

*MENALLEN TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE*

*MENALLEN TOWNSHIP
ADAMS COUNTY, PA*

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**ADAMS COUNTY
PLANNING
COMMISSION**

NOVEMBER 1992

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AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN THE TOWNSHIP OF MENALLEN; ESTABLISHING PROCEDURE FOR APPLICATION AND ADMINISTRATION OF THESE REGULATIONS AND STANDARDS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ESTABLISHING REGULATIONS AND STANDARDS FOR MOBILE HOMES AND MOBILE HOME PARKS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE REPEALS ALL OTHER SUBDIVISION ORDINANCES PREVIOUSLY ADOPTED.

BE IT ORDAINED by the Supervisors of the Township of Menallen, Adams County, Pennsylvania, as follows:

ARTICLE I - SHORT TITLE, PURPOSE, AND JURISDICTION

101 - SHORT TITLE

This Ordinance shall be known and may be cited as "The Menallen Township Subdivision and Land Development Ordinance."

102 - PURPOSE

This Ordinance is enacted for the purpose of assuring suitable sites for building purposes and human habitation and to provide for the harmonious development of the Township of Menallen for the proper coordination of proposed street, parks, or other facilities for insuring adequate open space for traffic, recreation, light, and air, and for the proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of Menallen Township. The approval of any subdivision plan shall be based upon considerations set forth as following:

1. Recognition of a desirable relationship of the development proposed to the general land form, topographic and geologic character, to natural drainage and surface water runoff, and to the ground water table.
2. Recognition of a desirable standard of subdivison design, including adequate provision for pedestrian and vehicular traffic, and for suitable building sites for the contemplated land use.
3. Preservation of such natural assets as ponds, streams, shrubs, trees, and watershed.
4. Provisions for adequate and safe water supply, sewage disposal, storm drainage and other utilities.

103 - AUTHORITY AND JURISDICTION

The authority of the Township Supervisors to adopt this Ordinance regulating subdivison and land development within Menallen Township is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, Act No. 247 as reenacted and amended by Act 170. No subdivison or land development of any lot, tract, or parcel of land shall be made, no streets, sanitary sewers, storm sewers, water mains, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of this Ordinance, no lot in a subdivision may be sold, or transferred, no permit to erect or alter any building upon land in a subdivison or land development may be issued, and no building may be erected in a subdivison or land development unless and until a plan for the subdivision or land development has been approved by the Board of Township Supervisors and recorded, and until the improvements required by the Board of Township Supervisors in connection therewith have either been constructed in strict accordance with the standards and specifications of the Township or guaranteed as provided in this Ordinance.

104 - INTERPRETATION

The provision of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other ordinance, regulation, or requirement, the more restrictive provisions shall apply.

105 - COUNTY REVIEW

All applications for subdivison and/or land development approval within Adams County shall be forwarded upon receipt to the Adams County Office of Planning and Development for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Township shall not take action on said plans until the County report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the County, whichever shall occur first.

106 - MUNICIPAL LIABILITY

The grant of permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by any official or employee thereof, of the practicability or safety of the proposed, use and shall create no liability upon the municipality, its officials, or employees.

ARTICLE II - DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have meaning as given in the Article.

- Words in the present tense shall include the future.
 - The singular includes the plural.
 - The work "shall" is mandatory: the word "may" is optional.
 - The word "person" means an individual, corporation, partnership, firm, association, or company, or any other similar entity.
1. ACCESSORY STRUCTURE - a subordinate structure incidental to and located on the same lot as the principal structure.
 2. AGRICULTURAL PURPOSE - the use of a tract at least ten (10) acres in size for the purpose of active cultivation or animal raising as a means of obtaining income.
 3. ALLEY - a minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.
 4. APPLICANT - a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors, or assigns.
 5. 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 building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.
 6. BLOCK - an area bounded by streets.
 7. BUILDING SETBACK LINES - a line established by law or agreement, usually parallel to property lines, beyond which a structure may not extend. This does not apply to uncovered steps and walks.
 8. CARTWAY - the surface of a street or road available for vehicular traffic.
 9. CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.
 10. COUNTY - the County of Adams, Commonwealth of Pennsylvania.
 11. CROSSWALK - 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.

12. DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development or resubdivision.
13. DEVELOPMENT PLAN - the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition
14. DWELLING - a building or a portion thereof designed for and used exclusively for residential occupancy.
 - a. Dwelling Unit - One (1) or more rooms having cooking and sanitary facilities and access directly outdoors or through a common entrance hall.
 - b. Single Family Detached Unit - A residential structure containing only one (1) dwelling unit.
 - c. Conversion Unit - Existing residential structure which has been modified structurally in such a way as to convert it from one (1) dwelling unit to multiple dwelling units.
 - d. Semi-Detached Unit - A residential structure containing two (2) single dwelling units having one (1) common wall.
 - e. Attached, Row, or Townhouse Unit - A residential structure containing three (3) or more dwelling units which are separated from each other by two (2) common walls, except for the end units.
 - f. Multiple Dwelling or Apartment Unit - A residential structure of two (2) or more stories containing three (3) or more dwelling units. (not Row or Townhouse units)
 - g. Condominiums - A given set of dwelling units each of which is owned by an individual person or persons in fee simple, and which is assigned a proportionate interest in all common elements, as set forth in the Uniform Condominium Act, Act of the General Assembly of July 12, 1980, P.L. No. 82, Section 1, et. seq., as amended and supplemented.
15. EASEMENT, UTILITY - a right-of-way granted for the limited use of land for public or quasi-public purposes.
16. ENGINEER, TOWNSHIP - the Township Engineer or any consultant designated by the Board of Township Supervisors to review a subdivision plan and perform the duties of Engineer in behalf of the Township.
17. ENGINEERING SPECIFICATIONS - The engineering specifications of the municipality regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

18. EROSION - The removal of surface materials by the action of natural elements.
19. EXCAVATION - Any act by which earth, sand, gravel, rock, or any other similar material is dug into, cut, carried, uncovered, removed, displaced, relocated, or bulldozed. It shall include the conditions resulting therefrom.
20. FILL - (I) Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom; (II) The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; (III) The material used to make fill.
21. FLOOD
- a. Flood Prone Area - A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.
 - b. Floodway - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude.
 - c. One Hundred (100) Year Flood - A flood having an average frequency of occurring on the order of once in one hundred (100) years, although the flood may occur in any year.
 - d. Regulatory Flood Elevation - The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.
22. GOVERNING BODY - The Board of Supervisors of the Township of Menallen, Adams County, Pennsylvania.
23. IMPROVEMENTS - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.
24. LAND DEVELOPMENT
- a. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - 1. A group of two (2) or more residential or non residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common area, leaseholds, condominiums, building groups or other features.

