminary Plan, the Subdivider shall submit to the Township Secretary prior to a regular meeting of the Planning Commission, one copy of all plans, data, and other information, plus three (3) copies and the original of the final subdivision plan. Upon receipt of the Plan, the Planning Commission shall forward a copy to the Elk County Planning Commission for review and report at County expense. The Township shall not approve such application until the County report is received, or the expiration of thirty (30) days from the date the application was forwarded to the County, or the County agrees to waive their review and comment period.
- B. Application Fee - At the time of filing the application and submission of plans, the Subdivider shall pay to the Board of Supervisors for uses by the Township, a fee to defray the cost of processing such plans and drafting same on the official map of the Township. The fee shall be set by the Board of Supervisors.
- C. Disposition of Plans - One copy of all Final Plans submitted for approval shall be retained by the Township Planning Commission, one copy by the Board of Supervisors, one copy shall be forwarded to the County Planning Commission, and the original shall be returned to the Subdivider for recording according to Article VII, Section 700 of this Ordinance.
- D. Planning Commission Action - The Planning Commission will review and discuss the proposed subdivision with the Subdivider or his representative at the scheduled Planning Commission meeting. Following review of the Planning Commission, all Final Plans shall be submitted by the Planning Commission to the Board of Supervisors prior to a regular meeting of the Board. Final Plans not consistent with the approved Preliminary Plan will not be approved.
- E. Action of the Board of Supervisors - The Board shall review the Final Plan for recording and shall indicate within thirty (30) days (but in no case later than 90 days from the submission of the final plans by the developer) of receipt approval, conditional approval or disapproval. Approved Final Plans for recording shall bear the signatures of the members and the Secretary of the Board to a certified statement that all plan procedure requirements have been met. Final Plans not consistent with the approved Preliminary Plan will not be approved. No Final Plan shall be approved by the Board unless a certificate of title is furnished, satisfactory to the Engineer.
- F. Permission to Develop by Portion - If desired by the Subdivider, a final plan may constitute only that portion of the approved preliminary plan which he proposes to record and develop at one time provided however, that such portion conforms to all requirements of these regulations. All portions of the preliminary plan developed in the future must go through the process of Section 306, Approval of Final Plan.
- G. Guarantee - Before approval of a Final Plan, the Governing Body must be assured by means of a proper completion guarantee in the form of a bond

or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the Engineer, that all improvements required will be installed by the owner in strict accordance with the standards and specifications of the Governing Body and within a specified time after approval of the Final Plan.

- H. Approval - The Governing Body shall determine whether the Final Subdivision Plan shall be approved or disapproved and shall give notice to the Subdivider in the following manner:
1. If approved, the Governing Body and Commission shall sign the original Final Subdivision Plan and attach thereto a notation that it has received approval and return it to the Subdivider for compliance with the recording requirements.
 2. If disapproved, the Governing Body shall attach to the plan a statement of reasons for such action and return it to the Subdivider.
- I. Changes - No changes, erasures, modifications, or revisions shall be made on any Final Plan of a Subdivision after approval has been given by the Governing Body, and endorsed in writing on the Plan, unless the Plan is first resubmitted to the Governing Body.

Section 307 RESUBDIVIDING OR REPLATTING

In the combination or recombination of lots or portions of previously platted lots, when the resultant lots are increased or decreased in street frontage and total area size, that reaches or exceed the standards of this Ordinance, and the street pattern is in conformity of the Township Comprehensive Plan, the procedures and regulations heretofore described shall be followed except as they may be modified on application to the Planning Commission.

Section 308 MINOR SUBDIVISIONS

Minor Subdivision: A subdivision of land under ten (10) lots with no new public street involved. Plans and data involving minor subdivisions shall include but not be limited to the following:

- A. The provisions of Sections 301-305 will be waived for minor subdivisions (as defined in this ordinance) and the following requirements will become applicable:
1. The proposed plan shall be drawn at a scale of one inch equals 100 feet or greater.
 2. The proposed plan shall be legibly drawn in ink on tracing cloth, plastic drafting media, or comparable permanent material and shall be 18" x 24" or 24" x 36" in size.
 3. The plan shall show or be accompanied by the following:
 - a. Description of covenants.
 - b. Title to include:
 1. Location by municipality, County and State.
 2. Names and addresses of the owner or owners.
 3. Name of registered professional engineer or registered professional surveyor who surveyed the property and/or prepared the plan.