- b. A subdivision of land.
 - c. "Land Development" does not include development which involves the addition of an accessory structure, including farm structures on a lot or lots subordinate to an existing principal structure where the accessory structure is not in excess of one thousand (1000) square feet if said accessory structure will conform to all building set back lines established in this ordinance.
25. LANDOWNER - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Ordinance.
 26. LOT - A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.
 27. LOT, THROUGH OR DOUBLE FRONTAGE - A lot with front and rear street frontage.
 28. LOT AREA - The area contained within the property lines of a lot as shown on a plan excluding space within any street right-of-way, easement, or floodplain located on the lot.
 29. LOT, REVERSE FRONTAGE - A lot extending between and having frontage on an arterial street and a minor street with vehicular access solely from the latter.
 30. MUNICIPALITY - Menallen Township.
 31. PLAN, SKETCH - An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings, and the general layout of a proposed subdivision or land development.
 32. PLAN, PRELIMINARY - A tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.
 33. PLAN, FINAL - A complete and exact subdivision or land development plan prepared for official recording as required by statute.
 34. PUBLIC GROUNDS - Parks, playgrounds, and other public areas and sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities.
 35. PUBLIC NOTICE - Notice published once a week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time, place, and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

36. RE-SUBDIVISION - Any replatting or resubdivision of land limited to change in lot lines on an approved final or recorded plan.
37. RIGHT-OF-WAY, STREET - A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designed as a street, highway, thoroughfare, parkway, road avenue, boulevard, lane, alley, or however designated.
38. RUNOFF - The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow, that does not enter the soil but runs off of the surface of the land.
39. SEDIMENTATION - The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".
40. SIGHT DISTANCE - The 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.
41. SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.
42. STREET - Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private.
43. STREETS
- a. Arterial Street - A major street or highway with fast or heavy traffic volumes of considerable continuity, and used primarily as a traffic artery for intercommunications among large areas.
 - b. Collector Street - A major street or highway which carries traffic from minor streets or arterial streets including the principal entrance streets of a residential development and street for circulation within such a development.
 - c. Minor Street - A street use primarily for access to abutting properties.
 - d. Cul-de-sac - A street intersecting another at one end and terminating at the other in a vehicular turnaround.
 - e. Marginal Access Street - A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from traffic.

44. STRUCTURE - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, factories, sheds, cabins, mobile homes, and other similar items, including as a part thereof roofs, porches, patios, steps, etc.
45. SUBDIVIDER - The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under the terms of this Ordinance.
46. SUBDIVISION - The division or redivision of a lot, tract, or parcel of land by any means, into two (2) or more lots, tracts, 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 of building or lot development, provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings, shall be exempted.
47. 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 pursuant to Section 516) 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.
48. SURFACE DRAINAGE PLAN - A plan showing all present and proposed grades and facilities for storm water drainage.
49. SURVEYOR, REGISTERED - A person duly registered as a Professional Surveyor by the State of Pennsylvania.
50. TOP SOIL - Surface soils and subsurface soils which presumably are fertile soils, and soil material ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the "A" horizon.
51. TOWNSHIP - Menallen Township, Adams County, PA.
52. UNDEVELOPED LAND - Any lot, tract, or parcel of land which has not been graded, or in any other manner improved or prepared, for subdivision, land development, or the construction of a building.
53. WATERCOURSE - A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite periodically flowing water.

54. WATER SURVEY - An inventory of the source, quantity, yield and use of groundwater and surface water resources within the Township.
55. WETLANDS - Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. The term includes, but is not limited to, wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, the United States Fish and Wildlife National Wetland Inventory and a wetland area designated by a river basin commission.

ARTICLE III - APPLICATION PROCEDURES AND PLAN REQUIREMENTS

301 - PREPARATION AND FILING OF PLAN

Whenever a development of land is desired to be effected, a plan of the layout of such development shall be prepared, filed, and processed, according to the requirements of this Ordinance.

302 - SKETCH PLAN PROCEDURES

Developers are encouraged to submit a sketch plan of their proposed project to the Township prior to preparation of final and/or preliminary plans. Such sketch plan will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the Township.

As far as may be practical on the basis of the sketch plan review and discussion, the Township will informally advise the developer as promptly as possible of the extent to which the proposed land development conforms to the Design Standards of these regulations (Article IV) and will discuss possible plan modifications necessary to secure conformance.

302A - SKETCH PLAN REQUIREMENTS

1. To facilitate a comprehensive review, the sketch plan should include the following information:
 - a. Name and address of developer and/or owner, name of municipality, proposed name of the development, north arrow and date.
 - b. Tract boundaries.
 - c. Number of acres in tract, average lot size, approximate number of lots, anticipated type of development.
 - d. Existing and proposed streets, highways, railroads, rights-of-way, sewers, water mains, fire hydrants and storm sewers.
 - e. Proposed general lot layout.
 - f. All public reservations such as schools, parks, etc.
 - g. Predominant natural features such as wooded areas, streams, wetlands, etc.
 - h. A location map for the purpose of locating other streets, developments, recreation areas and right-of-way to better plan the proper locations of the same.
 - i. Topography, showing contours at vertical intervals of five (5) feet, or as required by the Township Engineer.
 - j. Name of the engineer, surveyor or other qualified person responsible for the map(s).
2. A land development sketch plan need not be drawn to scale. However, precise dimensions shall be shown if possible.

303 - PRELIMINARY PLAN PROCEDURES

In the proposed developments that will abut an existing public right-of-way, the submission of a Preliminary Plan may be waived. However, all other applicable requirements and specifications shall remain the same.

303-A - SUBMISSION OF THE PRELIMINARY PLAN

1. Preliminary plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors at least ten (10) business days in advance of a regularly scheduled Planning Commission meeting for consideration at that meeting.
2. Submission shall consist of the following:
 - a. Five (5) copies of the appropriate application form available from the Township.
 - b. Eight (8) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Section 304.
 - c. Five (5) copies of all other required documentation.
 - d. A filing fee established in Article VI of this Ordinance.

303-B - DISTRIBUTION OF PRELIMINARY PLAN FOR REVIEW AND COMMENT

Copies of the Preliminary Plan and accompanying documentation shall be immediately distributed by the Township Secretary as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Township Engineer.
2. One copy (1) of the application, plan, and accompanying documentation to the Township Sewage Enforcement Officer.
3. One (1) copy of the application, plan, and accompanying documentation to the Adams County Office of Planning and Development.
4. One (1) copy of the Soil Erosion and Sedimentation Control Plan to the County Conservation District Office.
5. One (1) copy of the plan to the District Office of the Pennsylvania Department of Transportation when a proposed subdivision abuts or is traversed by a state road.
6. The remaining copies of the application, plan, and accompanying documentation to the Township Planning Commission.

303-C - ACTION ON PRELIMINARY PLAN BY THE PLANNING COMMISSION

1. Action on a Preliminary Plan shall be taken by the Township Planning Commission within sixty (60) days after the first official Planning Commission meeting pursuant to the submission of the plans and data. However, no final decision or action shall be taken by the Township Planning Commission until the reports are received from the Adams County Office of Planning and Development and other individuals and agencies to whom the Plan was sent for review and comment, or until the expiration of thirty (30) days from the date the plans were forwarded to such individuals and agencies, whichever first occurs.
2. All actions on the Plan by the Township Planning Commission shall be taken at a public meeting whether it be a regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified.
3. The decision of the Township Planning Commission shall be in writing. If a Plan is not approved, or approved subject to certain conditions, the written decisions shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Board of Supervisors and the Township Engineer. This section is for the benefit of the Supervisors and not a basis for deemed approval.

303-D - ACTION ON PRELIMINARY PLAN BY THE BOARD OF SUPERVISORS

1. Following receipt of the written decision from the Township Planning Commission, the Board of Supervisors may consider the Preliminary Plan at their next regularly scheduled meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing pursuant to public notice, before taking action on the Plan.
2. Action on a Preliminary Plan shall be taken by the Board of Supervisors and communicated to the developer not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application was filed. In their view, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other persons to whom the Plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

3. The decision of the Board of Supervisors concerning the Plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made. If a Plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Township Planning Commission.
4. Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason, but shall constitute conditional approval of the proposed development as to its general character and layout.
5. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinance shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within five (5) years from such approval. Where final approval is preceded by preliminary plan approval, the five (5) year period shall be counted from the date of preliminary approval, the terms shall be construed in the light of provisions of the governing ordinance or plans as they stood at the time when the plan for such approval was duly submitted.
6. The decision of the Board of Supervisors approving the Plan may be based on certain conditions contained in the Ordinance, in which event the Developer shall then have fifteen (15) days from receipt of the Supervisors' decision within which to either accept or reject such conditional approval. If the Developer fails to accept or reject the conditions within such fifteen-day period, the approval of the Plan shall be rescinded automatically.