4. North arrow, date and graphic scale.
 - c. Proposed use of the land.
 - d. Lot lines, dimensions and land area of proposed lot. Also, the area remaining in the original parcel.
 - e. Existing and proposed streets, alleys and/or easements on or adjacent to the tract.
 - f. Available utilities (public sewer and water source and sewage disposal system should be indicated).
 - g. Statement by the owner dedicating streets and rights-of-way for public use, if any.
 - h. Names of abutting property owners.
 - i. The following additional data shall be submitted upon request by the Planning Commission:
 1. Subsurface and drainage conditions of the tract.
 2. Any other data pertinent to the plan.
- B. Preliminary and Final Plans - Conformance to the above requirements may replace the Preliminary and Final Plan requirements.
- C. Approval and Disposition of Final Plans - Approval and disposition of Final Plans shall be in accordance with Section 306.
- D. Special Consideration for Dividing one lot into two - The Governing Body upon the recommendation of the Planning Commission, may approve a division of one piece of property into two pieces without requiring the applicant to follow the requirements and procedures set forth herein whenever the plot plan submitted to the Planning Commission shows that: the lots are located on a public road, each lot contains the necessary area to comply with the Zoning Ordinance, Health Department regulations and Pennsylvania Department of Environmental Resources regulations, that the lot is served by all necessary public utilities and does not block rear access or in any other way adversely affect adjoining property.

Section 309 FAILURE TO RENDER A DECISION

All applications for approval of a plot, whether preliminary or final, shall be acted upon by the Township Supervisors within the time limits and within the manner required herein. Failure of the Governing Body to render such a decision shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

ARTICLE IV
DESIGN STANDARDS

Section 400 APPLICATION

- A. The following land subdivision principles and standards will be applied by the Planning Commission and the local Governing Body in evaluating the plans for proposed subdivisions and shall be considered as minimum requirements.

Section 401 LAND REQUIREMENTS

- A. Land subject to hazards to life, health or property, such as quarry land, open ditches, etc., shall not be subdivided until such hazards have been removed.

Section 402 STREET REQUIREMENT

- A. Proposed streets shall be properly related to such Township highway plans or parts thereof as have been officially prepared and adopted.
- B. Proposed streets shall further conform to such local, County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.
- C. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades.
- D. Minor streets shall be so laid out as to discourage through traffic, but provisions for street connections into and from adjacent areas will be generally required.
- E. If lots resulting from original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided.
- F. Where a subdivision abutts or contains an existing or proposed arterial street, the Commission may require marginal access streets, rear service streets, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with major streets, and separation of local and through traffic.
- G. New partial or half streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.

- H. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
- I. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as T-type streets. Cul-de-sacs shall be permitted only as an alternative to T-type streets, should the Planning Commission, after careful review, find a T-type street inappropriate to the specific situation involved.
- J. New reserve strips, including those controlling access to streets, shall be avoided.
- K. Any street already established shall be continued at not less than its existing width, unless otherwise approved, and any street that is planned, though not already established, shall be continued at not less than its existing width as planned. Any extension of existing streets must meet the minimum standards set forth in Sec. 404.

Section 403 T-TYPE STREETS AND CUL-DE-SACS

- A. T-Type streets shall be provided at the closed end with a paved turn-around having a minimum length of ninety (90) feet perpendicular to the street and a minimum width of eighteen (18) feet between the outer pavement edges or curb lines.
- B. Cul-de-sacs shall be provided at the closed end with a paved turn-around having a minimum radius of the outer pavement edge or curb line of forty (40) feet.
- C. Unless future extension is clearly impractical or undesirable, the turn-around right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into adjoining tract.
- D. Permanent dead end streets shall not exceed an overall length of eight hundred (800) feet, without the written approval of the Planning Commission.

Section 404 STREET WIDTHS

- A. Minimum street right-of-way and cartway (roadway) widths shall be as follows:
 - 1. Minor street and marginal access street: Fifty (50) foot right-of-way and eighteen (18) foot paved cartway.
- B. Additional right-of-way and cartway widths may be required by the local Governing Body for the following purposes:
 - 1. To promote public safety and convenience.
 - 2. To provide parking space in commercial districts and in areas of high density residential development.
- C. Short extension of existing streets with lesser right-of-way and/or cartway widths than prescribed by Section 404 above may be permitted, provided however, that no section of new right-of-way less than fifty (50) feet in width shall be permitted.

- D. Where subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with the above standards shall be required.

Section 405 STREET ALIGNMENT

- A. Whenever street lines are deflected, connection shall be made by horizontal curves.
- B. Except on minor streets, a tangent shall be required between curves.

Section 406 STREET GRADES

- A. Center line grades should be not less than two (2) percent, unless approved by the Municipal Engineer.
- B. Center line grades shall, wherever feasible, not exceed the following:
1. Minor street: ten (10) percent.
 2. Collector and arterial street: six (6) percent.
- C. Vertical curves shall be used at changes of grade and shall be designed in relation to the extent of the grade change.
- D. Where the grade of any street at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having not greater than four percent (4%) grades for a distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting street.