305 - PRELIMINARY PLAN REQUIREMENTS

The Preliminary Plan submission shall be prepared by a Registered Surveyor or Engineer and be drawn on reproducible stable transparency, using black ink to all data including approval signatures.

Scale:

- Tracts of one (1) acre or less shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than one (1) inch equals two hundred (200) feet.
- Tracts to be used for commercial, industrial, or high density housing development shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.

305-A - INFORMATION REQUIRED

1. Name of the proposed subdivison, and of the municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number, and seal of the Professional Engineer or Registered Surveyor who prepared the drawings.
4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north points.
6. Graphic scale.
7. Written scale.
8. Certification that the plan is accurate and correct and has been prepared in accordance with the Professional Engineers' Registration Law.
9. A key map for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.
10. The total tract boundary lines of the area being subdivided with distance accurate to one hundredth (.100) of a foot and bearings to one quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, the boundary(s) adjoining additional unplatted 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 surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire exisiting tract and boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed references. When adjacent properties are part of a recorded plat, only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent.

14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark. Datum shall be referenced to a U.S.G.S bench mark when public sewer or public water is proposed, and/or the development is in excess of 10 lots.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. 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 or a note should be added to the plan stating that a Highway Occupancy Permit from PA DOT is required for access to the State highway.
17. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, and sidewalks.
18. The location (and elevation, if established) of all existing and proposed street monuments.
19. Locations of existing and proposed rights-of-way and easements.
20. Lot numbers and statement of total number of lots available.
21. Lot lines with approximate dimensions.
22. The building setback lines for each lot, or other site.
23. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation was conducted for each lot.
24. 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 recorded, including the book and page number.
25. Locations and size of existing and proposed utility structures and/or transmission lines including water, gas, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
26. The location of any existing bodies of water or watercourses, tree masses, building or structures (including the location of wells and on-site sewage facilities for such building or structures), historic features, public facilities and any other man-made or natural features within or near the proposed structure.
27. Location, size, and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines), and location of all manholes, inlets, and culverts. This data may be submitted as a separate plan.

28. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
29. Location of drainage structures, including marshes, ponds, streams, or similar conditions.
30. Location of parks, playgrounds, and other areas to be dedicated or reserved for public use, with any conditions governing such use.
31. Where the development lies partially or completely in any floodprone area, or where the development borders on any floodprone area, the Preliminary Plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.
32. The location of wetlands when known or if determinable from soil data. The Township may require an official determination of the wetland limits from an expert. The name of the firm and/or individual making the wetlands determination shall be included on the plan.

305-B - SUPPLEMENTARY DATA REQUIRED

The Preliminary Plan shall be accompanied by the following supplementary data where applicable:

1. A plan revision module for land development as required by the Pennsylvania Department of Environmental Resources.
2. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.
3. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department Of Environmental Resources and the Pennsylvania Department of Transportation.
4. Typical cross section drawings for all proposed streets.
5. Tentative profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades.
6. The applicant shall, if requested by the Township, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be submitted in conjunction with the Preliminary Plan for review and recommendations by the Pennsylvania Department of Environmental Resources.
7. Where deemed necessary by the Township, the applicant shall also submit a storm drainage plan and storm drainage calculations.

8. Where the Preliminary Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be submitted. The street system of the unsubmitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
9. Where the land in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building set back and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

306 - FINAL PLAN PROCEDURES

Submission of a Final Plan for approval by the Township shall occur not more than five (5) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make the approval of the Preliminary Plan null and void unless an extension of time has been granted by the Township.

306-A - SUBMISSION OF THE FINAL PLAN

1. Final Plans and all requirements accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors at least ten (10) business days in advance of a regularly scheduled Township Planning Commission Meeting for consideration at that meeting.
2. Submission shall consist of the following:
 - a. Five (5) copies of the appropriate application form available from the Township.
 - b. Eight (8) blue-line or black-line paper prints of the Final Plan showing all the information required in Section 306.
 - c. Five (5) copies of all other required documentation.
 - d. A filing fee as established in Article VI of this Ordinance.

306-B - DISTRIBUTION OF FINAL PLAN FOR REVIEW AND COMMENT

Copies of the Final Plan and accompanying documentation shall be immediately distributed by the Township Secretary as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Township Engineer.
2. One (1) copy of the application, plan, and accompanying documentation to the Township Sewage Enforcement Officer.

3. One (1) copy of the application, plan, and accompanying documentation to the Adams County Office of Planning and Development.
4. One (1) copy of the Plan to the County Conservation District Office.
5. One (1) copy of the plan, to the District Office of the Pennsylvania Department of Transportation when a proposed subdivision abuts or is traversed by a State Road.
6. The remaining copies of the application, plan, and accompanying documentation to the Township Planning Commission.

306-C - ACTION ON FINAL PLAN BY THE PLANNING COMMISSION

Action on the Final Plan shall be taken in the same manner as for Preliminary Plans. In addition, if a Final Plan is approved, the Township Planning Commission Chairman and Secretary shall sign the Record Plan and all prints and forward all but one (1) print to the Board of Supervisors along with a copy of their written decision.

306-D - ACTION ON FINAL PLAN BY THE BOARD OF SUPERVISORS

1. Following receipt of the written decision from the Township Planning Commission, the Board of Supervisors shall consider the Plan at their next regularly scheduled or special meeting. If the plan is to be considered at a special meeting, the developer shall be notified, and in addition, the Board of Supervisors may also schedule a public hearing before any action on the Plan.
2. Action on a Final Plan shall be taken by the Board of Supervisors and communicated to the developer not later than ninety (90) days following the date for the regular meeting of the Board next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals to whom the Plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.
3. The decision of the Board of Supervisors concerning the Plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made. If a Plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Township Planning Commission.

4. Before any Final Plan is approved, the developer shall comply with all provisions of Section 516 of this Ordinance regarding completion of improvements or guarantee thereof.
5. The decision of the Board of Supervisors approving the plan may be based on certain conditions contained in the Ordinance, in which event the Developer shall then have ten (10) days within which to either accept or reject such conditional approval. If the Developer fails to accept or reject the conditions within such ten-day period, the approval of the plan shall be rescinded automatically.

306-E - RECORDING OF PLAN

1. Upon approval of a Final Plan by the Township, the developer shall record the Record Plan in the office of the Adams County Recorder of Deeds within ninety (90) days. No plan shall be recorded unless it has been officially approved by the Township.
2. If the plan is not recorded within ninety (90) days, the approval by the Township shall be null and void unless an extension of time is granted by the Board of Supervisors upon request from the developer.
3. After the plan has been recorded, a copy of the Recorder's Certificate shall be submitted to the Board of Supervisors.
4. No land in a development shall be sold or transferred prior to recording of the Plan.

306-F - LIMITATIONS OF FINAL PLAN APPROVAL

The approval of the Final Plan by the Township shall be deemed an acceptance of the Plan and shall authorize the Recorder of Deeds to record the same, but shall not impose any duty upon the Township concerning maintenance or improvements of any streets, highways, alleys, or other portions of the same until said Township shall have accepted same by dedication for public use.

307 - FINAL PLAN REQUIREMENTS

The Final Plan submission shall be prepared by a Registered Engineer or Surveyor and be drawn on reproducible stable transparency, using black ink for all data including approval signatures.

Scale:

- Tracts of one (1) acre or less shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than one (1) inch equals two hundred (200) feet.
- Tracts to be used for commercial, industrial, or high density housing development shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.

Finished size of drawings for Final Plan submission shall be 18" by 24". Drawings done at a scale requiring a sheet larger than 18" by 24" may be reduced to that size providing all lines and lettering are clear and legible after reduction.

If the Final Plan requires more than one (1) sheet, a key diagram showing the relative location of several sections shall be drawn on each sheet.