Section 407 STREET INTERSECTIONS

- A. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
- B. Multiple intersections involving junction of more than two streets shall be prohibited. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
- C. To the fullest extent possible, intersections with major traffic streets shall be located not less than eight hundred (800) feet apart, measured from centerline to centerline.
- D. Offset streets shall not be permitted unless no other feasible solution is available, in which event the offset shall be at least one hundred fifty (150) feet centerline to centerline. Such offsets shall require approval by Planning Commission.
- E. Minimum curb radii at street intersections shall be twenty-five (25) feet for intersections involving only minor streets, fifty-five (55) feet for intersections including other type streets, or such greater radius as is suitable to the specific intersection.

Section 408 STORM DRAINAGE

- A. Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.
- B. Storm sewers, culverts and related installations shall be provided:
 - 1. To permit unimpeded flow of natural water courses.
 - 2. To ensure adequate drainage of streets.
 - 3. To intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
- C. In the design of storm sewerage installations, special consideration shall be given to avoidance of problems which may arise from concentration of storm water run-off over adjacent properties.

Section 409 BLOCKS

- A. The length, width, and shape of blocks shall be determined with due regard to:
 - Provision of adequate sites for building of the type proposed.
 - 1. Topography.
 - 2. Requirements for safe and convenient vehicular and pedestrian circulation.
- B. Blocks should have a maximum length of sixteen hundred (1,600) feet and, so far as practicable, a minimum length of five hundred (500) feet. In the design of blocks longer than eleven hundred (1,100) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- C. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots boarding a major traffic street are used.
- D. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities.
- E. Such crosswalks have a width of not less than fifteen (15) feet and a paved walk of not less than five (5) feet.
- F. All streets and blocks shall be designed to accommodate off-street parking. No on-street parking will be permitted within new subdivisions.

Section 410 LOTS AND LOT SIZES

- A. Lot dimensions and areas shall conform to the following requirements designed to abate health hazards; and shall be further subject to requirements established in the Penna. Sewage Facilities Act (Act 537)
 - 1. Where both water supply and sanitary sewage disposal are provided by off-lot facilities, lots for single family detached dwellings shall have a minimum area of 10,000 sq. ft. and a minimum width, measured at the building line, of 75 feet.

2. Where both water supply and sanitary sewage disposal are provided by individual on-lot facilities, lots for single family detached dwelling shall have a minimum area of 20,000 square feet and a minimum width, measured at the building line, of 100 feet.
 3. Where either water supply or sanitary sewage disposal but not both, are provided by individual on-lot facilities, lots for single family detached dwellings shall have a minimum area of 20,000 square feet and a minimum width, measured at the building line, of 100 feet.
- B. Building lines shall be no less than 30 feet from the right-of-way line of the street. On plats where sub-surface sewage disposal is indicated the distance from right-of-way line to building line shall provide adequate area for sub-surface drainage field.
 - C. Side lot lines shall be substantially at right angles or radial to street lines.
 - D. Residential lots shall in general front on a municipal street, existing or proposed.
 - E. Side building lines shall be not less than ten (10) feet from the side lot lines; rear building lines shall be equal to at least twenty (20) percent of the lot depth.
 - F. Corner lots for residential use shall have extra width of at least twenty (20) percent of the above required width to permit appropriate building set-back from an orientation to both streets.

Section 411 CONSTRUCTION DETAILS AND SPECIFICATIONS

Construction details and specifications in conformance with municipal standards shall be available from the municipal engineer. Installation of physical improvements shall be as follows:

- A. Monuments and markers.
 1. Placement; marking.

Monuments and markers must so be placed that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
 2. Location of monuments.
 - a. At the intersection of lines forming angles in the boundaries of the Subdivision.
 - b. At the intersection of street lines.
 3. Location of lot markers.
 - a. At the beginning and ending of curves along street property lines.
 - b. At points where lot lines intersect curves either front or rear,
 - c. At angles in property lines of lots.
 - d. At all other lot corners.

4. Removal

Any monuments or markers that are removed must be replaced by a registered engineer or surveyor at the expense of the persons removing them.

B. Paving.

1. Streets, where to be provided, shall be graded, surfaced, and improved in accordance with the plans, profiles, and cross-sections prepared by the Subdivider in accordance with Municipal specifications and approved by the Governing Body.
2. Curbs, gutters, and culverts shall be installed where required in accordance with Municipal specifications.
3. Sub-surface drainage and all utilities shall be installed prior to placing the street surface.
4. Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, the type of surface to be the same as specified by the Engineering specifications for streets. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

C. Sewers.

1. Where a public sanitary sewer system is within one thousand (1,000) feet of, or where plans approved by the Governing Body provide for the installation of such public sanitary sewer facilities to within one thousand feet (1,000) of, a proposed Subdivision and said facilities are accessible to the Subdivision the Subdivider shall provide the Subdivision with a complete sanitary sewer system to be connected to the existing or proposed public sanitary sewer system. The system shall be designed by a Registered Engineer and approved by the Municipal Engineer.
2. Where installation of a sanitary sewer system is not required, the Subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with Pennsylvania Department of Environmental Resource specifications and shall be approved by the Municipal Engineer.
3. Where a water main supply system is within one thousand feet (1,000) of, or where plans approved by the Governing Body provide for the installation of such public sanitary water facilities to within one thousand feet (1000) of a proposed Subdivision, the Subdivider shall provide the Subdivision with a complete water main system to be connected to the existing or proposed water main supply system.

4. Where installation of a public water main supply system is not required, the Subdivider or owner of the lot shall provide for each lot at the time improvements are erected thereon, an individual water supply approved by the Board of Health or Health Official.

D. Storm drainage.

Whenever the evidence available to the Governing Body indicates that natural surface drainage is inadequate, the Subdivider shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed by a Registered Engineer and be approved by the Municipality in accordance with existing state requirements.

E. Sidewalks.

Shall be installed when deemed necessary for the safety of the public.

F. Street Names.

Shall be subject to approval of Planning Commission.

G. Street Name Signs.

The Subdivision shall be provided with street name signs at all intersections. Such signs shall conform to accepted standards.

H. Street Trees.

The Subdivider shall seed the planting strip between the curb and sidewalk, if either or both are required. Street trees of a caliper not less than 1 1/2" shall be provided and planted 40' to 60' apart. The type and spacing of the trees shall be approved by the Planning Commission and the Governing Body. However, to protect public sewers, water lines, appurtenant structures, and to insure the continuing safe use of sidewalks, curbs and other paved areas, the following trees shall not be planted:

1. Poplars; all varieties
2. Willows; all varieties
3. White or silver maple (Acer Saccharinum).
4. Aspen; all varieties
5. Common black locust

I. Changes

In cases where any of the foregoing requirements are not deemed appropriate by the Governing Body to serve in the public interest, the Governing Body reserves the right to increase, change alter or substitute materials, manner and specification for any utility or street improvement.

Section 412 ACCESS

In subdividing land it shall be done in a manner that will not have the effect of debarring adjacent property owners from access to the streets and ways of allotment. The Planning Commission may require dedicated, improved, or undedicated parcels to be provided for future access to adjacent land.

4. Where installation of a public water main supply system is not required, the Subdivider or owner of the lot shall provide for each lot at the time improvements are erected thereon, an individual water supply approved by the Board of Health or Health Official.

D. Storm drainage.

Whenever the evidence available to the Governing Body indicates that natural surface drainage is inadequate, the Subdivider shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed by a Registered Engineer and be approved by the Municipality in accordance with existing state requirements.

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Section 413 RECREATION AREAS

- A. The Planning Commission may require that areas for parks and playgrounds (of a size not to exceed ten percent of the land area to be subdivided) be dedicated to the Township for recreation purposes. The Township, however, shall retain the right to accept or decline such dedication.
- B. The proposal to dedicate recreation areas in any proposed subdivision shall be compared with similar existing dedications in adjoining tracts or subdivisions in order to provide usable recreation areas without imposing hardships on the part of any Subdivider.
- C. In lieu of the ten percent recreation land dedication, upon mutual agreement of the Subdivider, the Planning Commission and the Township, an acre or lot fee comparable to the ten percent recreation land dedication may be substituted on the following basis:
 - 1. A fixed per lot fee payable to the Township and retained in a fund established for the future acquisition of recreation lands.
 - 2. A fixed per acre fee payable to the Township and retained in a fund established for the future acquisition of recreation lands.
 - 3. The payment of the fixed lot or acreage fee shall be in accordance with a contract stipulating times and amounts, all as may be mutually agreed upon.
- D. Where the Township does not accept the recommended dedication of land by the Subdivider, or does not reach a mutual agreement on a fixed lot or acreage fee, the Subdivider shall be relieved of the obligation of providing recreation areas.

ARTICLE V
REQUIRED IMPROVEMENTS

Section 501 GENERAL

All of the required improvements specified in this Article shall be constructed in accordance with the Municipality's Standard for Construction and all other applicable Municipal, County, and State Regulations.

Section 502 MONUMENTS AND MARKERS

Concrete monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision. Iron or steel markers shall be set at the beginning and ending of all curves along street property lines; at all points where lot lines intersect curves, either front or rear; at all angles in property lines of lots and at all other lot corners.

Section 503 STREETS

The streets shall be graded to the grades and dimensions shown on plans and profiles and approved by the Governing Body and shall include the following improvements.

503.1 Suitable drainage structures, culverts, storm sewers, ditches and related installations shall be provided to insure adequate drainage of all points along the streets.

503.2 The base course shall consist of latest Pennsylvania Department of Transportation approved material, having a thickness of not less than eight inches. The Governing Body shall have the right to determine whether this thickness is adequate for the type of street that has been proposed.

503.3 Pavement shall be required on all streets.

503.4 Street shoulders shall be constructed which are uniformly and thoroughly compacted by rolling and level with the tops of curbs.