307-A - INFORMATION REQUIRED

1. Name of the proposed subdivision, and of the municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number, and seal of the Professional Engineer or Registered Surveyor who prepared the drawings.
4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north points.
6. Graphic scale.
7. Written scale.
8. Certification that the plan is accurate and correct and has been prepared in accordance with the Professional Engineers' Registration Law.
9. A key map for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.

10. The total tract boundary lines of the area being subdivided with distance accurate to one hundredth (.100) of a foot and bearings to one quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, the boundary(s) adjoining additional unplatted 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 surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire existing tract and boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed references. When adjacent properties are part of a recorded plat, only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent. Contour lines may be omitted in the case where a final plan has been based on an approved preliminary plan.
14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark. Datum shall be referenced to a U.S.G.S bench mark when public sewer or public water is proposed, and/or the development is in excess of 10 lots.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:
 - a. The length (in feet and hundredths of a foot) of all straight lines and all radius and the arc (or chord) of all curved lines (including curved lot lines).
 - b. The width (in feet) of the cartway, right-of-way, and if required, of the ultimate right-of-way, and in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
 - c. All straight lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes, and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot street lines.

17. If a subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersection.
18. Location of existing streets and alleys adjoining the tract including the name, width, width of cartway, and sidewalks.
19. The location (and elevation, if established) of all existing and proposed street monuments).
20. Location of existing and proposed rights-of-way and easements.
21. Lot numbers and a statement of the total number of lots and parcels.
22. Lot lines with dimensions and bearings.
23. The building setback lines for each lot, or other sites.
24. The developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.
25. A statement of the intended use of all non-residential lots, with reference to restriction of any type which exists or will exist as covenants in deed for the lots contained in the subdivisions and, if recorded, including the book and page number.
26. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
27. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), historic features, public facilities and any other man-made or natural features within or near the proposed subdivision.
28. A certification of ownership, acknowledgement of a plan, and offer of dedication shall be lettered on the plan and shall be duly acknowledged and signed by the owner(s) of the company.
29. An approval block for the use of the Township Supervisors and the Township and the Adams County Office of Planning and Development.
30. The accurate location of all wetlands. The Township may require an official determination of the wetland limits from an expert. The name of the firm and/or individual making the wetlands determination shall be included on the plan.

307-B - SUPPLEMENTARY DATA REQUIRED

Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable:

1. Typical street cross section drawings(s) for all proposed streets. Cross section drawing(s) may be shown either on the Final Plan or on the profile sheets.
2. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:
 - a. Existing (natural) profile along both cartway edges or along the centerline of each street.
 - b. Proposed finished grade of the centerline, or proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.
 - c. The length of all vertical curves.
 - d. Existing and proposed sanitary sewer mains and manholes.
 - e. Existing and proposed storm mains, inlets, manholes, and culverts.
3. Whenever a subdivider proposes to establish a street which is not offered for public use, he shall be subject to the requirements of Section 502-B and shall submit such plans, agreements, and documents as may be required by the Township under the provisions of that section.
4. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.
5. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Resources and the Pennsylvania Department of Transportation.
6. Where the Final plan only covers a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
7. Water and sewer feasibility reports as may be required including any updated information which may have become available since the submission of the Preliminary Plan.

8. A plan for control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.
9. Where deemed necessary by the Township, a storm drainage plan and storm drainage calculations.
10. Where deemed necessary by the Township, a map showing the location of the proposed development with respect to the Township's floodprone areas, including information on the Regulatory Flood Elevation, the boundaries of the floodprone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any floodprone area, or borders on any floodprone area, such map shall also show the location and elevation or proposed roads, public utilities, and building sites.
11. A planning module as required by the Pennsylvania Department of Environmental Resources.
12. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.
13. When a proposed plan is submitted to the County Conservation District Office for their review and recommendations, a plan and/or other documentation to show what has been, or will be done in response to their recommendations.
14. An affidavit to the effect that all affected municipalities have been notified of any alteration and/or relocation of any watercourses.
15. Documented proof that when an agency of the Commonwealth of Pennsylvania holds interest or jurisdiction in the plan or any phase of the plan, the approval of the agency has been secured.
16. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Township 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 utility. The applicant shall provide the Township with a copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement to serve the area in question, as acceptable evidence that the above requirements have been met.

17. No plat which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be final approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted, or that a Township occupancy permit is required from the Township if the entrance is from a Township street.

308 - RESUBDIVISION PROCEDURE

Any replatting or resubdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this Ordinance.

309 - ADDITIONS TO EXISTING LOTS

A parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

1. The parcel to be added be contiguous to the existing lot.
2. The addition must maintain the overall straightness of lot lines.
3. The Plan prepared for the addition of this parcel shall follow the procedures outlined in this Ordinance.
4. The applicant shall file in the Register of Deeds Office of Adams County, a memorandum that the subject property shall be considered one (1) single tract for subdivision purposes and that this said tract shall not be subdivided by the applicant or applicants or their heirs or assigns in the future without resubmission for subdivision purposes.
5. Unless incorporated into a single deed, lot additions may be assessed and taxed as separate parcels.

ARTICLE IV DESIGN STANDARDS

401 - APPLICATION OF STANDARDS

The following standards shall be applied by the Township Planning Commission, the Adams County Office of Planning and Development, and the Township Supervisors in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety, and general welfare of the public.

402 - GENERAL SITE STANDARDS

The following requirements and guiding principles for Subdivisions and Land Developments shall be observed with respect to factors affecting the suitability of the site for such development.

1. The Land Development Plan shall conform to the municipal comprehensive plan, if any, and official map, if any, or to such parts thereof, as shall have been officially prepared and adopted by the municipality in which the development is situated.
2. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.
3. Land proposed for land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the Erosion Control Regulations of the Pennsylvania Department of Environmental Resources.
4. In a development where the average slope exceeds fifteen (15) percent, the Township may require modification to these regulations.
5. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation by the Township. Examples of such features would include, but not be limited to, large trees, watercourses, historic areas and structures, the scenic view, etc. To ensure the protection of such features, the Township may require the following additional information to be submitted:
 - a. A grading plan showing the existing and proposed ground elevations relative to the features.
 - b. The accurate location of the features to be protected.
 - c. An explanation of the precautions to be taken by the developer to protect such features.

6. Any plans for the alteration of a watercourse shall be incorporated into the design plan and subject to approval by the Township, or where deemed necessary, the U.S. Army Corps of Engineers, and/or the Pennsylvania Department of Environmental Resources.
7. Lands subject to hazards of life, health, or property as may arise from fire, disease, excessive noise, odor, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed of the plans show adequate safeguards against them.

403 - STREET AND HIGHWAY STANDARDS

403-A - GENERAL

All streets proposed to be constructed within the Township shall conform to the following general design requirements:

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage, and suitable building sites. Finished elevation of proposed streets shall not be more than one (1) foot below the regulatory flood elevation.
2. Residential streets shall be so laid out as to discourage through traffic; however, proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.
3. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Township may require a marginal access street, reverse frontage or other treatment of the number of intersections and separation of local from through traffic.
4. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary all-weather turnaround and the use such turnaround shall be guaranteed to the public until such time as the street is continued.
5. Private street (streets not offered for dedication to public use), are prohibited unless they meet the design and improvements standards of this Ordinance.
6. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.

403-B - STREET WIDTHS

<u>STREET TYPE</u>	<u>RIGHT-OF-WAY</u>	<u>CARTWAY</u>
Arterial streets	As determined by the Township after consultation with the Pennsylvania Department of Transportation.	
Collector streets	60 feet	36 feet curb to curb
Minor streets with average frontage of:		
100 feet or more	50 feet	22 feet with 6 ft. shoulder
Less than 100 feet	50 feet	34 feet curb to curb
Alley or service dr.	20 feet	20 feet

Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Township in specific cases for:

1. Public Safety and convenience.
2. Parking in commercial and industrial areas and in areas of high density development.
3. Widening of existing streets where the width or alignment does not meet the requirements of the preceding paragraphs.
4. Where topographic conditions require excessive cuts and fills.

403-C - STREET GRADES

<u>STREET TYPE</u>	<u>MINIMUM GRADE</u>	<u>MAXIMUM GRADE</u>
All Streets	.5%	
Arterial		6%
Collector		7%
Minor		10%
Cul-de-sacs		10%
Marginal Access Streets		10%
Alleys or Service Drives		14%

1. Vertical curves shall be used in changes of grade when the difference exceeds one (1) percent and shall be designed for maximum visibility.
2. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street shall not be less than one-quarter (1/4) of an inch per foot and not more than one-third (1/3) of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept runoff.

403-D - CURVES

1. Where connecting street lines deflect from each other at any one (1) point by more than ten (10) degrees, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

<u>STREET TYPE</u>	<u>MINIMUM RADIUS</u>
Collector street	300 feet
Minor street	150 feet

2. Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets, there must be a tangent of at least one hundred (100) feet between reverse curves.

403-E - SIGHT DISTANCE & CLEAR SIGHT TRIANGLE

1. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments. The sight distance shall conform to the requirements of the Pennsylvania Code, Title 67. Transportation, Department of Transportation, Chapter 441 or as amended.
2. There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points one hundred (100) feet from the intersection of the street centerlines. No building or other obstruction over 3 1/2 feet in height that would obscure the vision of a motorist shall be permitted within these areas.

403-F - CUL-DE-SAC STREETS

Cul-de-sac streets designed to be so permanently, shall not exceed five hundred (500) feet in length, and shall be provided with a paved turnaround having a minimum diameter of one hundred (100) feet and legal right-of-way of one hundred twenty (120) feet in diameter, except in non-residential areas, where cul-de-sac streets may exceed five hundred (500) feet in length when, under special circumstances, the Township deems such additional length necessary.

403-G - INTERSECTIONS

1. No intersection shall involve the junction of more than two (2) streets.
2. Within one-hundred (100) feet of an intersection streets shall be at right angles. The Township may, under special circumstances where an angle of less than ninety (90) degrees will not create a traffic hazard, permit an intersection of less than ninety (90) degrees, but in no instance, however, shall streets intersect at an angle of less than seventy-five (75) degrees.
3. Intersections shall be approached on all sides by leveling areas. Leveling areas shall have a minimum length of one hundred (100) feet (measured from the intersection of the centerlines) within which no grade shall exceed a maximum of four (4) percent.
4. All streets intersecting a state road (US, PA or LR) shall be subject to the approval of the Pennsylvania Department of Transportation.
5. Design of curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb edge of pavement be less than the following:

<u>INTERSECTION TYPE</u>	<u>CURVE RADIUS</u>
Minor with minor street	15 feet
Minor with collector	25 feet
Collector with collector	35 feet

6. Minor and collector streets shall not intersect arterial streets on the same side at less than eight hundred (800) foot intervals and shall be in alignment with any existing or proposed streets intersecting from the opposite side. If two (2) streets that intersect another from opposite sides cannot be aligned, then a distance of at least one hundred fifty (150) feet shall be provided between the two intersecting centerlines.

403-H - SLOPE OF BANK ALONG STREETS

The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:

1. One (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills.
2. One (1) foot of vertical measurement or two (2) feet of horizontal measurement for cuts.

403-I - PARTIAL AND HALF STREETS

The dedication of half streets at the perimeter of new developments is prohibited, except to complete existing half streets.

403-J - NAMES OF STREETS

Names of new streets shall not duplicate or approximate existing or platted street names or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", or "avenue". In approving the names, consideration shall be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number or any continuation or alignment with an existing street.

403-K - RESERVE STRIPS

Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in the Township under control approved by the Township. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties, or from another street.

403-L - ALLEYS

Alleys shall be prohibited in single family residential developments, but may be included in townhouse, multiple family, commercial, and industrial developments.

404 - OFF STREET PARKING

404-A - STANDARDS

Off street vehicular parking facilities shall be provided in accordance with the following standards:

1. Off street parking facilities may be located in any required side, front, or rear yard, but in no case shall it be located within the street right-of-way, or within 10 feet of the street right-of-way for other than residential use.
2. Off street parking areas shall be surfaced with minimum of four (4) inches of stone base and shall be properly graded and drained to dispose of all surface water.
3. Commercial and industrial parking areas shall be arranged and marked for the orderly and safe movement, loading, parking, and storage of vehicles.

4. The Township may require commercial and industrial parking areas which provide more than five (5) parking spaces to be screened from any abutting property used for residential purposes. Screening may be accomplished by the placement of adequate buildings, a solid fence high enough to provide screening and/or provision and maintenance of solid planting in the form of contiguous evergreen shrubs.
5. Any lighting used to illuminate any residential, commercial, or industrial parking area shall be so arranged as to reflect the light away from adjoining premises and public rights-of-way.
6. Driveways providing access to arterial or collector streets shall be constructed with turnaround areas of sufficient size to minimize the need to exit the driveways in reverse.

404-B - LOADING AND UNLOADING SPACE

1. All commercial and industrial establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs. This required space will be provided in addition to established requirements for patron and employee parking.
2. The minimum size loading space shall be fifty (50) feet in depth, twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.

404-C - TABLE OF SPACE BY USE

1. Each off street parking area shall be no less than ten (10) feet in width and twenty (20) feet in length and where access to such area is from a public street, adequate turnaround space shall be provided behind the right-of-way line. For perpendicular parking a minimum of twenty-five (25) feet clear area is required behind all parking spaces.
2. The number of spaces to be provided shall be governed by the following:
 - a. Residential Dwellings - Two (2) spaces for each dwelling unit; two and one-half (2 1/2) spaces for each dwelling unit in semi-detached, attached, row, townhouse and/or apartment developments.
 - b. Offices, Retail Business, and Service establishments - one (1) space for each three hundred (300) square feet of floor area.
 - c. Restaurants, Taverns, and Night Clubs - one (1) space for every 2.5 seats.
 - d. Professional Offices or Clinics - five (5) spaces for each professional person unless the applicant can satisfactorily demonstrate a need for fewer spaces, but in no case less than five (5) spaces.

- e. Motels and Hotels - one (1) space for each sleeping room and one for each employee per shift.
- f. Theaters, Auditoriums - one (1) space for every 3.5 seats.
- g. Social Halls, Clubs, and Lodges - one (1) space for each two hundred (200) square feet of floor space.
- h. Bowling alleys - two (2) spaces for each alley.
- i. Funeral Homes - One (1) space for every (5) seats.
- j. Rooming houses and Dormitories - one (1) space for each two (2) beds.
- k. Manufacturing plants and Laboratories - one (1) space for every three (3) employees per shift.
- l. Wholesale establishments and Warehouses - one (1) space for every two (2) employees per shift.
- m. Churches - one (1) space for every 3.5 seats.
- n. Barber and Beauty Shops - two (2) spaces for each service chair and one (1) space for each employee per shift.

405 - ACCESS DRIVES

405-A - RESIDENTIAL (except multiple dwelling and condominiums)

Access drives to any public street or highway in a residential area shall be governed by the following:

- 1. Within ten (10) feet of street right-of-way line, an access drive may not exceed twenty (20) feet in width.
- 2. The number of access drives may not exceed two (2) per lot.
- 3. An access drive may not cross a street right-of-way line:
 - a. Within five (5) feet of a property line except for common access for two (2) dwellings.
 - b. Within fifty (50) feet of the right-of-way line of an intersecting street when entrance is from an arterial street.
 - c. Within thirty-five (35) feet of the right-of-way line of an intersecting street when entrance is from a collector street.
 - d. Within twenty-five (25) feet of the right-of-way line of an intersecting street when entrance is from a minor street.
 - e. Within fifteen (15) feet of a fire hydrant.