Section 504 STORM DRAINAGE

The construction of a storm drainage system shall conform to the following requirements:

504.1 Drainage ditches or channels shall have a minimum gradient of one percent.

504.2 Open watercourses shall have adequate capacity and erosion control to insure safe and healthful disposal of storm water.

504.3 When top soil has been removed from the surface of a lot on a slope where erosion will cause a displacement of loose material, the subdivider shall be required to seed or provide other means to prevent the wash from damaging adjacent property or accumulating on street surfaces.

Section 505 WATER SUPPLY

Where public water is available, as determined by the Governing Body, the developer shall connect to such public water supply and construct a system of water mains with a connection for each lot.

505.1 Where public water is not available, the developer shall supply acceptable evidence of the availability of water. The developer may be required to make one or more test wells in the area to be platted if such evidence is deemed not acceptable. Copies of well logs from said test wells which are obtained shall include the name and address of the well driller and shall be submitted with the Plan to the Governing Body.

505.2 If a private water supply is permitted, individual private wells shall be located at least twenty-five feet (25) from property lines; fifty feet from all septic tanks; approximately one hundred feet from all tile disposal fields and other sewage disposal facilities; ten feet from all cast iron sewer lines; thirty feet from any vitrified sewer tile lines; and shall not be located within any Floor Plan.

Section 506 SEWERS

Where the municipal sewer system is reasonably accessible to the subdivision, the developer shall provide the subdivision with a complete sanitary sewer system to be connected to the municipal sanitary system. Where the Municipal sewer system is not reasonably accessible to the subdivision, and in the judgement of the Governing Body, extension of the municipal sewage system to the subdivision will not take place in the foreseeable future, private sewage disposal systems on individual lots consisting of septic tanks and tile absorption fields, or an approved package plant sewage disposal system serving the subdivision may be permitted, subject to approval by the Pennsylvania Department of Environmental Resources.

Section 507 UTILITIES

Every lot in a subdivision shall be capable of being served by utilities, and the necessary easements shall be provided. Electric, gas, and other utility distribution lines shall be installed within public rights-of-way or within properly designated easements. To the fullest extent possible, underground utility lines located in street rights-of-way shall not be installed beneath existing or proposed paved areas and in any case shall be installed prior to the placement of any paving. All utilities shall be underground.

Section 508 TREES

Trees may be planted along the streets. The location and types of trees must meet the approval of the Governing Body.

Section 509 STREET SIGNS

Street name signs of a type adopted or approved by the Governing Body shall be installed at each street intersection by the developer, on a location specified by the Engineer.

Section 510 SIGHT TRIANGLE FOR INTERSECTIONS

On a corner lot or any point of entry on a public road, nothing shall be erected, placed, planted or allowed to grow in such a manner which obscures vision between the height of one and one half (1 1/2) feet and ten feet above ground level as measured from the centerline grades of the intersecting streets and within the area bounded by the street lines of such corner lots and a line joining points on these street lines twenty-five feet from their intersection along the lot lines. However, the above shall not apply if the intersection is permanently controlled by a traffic signaling device.

Section 511 PARKS, PLAYGROUNDS, AND OTHER PUBLIC OR COMMUNITY LANDS

511.1 A portion of the area to be subdivided and/or developed, exclusive of streets, shall be set aside for park, playground or other recreational use in accordance with the requirements established by the Governing Body but, except as hereafter provided, such requirement shall be uniform according to lot size and shall not be less than ten percent of the area to be subdivided and/or developed. Land so set aside shall be of a character suitable for use as a park, playground, or other recreational purpose as determined by the Governing Body and shall be reasonably level and reasonably dry.

511.2 The proper improvement and maintenance of any area set aside for park, playground or for other recreational use in a particular subdivision shall be the responsibility of the developer thereof and shall be guaranteed by appropriate bonds satisfactory to the Governing Body.

In place of such guarantee, the Municipality, at its option may accept from the developer deeds of dedication conveying title to such areas to the Municipality. If such deeds are offered by the developer and accepted by the Municipality, the developer shall not be required to post bonds guaranteeing the improvement and maintenance of such areas. The Governing Body may require the submission of such bonds or deeds of dedication for such areas immediately upon approval of the plan.

511.3 The Governing Body may waive the above requirements, where it determines that no area in a subdivision is suitable for park or recreational purposes.

511.4 Nothing in this section shall be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

ARTICLE VI
RULES AND REGULATIONS
FOR
MOBILE HOME PARKS

This article sets forth uniform standards governing mobile home parks, establishing requirements for the design, construction, alteration, extension, and maintenance of mobile home parks and regulated utilities and facilities and approval for the authorization of the issuance of permits for construction, alterations, and additions; licensing of those who operate mobile home parks, authorizing the inspection of mobile home parks and fixing penalties for violations.

The development of a mobile home park will be considered as a subdivision and handled as such in application of Articles I, II, III, IV and V of these regulations which relate to jurisdiction, legalities, definitions and plan procedures and specifications. The rules and regulations on mobile home parks contained in this Article are in addition to the Articles previously mentioned.