4. An access drive shall be provided with a clear sight triangle as described in Section 403-E2 of this Ordinance. The drive may not exceed a slope of five (5) percent within twenty-five (25) feet of the street right-of-way lines. Where a drive enters a bank through a cut., The shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the street right-of-way.

405-B - COMMERCIAL, INDUSTRIAL, MULTI-FAMILY AND CONDOMINIUMS

The following applies to access drives to any public street or highway in the case of a commercial, industrial, Multi-family, or condominium development:

1. All access ways to any public street or highway shall be located at least one hundred fifty (150) feet from any intersection involving an arterial or collector street and one hundred (100) feet from any intersection involving minor streets. The distance shall be measured from the intersection of the street centerlines. Where practicable, exits shall be located on minor, rather than major streets or highways.
2. No design shall be approved which is likely to create substantial traffic hazards endangering the public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes, traffic and lane markings and signs. The developer shall be responsible for the construction of any such PA DOT approved traffic control devices.
3. All access to and occupancy of any State or Township public highway shall meet the provisions of the Pennsylvania Code Title 67. Transportation, Department of Transportation Chapter 441 or as amended.
4. The access must be constructed to the street right-of-way as per requirements of Section 502-A-2 Collector Streets of this ordinance.
5. No access drive shall be within five (5) feet of a property line or fifteen (15) feet of a fire hydrant.
6. An access drive shall be provided with a clear sight triangle as described in Section 403-E2 of this Ordinance. The drive may not exceed a slope of five (5) percent Within twenty-five (25) feet of the street right-of-way lines. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the street right-of-way.

406 - BLOCKS

406-A - GENERAL

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

1. The provision of adequate sites for buildings of the type proposed.
2. Topography.
3. Any other codes, plans and ordinances.
4. Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

406-B - BLOCK LENGTH

The length of blocks shall not exceed sixteen hundred (1600) feet or be less than eight hundred (800) feet. In any case, blocks should be designed as close to one thousand (1000) feet in length as possible.

406-C - PEDESTRIAN CROSSWALKS

Where blocks exceed one thousand (1000) feet in length, pedestrian rights-of-way of not less than twelve (12) feet in width shall be provided where needed for adequate pedestrian circulation. Paved walks of not less than six (6) feet shall be placed within the right-of-way.

406-D - BLOCK DEPTH

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

1. Where reverse frontage lots are required along major streets.
2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township may approve a single tier of lots.

406-E - COMMERCIAL AND INDUSTRIAL BLOCKS

Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases however, adequate provision shall be made for off street parking and loading areas as well as for traffic circulation and parking for employees and customers.

407 - LOTS

407-A - GENERAL

1. The size, shape, and orientation of lots shall be appropriate for the type of development use contemplated. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
2. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
3. Generally, the depth of lots shall be not less than one (1) nor more than two and one-half (2 1/2) times their width.
4. Where the lots in a subdivision are large enough for resubdivision or where a portion for the tract is not developed, suitable access to these areas shall be provided.
5. 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.
6. If after subdivision, there exist remnants of land they shall either be incorporated into existing or proposed lots, or legally dedicated to public use, if acceptable to the Township.
7. No lot shall be created in any manner whatsoever which does not meet the minimum requirements of this Ordinance.
8. Where dictated by topography, location, sewage disposal requirement, or other such conditions, the Township may require that the minimum lot size be increased.

407-B - LOT FRONTAGE

1. All lots shall front on a dedicated public street, whether such street is existing or proposed.
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, orientation, or location.

407-C - LOT SOILS EVALUATION TESTS

1. Soil percolation tests shall be performed for each lot of a proposed subdivision wherein buildings at the time of construction will not be connected to an operational (live) public sewage disposal system. Each lot must be found satisfactory for on-site disposal prior to approval of the Final Plan.
2. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Resource. The Township Sewage Enforcement Officer will observe the tests and certify the results.
3. A land planning module for any new subdivision or land development shall be prepared by the developer and approved by the Township and the Pennsylvania Department of Environmental Resources prior to approval of the Final Plan.

407-D - LOT SIZES ON SLOPES

The minimum lot area herein established shall be increased in accordance with the Township's requirements, based on reports from the Pennsylvania Department of Environmental Resources and the Soil Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluents are likely to result in hazardous conditions.

407-E - UNIQUE LOTS

1. In the case of wedge-shaped lots, no lot shall be less than thirty-five (35) feet in width measured along the arc at the front street right-of-way line.
2. Flag lots or panhandle lots or lots having a narrow strip of property for the sole purpose of providing access to a public road from a lot which would not otherwise front on a public road are prohibited unless no other reasonable method of providing access is available. In no case should this be used as a method of avoiding construction of a street. Minimum width of the panhandle including frontage shall be fifty (50) feet.
3. Corner residential lots shall have enough extra width to permit appropriate setbacks from both streets.

407-F - BUILDING SETBACK AND YARD MEASUREMENT

1. Building setbacks shall be measured from the right-of-way lines.
2. Building setback lines shall not be less than:
 - a. Twenty-five (25) feet from the right-of-way line on minor streets
 - b. Thirty (30) feet from the right-of-way line on collector streets.

- c. Fifty (50) feet from the right-of-way line on arterial streets and roads.
 - d. Fifteen (15) feet from a side lot line.
 - e. Twenty-five (25) feet from a rear lot line.
3. Where an existing building set back line is established on at least fifty (50) percent of the properties in a block in which the proposed development is located, or within two hundred (200) feet immediately adjacent to the proposed development, the above minimum set backs may be increased or decreased in order to conform with such established line.
 4. Additional side and rear yard setbacks shall be required for proposed buildings or structures that are four (4) or more stories or more than forty-five (45) feet in height.
 5. Additional setbacks shall be required for certain types of developments as stipulated in section 407-G.

407-G - LOT DIMENSIONS AND MINIMUM REQUIREMENTS FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT

1. Calculation of Area - All lot area calculations to determine whether there is compliance with the minimum requirements of this Ordinance shall exclude the area of the lot subjected to surface easements, rights-of-way, other servitudes which exclude improvements being erected at the front setback line.
2. Residential Developments
 - a. Single family detached unit:

	<u>Private water and Private sewer</u>	<u>Public water or Public sewer</u>	<u>Public water and sewer</u>
Area per unit in sq. ft.	43,560 (one acre)	43,560	10,000
Minimum width in feet	100'	100'	75'
Maximum impervious lot coverage	35%	35%	35%

b. Conversion unit:

1. requirements for total lot area, width, coverage, and percolation shall be the same as the requirements for the type of unit which is being created.
2. Off street parking spaces shall be provided on the same lot for each dwelling unit.

c. Semi-detached unit: (two (2) units/structure)

does this really mean per structure?

	<u>Private water and Private sewer</u>	<u>Private water or Public sewer</u>	<u>Public water & Public sewer</u>
Area per <u>unit</u> in sq. ft.	65,340	65,340	15,000
Minimum width in feet	100'	100'	100'
Maximum lot coverage	35%	35%	35%

d. Attached, Row, or Townhouse units;

Area per unit: 3000 square feet

Minimum width: 20 feet for each unit planned

Maximum lot coverage: 50%

1. The maximum number of dwelling units in a group of row dwellings shall be five (5).
2. No buildings shall exceed one hundred twenty (120) feet in length.
3. Off street parking spaces shall be provided to the rear of each unit. An access drive having a minimum width of twenty (20) feet shall provide access to the parking area. The access drive shall be constructed in accordance with Section 502-A-1 of this ordinance. The access drive shall be maintained by a Home Owners Association consisting of all lot owners whose property abuts said drive.
4. Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for attached, row or townhouse units.
5. The minimum side yard shall be twenty (20) feet for buildings containing four (4) units and twenty-five (25) feet for buildings containing five (5) units.

e. Multiple dwelling or Apartment units:

Min. total lot area: 30,000 square feet plus
3,000 square feet for each
unit in excess of three (3)

Minimum lot width: 125 feet for each structure planned

Maximum lot coverage: 50%

1. Water and sewer facilities shall be public systems or approved private sewage treatment systems. No individual or community on-site systems shall be approved for multiple dwelling or apartment units with the following exception:
 - a. The maximum number of dwelling units is three (3) or less.
 - b. The lot size has a minimum lot area of 65,000 square feet for two (2) units, or 97,500 square feet for three (3) units.
 - c. Minimum lot width is one hundred sixty five (165) feet for two (2) units or two hundred (200) feet for three (3) units.
 - d. An alternate site must be approved and reserved for a replacement system.
 - e. Only one apartment building is permitted on the lot.
2. The minimum distance between principal buildings shall be equal to two (2) time the height of the highest building. In no case shall this distance be less than sixty (60) feet. Building set back lines shall be one (1) times the height of the highest building, and in no case shall this distance be less than required under Section 407-F.
3. Maintenance equipment storage areas shall be provided, and shall be provided with buffer zones.
4. Off street parking spaces shall be provided to the rear of each dwelling unit. No off street parking shall be permitted in front or sides of units. All parking areas must be twenty (20) feet from the structure.
5. Minimum building set back lines for any building containing only two (2) multiple dwelling units shall be the same as for single family residences.
6. No building shall exceed one hundred twenty (120) feet in length.

7. Recreation areas shall be provided according to the following provisions:

- For development up to ten (10) units, a minimum total area of one thousand (1000) square feet shall be designated and reserved by the developer.
- For development of more than ten (10) but less than fifty (50) units, a minimum of one hundred (100) square feet per unit shall be designated and reserved by the developer in addition to the one thousand (1000) square feet for first ten (10) units.
- For developments over fifty (50) units, the developer shall provide for recreation areas as negotiated with the Township.
- The area shall be provided adjacent to the housing units.
- The area shall be suitably landscaped.
- The area shall not be considered for future development

f. Condominiums

Min. total lot area: 30,000 square feet, plus 3,000 square feet for each unit in excess of three (3)

Minimum width: 125 feet for each structure planned.

Maximum lot coverage: 50%

1. Water and sewer facilities shall be public systems or approved private systems. No individual or community on-site systems shall be approved for condominiums.
2. Prior to completion of construction and occupation by unit owners, the owner and/or developer shall present to the Recorder of Deeds, Adams County a Declaration and a Declaration Plan to be recorded in compliance with the "Unit Condominium Act", Act of the General Assembly of July 2, 1980, P.L. 296, No. 82, Section 1, et seq., as amended and supplemented. All condominiums shall be subject to the provisions of the Unit Condominium Act.

3. Recreation areas shall be provided for Condominiums according to the same requirements as for multiple dwelling or apartment units.
4. Off street parking spaces shall be provided to the rear for each dwelling unit. No off street parking shall be permitted in front or sides of units. All parking areas must be twenty (20) feet from the structure.
5. The minimum distance between principle buildings shall be equal to two (2) times the height of the highest building. In no case shall this distance be less than sixty (60) feet. All building setback lines shall be one (1) times the height of the highest building, and in no case shall this distance be less than required under Section 407-F.
6. Maintenance equipment storage areas shall be provided, and shall be provided with buffer zones.
7. No building shall exceed one hundred twenty (120) feet in length.

3. Commercial Developments

a. Lots of two (2) acres or less:

Minimum lot area: 43,560 sq. ft. (one acre)

Minimum lot width: 150 feet

1. Maximum total impervious coverage shall be 65%. Buildings shall occupy no more than 40% of the total lot area.
2. Building set back lines shall be governed by the following:
 - Twenty-five (25) feet from the right-of-way line on minor streets.
 - Thirty (30) feet from the right-of-way line on collector streets.
 - Fifty (50) feet from the right-of-way on arterial streets and roads.
3. Side yards shall be twenty-five (25) feet.
4. Rear yards shall be twenty-five (25) feet.

- b. Lots of more than two (2) acres:
1. Minimum width two hundred (200) feet.
 2. Maximum total impervious coverage shall be 65%. Buildings shall occupy no more than 40% of the total lot area.
 3. The building set back line shall be one hundred (100) feet from the right-of-way line of any street.
 4. Side yards shall be twenty-five (25) feet.
 5. Rear yard shall be fifty (50) feet.
- c. Development of land for commercial purposes shall be governed by the following:
1. Any part or portion of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas, shall be planted with an all season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with the natural surroundings. On properties adjacent to or contiguous with residential areas, landscaping shall include a planted or constructed visual barrier so placed as to effectively screen the loading or service areas.
 2. Water and sewer systems shall meet the requirements of the Pennsylvania Department of Environmental Resources.
 3. If an on-site septic system is to be used, an alternate site must be approved and reserved for a replacement system.
 4. Parking areas shall be designed in accordance with Section 404 of this ordinance.
 5. Storm drainage facilities shall be designed in accordance with Section 507 of this Ordinance.
 6. No plan shall be approved which does not conform to appropriate Federal, State, Regional, and Local standards relative to water and air pollution, particle emission, noise, electrical disturbances, waste disposal, light, glare, heat, vibration, radioactivity, and outdoor storage of materials, or involves any other activity generating a nuisance.
 7. All outdoor storage area shall be enclosed with a barrier no less than six (6) feet in height, capable of being locked or otherwise secured against intrusion.
 8. All access driveways shall be designed and constructed in accordance with Section 405-B of this ordinance. In no case shall the access drive be less than 18' wide.

4. Industrial Developments:

a. For lots of two acres or less:

1. Minimum total lot area shall be one (1) acre.
2. Minimum lot width shall be one hundred fifty (150) feet measured at the set back line.
3. Maximum total impervious coverage shall be 65%. Buildings shall occupy no more than 40% of the total lot area.
4. The building set back line shall be one hundred (100) feet from any street right-of-way line.
5. The side yards shall be twenty-five feet.
6. The rear yard shall be fifty (50) feet.

b. For Lots in excess of two (2) acres:

1. Minimum width two hundred (200) feet.
2. Maximum total impervious coverage shall be 65%. Buildings shall occupy no more than 40% of the total lot area.
3. The building setback line shall be one hundred (100) feet from any street right-of-way line.
4. The side and rear yards shall be seventy-five (75) feet from any adjoining property used for other than industrial purpose, or fifty (50) feet if adjoining property is used for industrial purposes.

c. Land development for industrial purposes shall be governed by the following:

1. Water and sewer systems shall meet the requirements of the Pennsylvania Department of Environmental Resources.
2. If an on-site septic system is to be used, an alternate site must be approved and reserved for a replacement system.
3. Storm drainage facilities shall be designed in accordance with Section 507 of this Ordinance.

4. Any part or portion of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas, shall be planted with an all season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with the natural surroundings. On properties adjacent to or contiguous with residential areas, landscaping shall include a planted or constructed visual barrier so placed as to effectively screen the loading or service areas.
5. Parking areas shall be designed in accordance with Section 404 of this Ordinance.
6. All outdoor storage area shall be enclosed with a barrier no less than six (6) feet in height, capable of being locked or otherwise secured against intrusion.
7. All access driveways shall be designed and constructed in accordance with Section 405-B of this Ordinance. In no case shall the access drive be less than 18' in width.
8. No design shall be approved which does not conform to Federal, State, Regional, and Local standards relative to water and air pollution, particle emission, noise, electrical disturbances, waste disposal, light, glare, heat, vibration, radioactivity, and outdoor storage of materials:
 - Fire and explosive hazards as governed by the Department of Labor and Industry and the Laws of the Commonwealth of Pennsylvania.
 - Liquid and solid wastes as governed by the Pennsylvania Department of Environmental Resources.
 - Smoke as governed by the Pennsylvania Air Pollution Control Commission.
 - Other forms of air pollution as governed by the United States Environmental Protection Agency.