Section 600 PERMITS AND APPLICATIONS

600.1 Permits Required - It shall be unlawful for any person to construct, alter or extend any mobile home park unless he holds a valid permit issued by the Pennsylvania Department of Environmental Resources in the name of such person for the specific construction, alteration or extension proposed. In addition, a permit must be issued by the Board of Supervisors. A permit by the Board to operate a mobile home park in the Township shall not be issued until approval by the local planning commission is given, and the County Planning Commission has been given the review period as stated in Article III of this ordinance.

Application for permits must be accompanied by preliminary plans as set forth in Article III. All plans shall be accompanied by road and drainage, sewer, water, electric, communications and any other utility plans.

600.2 Application to the Pennsylvania Department of Environmental Resources - All applications for permits shall be made by the owner of the mobile home park or his authorized representative in accordance to the Rules and Regulation of the Pennsylvania Department of Environmental Resources, Article II, Chapter 170 as amended - Mobile Home Parks.

600.3 Application to Ridgway Township - A copy of the Department of Environmental Resources application and any application form for a permit furnished by the Township shall be concurrently filed with the Ridgway Township Planning Commission.

Section 601 SITE AND LOT STANDARDS

601.1 Site Size - No mobile home park may be less than five (5) acres in size.

601.2 Lot Size

- A. Mobile home lots within the park shall have a minimum area of five thousand (5,000) square feet.
- B. Mobile home lots within the park shall have a minimum lot width of fifty (50) feet; and a minimum lot depth of fifty (50) feet.

601.3 Required Setbacks and Minimum Distances

- A. All mobile homes shall be located at least twenty-five (25) feet from the street.
- B. Mobile homes shall be separated from each other and from other buildings and structures at least fifteen (15) feet on all sides. A mobile home accessory building shall not be closer than three (3) feet from a mobile home or building on an adjacent lot.
- C. Mobile homes and any structure, either attached or separate, shall have a maximum height of sixteen (16) feet from the ground.

601.4 Density Requirements - In addition to the above minimum lot requirements for mobile homes in mobile home parks, the minimum overall density for all mobile homes, (whether in a mobile home park or on an individual lot) will be that of a single-family dwelling in the zoning district that the mobile home will be located in excluding road rights-of way.

Section 602 STREETS AND PARKING REQUIREMENTS

602.1 Street Requirements - All streets shall be constructed in accordance with this ordinance.

602.2 Parking Requirements - Off-street parking space shall be provided at the rate of at least two car spaces for each mobile home plus an additional car space for each four lots to provide for guest parking, for two-car tenants, and for delivery and service vehicles.

Section 603 RECREATION FACILITIES

603.1 Location - Recreation facilities generally should be provided in a central location and should be convenient to the project community center. In larger courts, however, recreation facilities can be decentralized.

603.2 Recreation Area -

- A. Size: not less than ten (10) percent of the gross site area shall be devoted to recreational facilities.
- B. Design: the area shall be designed appropriately for its intended use and location.

Section 604 BUFFERS

604.1 Buffer Strip - A buffer strip of ten (10) feet in width of either shrubs, hedges, vegetative screening, fencing or a combination thereof shall be maintained on all side and rear park boundary lines except where fronting public rights-of-way.

Section 605 ADDITIONAL REQUIREMENTS

605.1 Federal Housing Administration - In addition to meeting the above requirements and conforming to other laws of the Township, County and State including the Pennsylvania Department of Environmental Resources Regulations for Mobile Home Parks, mobile home parks shall also conform to the requirements set forth in sections or chapters of "Mobile Home Court Development Guide", 1970, of the Federal Housing Administration, provided where provisions of such regulations conflict with those of the existing Township, County or State, the most restrictive or those imposing the higher standards shall govern.

ARTICLE VII
CONDITIONS OF ACCEPTANCE

Section 700 RECORDING

Within 60 days after the date of approval of the Final Plan, the Subdivider shall record the approved original or a duplicate in the office of the County Recorder of Deeds and shall file with the municipality said Final Plan showing the Recorder's signature and seal and the Map Book and page number of the recording, upon receipt of which the fee deposited as required in Section 305-B shall be returned to the Subdivider. Whenever plan approval is required by the municipality, the Recorder of Deeds of Elk County shall not accept any plan for recording unless such plan officially notes approval of the Board of Supervisors and the Planning Commission.

- A. After an approved subdivision plan shall have been officially recorded, the streets, parks, and other public improvements shown thereon shall be so considered to be a part of the official map of the Township.
- B. Streets, parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the Township by formal notation thereof on the Plan, or the owner may note on such plan any improvements which have not been offered for dedication to the Township.
- C. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication to the Township and accepted by ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.

Section 701 GENERAL

- A. The Board of Supervisors shall not approve any subdivision plan except in conformance with the provisions of this Ordinance.
- B. The Board of Supervisors may specify alterations, changes, or modifications in any subdivision plan which it deems necessary and may make its approval subject to such alterations, changes or modifications.
- C. No road, street, land, way or related improvement shall be accepted as a part of the highway system of the Township for maintenance unless opened, laid out, graded and improved in strict accordance with the standards and regulations of this ordinance.
- D. Before acting to approve any subdivision plan, the Board of Supervisors may arrange a public hearing thereon, after giving such notice as may be deemed desirable.
- E. Before approving any subdivision plan, the Board of Supervisors shall require a written agreement that necessary grading, paving and street improvements; sidewalks, monuments, street lights, fire hydrants, water mains and sanitary sewers, as may be required by the Township shall be installed in strict accordance with the standards and specifications by the Subdivider within a specified reasonable time. The written agreement shall include

a bond, deposit of funds or other securities sufficient in amount as shall be determined by the Engineer to cover the cost of such improvements. If the improvement shall not have been installed within the time required or agreed upon and in accordance with the standards and specifications, such deposit shall be forfeited to the Township upon written certification by the Engineer that such improvements have been satisfactorily completed, the deposit shall be returned to the Subdivider.

ARTICLE VIII
ADMINISTRATION, PENALTIES, AND ENFORCEMENT

Section 800 AMENDMENTS OR CHANGES

- A. Power to Amend. The regulations set forth in the Ordinance may, from time to time, be amended by the Board of Supervisors.
- B. Procedure. The following procedure shall be observed prior to making any amendment to this Ordinance.
1. The Planning Commission shall prepare the amendment at the request of the Supervisors. The Supervisors may approve the amendment or return it to the Planning Commission for further discussion or change.
 2. Proposed amendments not prepared by the Planning Commission must be submitted to the Planning Commission for their recommendation before further action is taken.
 3. The recommendations of the Planning Commission shall be submitted to the Board of Supervisors, preferably in a written report, within 45 days of such request. Failure to submit such report shall constitute an approval from the Planning commission.
 4. Upon acceptance of an amendment prepared by the Planning Commission, or the receipt of a report from the Planning Commission on an amendment not prepared by the Planning Commission, a public hearing pursuant to public notice on the proposed amendment shall be held, at which time the parties in interest and citizens shall have an opportunity to be heard.
- C. Power to change. The Ridgway Township Supervisors may from time to time revise or modify this Ordinance by appropriate action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, and its amendments.

Section 801 PENALTIES

- A. Any person, co-partnership or corporation who shall subdivide any lot, tract or parcel of land, lay out, construct, open or dedicate any street, sanitary sewer, storm sewer or water main, for public use or travel, or for the common use of occupants of buildings abutting thereon, sell any lot or erect any building in a subdivision without first having complied with all the provisions of this Ordinance and of the Pennsylvania Municipalities Planning Code, ACT 247, as amended, shall be guilty of a misdemeanor.
- B. Upon conviction of such misdemeanor, such person or persons, or the members of such co-partnership, or the officers of such corporation, responsible for such violation shall be liable for imprisonment for a term not to exceed 24 months or pay a fine not to exceed one thousand (\$1,000.00) dollars or both.

In any case where the Planning Commission shall disapprove a Preliminary Plan or final Plan any person aggrieved thereby may, within thirty (30) days request and receive opportunity to appear before the Board of Supervisors to present additional information or arguments or to why the Planning Commission decision should be reconsidered.

Section 802 APPEALS

In any case where the Board of Supervisors shall disapprove a Preliminary Plan or a Final Plan, any person aggrieved thereby may, within thirty (30) days, appeal therefrom by petition to court.

Section 803 VALIDITY

If any section, paragraph, subsection, clause, or provisions of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

Section 804 REPEALER

All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 805 ENFORCEMENT

It shall be the duty of the Zoning Officer or such other duly authorized representative of the Township supervisors, hereinafter referred to as the "Agent" to enforce the provisions of these regulations. He is hereby given the power and authority to enforce these provisions. The Agent shall require that the application for a building permit shall contain all information necessary to enable him to ascertain whether the proposed building, alteration or use is located in an approved Final Subdivision Plan. No building permit shall be issued until the Agent has certified that the site for the proposed building, alteration or use complies with all the provisions of these Regulations and conforms to the site description as indirected on the approved and recorded Final Subdivision Plan.

Section 806 EFFECTIVE DATE

This Ordinance shall become effective ten (10) days after final approval, and shall remain in force until modified, amended or recinded by the Board of Supervisors.

This ordinance repeals the Ridgway Township Subdivision Regulations adopted July 11, 1967.

Enacted at a duly advertised meeting of the Ridgway Township Board of Supervisors this 13th day of Aug, 1979.

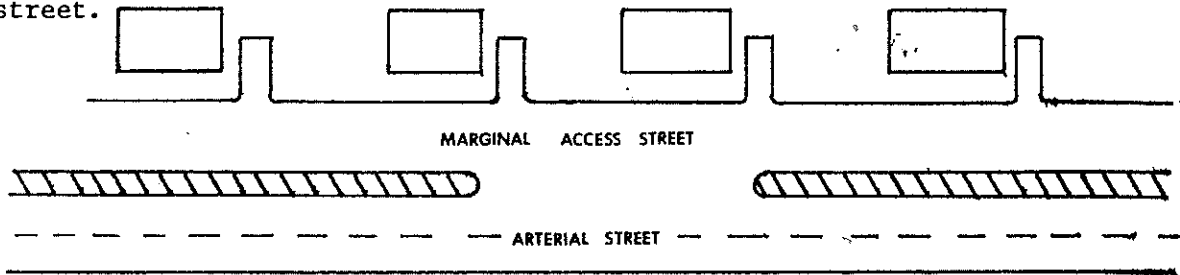
Attest:

[Signature]
Secretary

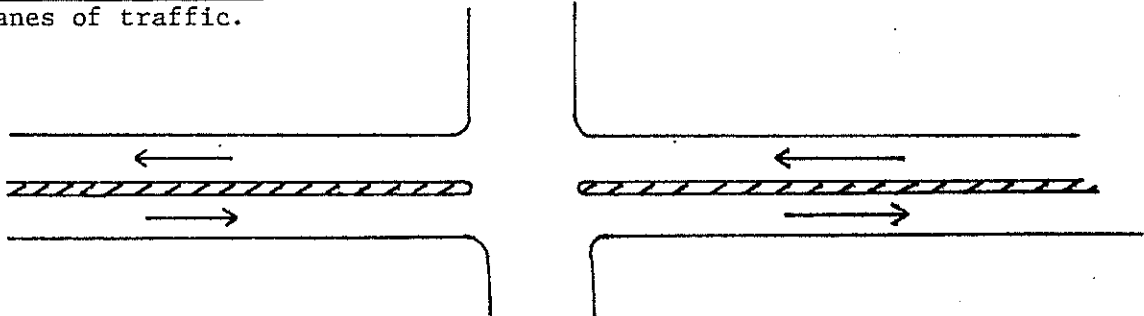
Township of Ridgway

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Supervisors

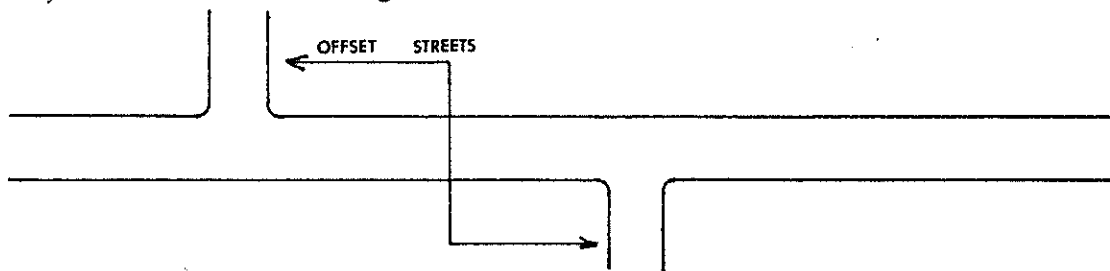
MARGINAL ACCESS STREET: A minor street running parallel to an arterial street, providing intermittent and safe access to the adjacent arterial street.



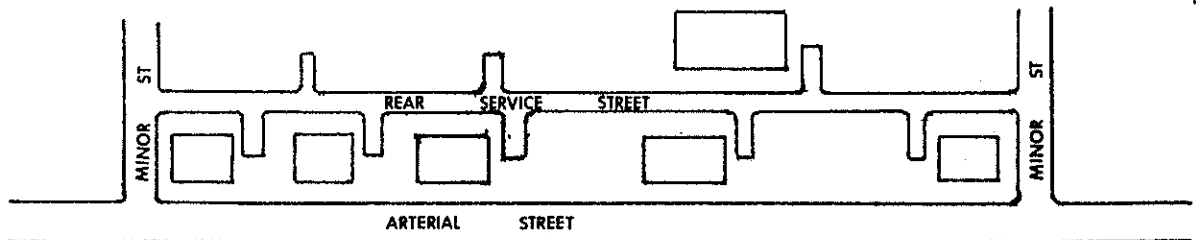
NEW RESERVE STRIPS: A strip of land separating a cartway into opposing lanes of traffic.



OFFSET STREETS: Two or more streets running perpendicular to another street, but not intersecting that street in a continuous line.



REAR SERVICE STREET: A street running parallel to an arterial street at the rear property lines of houses fronting the arterial street, and intersecting perpendicular, or at right angles, to a minor street serving as access to the arterial street.



REVERSE FRONTAGE LOTS: Lots located along an arterial street, but supplied with a rear service street or minor street which serves as frontage for the property. (See illustration for Rear Service Street).