408 - EASEMENTS

1. The minimum width of easements for underground and overhead public utilities shall be twenty (20) feet.
2. Whenever possible, easements for public utilities shall be located within building setbacks.
3. Electric and telephone facilities shall be installed underground unless conditions require otherwise.

4. Drainage easements shall be of adequate width as to serve the purpose for which they are intended. Such easements shall preserve the unimpeded flow of natural drainage or provide for the construction of drainage facilities. In no case shall they be less than twenty (20) feet in width.

ARTICLE V - IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

501- MARKERS

1. Markers shall be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They shall be set so that the top of the marker is level with the finished grade of the surrounding ground.
2. Markers shall be set:
 - a. At the intersections of all right-of-way lines.
 - b. At the intersection of lines forming angles in the boundaries of the development.
 - c. At such intermediate points as may be required by the engineer.
 - d. At all lot corners except those monumented.
 - e. Prior to the time the lot is offered for sale.
3. Markers shall be three-quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter, and fifteen (15) inches long. Markers shall be made of iron pipes or iron or steel bars.

502 - STREETS

Streets shall be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the Subdivider and approved by the Township. Before paving the street surface, the subdivider shall install the required utilities and provide, where necessary, adequate storm water drainage for the streets, as acceptable to the Township. Following a review of the subdivision plan and consultation with the subdivider and the governing body of the municipality in which the subdivision is located, the Township shall determine the type of development and the specifications for the base and wearing surface of the streets in accordance with the following:

502-A - URBAN OR SUBURBAN DEVELOPMENTS

1. Minor Streets

Except when otherwise specified by the Township, the base course shall consist of at least eight (8) inches in depth of compacted PA DOT No. 2A crushed stone constructed on a prepared subgrade. The surface course shall consist of two and one-half (2-1/2) inches of compacted ID-2 bituminous paving material installed as one and one-half (1-1/2) inches of compacted binder course and one (1) inch of compacted wearing course. In all other respects, the construction of all streets shall be in accordance with Pennsylvania Department of Transportation Specifications - current edition.

2. Collector Streets

Except when otherwise specified by the Township, the base course shall consist of at least ten (10) inches in depth of compacted PA DOT No. 2A crushed stone constructed on a prepared subgrade. The surface course shall consist of three (3) inches of compacted ID-2 bituminous paving material installed as one and one-half (1-1/2) inches of compacted binder course and one and one-half (1-1/2) inches of compacted wearing course. In all other respects, the construction of all streets shall be in accordance with Pennsylvania Department of Transportation Specifications - current edition.

3. Arterial Streets

For the construction of arterial roads or highways, the subdivider shall consult with the Township and be governed by the Pennsylvania Department of Transportation for the method of construction to be used. The Township shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision, in which case the subdivider is responsible for paving the additional width required.

502-B - STREET LIGHTS

In any proposed subdivision or land development involving ten (10) or more lots or dwelling units with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, a street light, meeting Township requirements, may be required to be installed at one (1) corner of every intersection. In lieu of street lights, the Township may require the developer to install individual property lights in the ratio of one (1) to each lot.

502-C - STREET SIGNS

Street name signs shall be placed at one (1) corner of every intersection. In addition traffic control signs, and other traffic signs as required by the Township must be installed. The design must meet PA DOT requirements.

502-D - STREET TREES

The Township may require that shade trees be planted in the development to conform to the following specifications:

1. Shade trees shall be planted by the subdivider at intervals of between fifty (50) and seventy (70) feet along both sides of all streets of the development.
2. The trees shall be located between the sidewalk and building set back line and at least five (5) feet from the sidewalk. No trees shall be planted between the sidewalk and curb.
3. Each tree shall be at least eight (8) feet in height and have a diameter of at least one and one half (1 1/2) inches.

503 - CURBS

1. In any development with an average lot size or area per dwelling of fifteen thousand (15,000) square feet or less, or where the average lot width is one hundred (100) feet or less, or where any development is within one thousand (1,000) feet of another existing or proposed development which is or will be curbed, curbs shall be installed on each side of the streets. Curbs shall also be provided in parking areas of multiple dwelling and apartment units. Upon request, the Township may waive curbs along alleys and serviceways. Curbs may also be required on existing streets where they are deemed necessary to control the flow of surface water and/or regulate traffic.
2. In any byway or passageway where curbs may not be required, or where installation is waived by the Township, suitable gutters shall be installed to prevent erosion.
3. All curbs shall be twenty-four (24) inch vertical curbs constructed of Portland Cement Concrete. Vertical curbs shall conform to the standards and requirements for Plain Cement Concrete Curb, Type A, as prescribed by the Pennsylvania Department of Transportation. Rolled curb and gutter type curb may be constructed using a curbing machine, at the discretion of the Township's Supervisors.
4. Curb cut ramps shall be provided for the physically handicapped in accordance with the design standards prescribed by the Pennsylvania Department of Transportation (Act of May 20, 1976, P.L. 129, No. 56, et. seq.).

504 - SIDEWALKS

In any proposed subdivision or land development with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, or where any subdivision is immediately adjacent to or within one thousand (1000) feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with Township requirements. The Township may also require installation of sidewalks in any subdivision or land development where the evidence indicates that sidewalks are necessary for the public safety.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks shall be at least four (4) feet wide. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, sidewalks shall be at least five (5) feet wide and located within the street right-of-way.
3. All sidewalks shall be constructed of Type 1 of Class A concrete.
4. Sidewalks shall be of a uniform depth of four (4) inches, except where crossed by driveways, where the depth shall be six (6) inches for residential driveways, and eight (8) inches for commercial driveways. The width of the sidewalk shall be the width specified in the ordinance.
5. Contraction joints shall be spaced no more than five (5) feet apart.
6. Sidewalks shall have a minimum of 4" crushed stone beneath them.
7. The forms used shall be of metal. All forms shall be smooth, straight, and free from warp.

505 - SEWER AND WATER SUPPLY SYSTEMS

All sanitary sewer and water supply systems located in any designated floodplain district shall be floodproofed up to the regulatory flood elevation.

505-A - PRIVATE AND ON-SITE SEWER SYSTEMS

1. All properties shall be served by a public sanitary sewer system if possible.
2. Where a public sanitary sewer system is not accessible, but is proposed for extension within five (5) years to the development or to within one thousand (1000) feet of the development, the developer shall install sewer lines, including lateral connections, to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided. If the available engineering and design information for the proposed public system is insufficient to insure the proper installation of capped sewer lines, the developer shall, at the Township's discretion, provide for the eventual installation by creating an escrow account in an amount sufficient to provide for the eventual construction of said sewer lines.
3. If no public system is either proposed within five (5) years or within one thousand (1000) feet of the development, the Township Supervisors may require that a study be prepared to determine the feasibility of constructing a private sewer system or treatment facility, or connecting to an existing private or public system over one thousand (1000) feet way.
4. Upon the completion of any sanitary sewer system installation, the plan for the system as built shall be filed with the Township.
5. Where none of the above alternatives are possible or feasible, an individual sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system shall be provided for each lot at the time improvements are erected or installed thereon. All such individual sewer disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Resources regulations.

505-B - PRIVATE AND ON SITE WATER SYSTEMS

1. Where a water main supply system is within one thousand (1000) feet of, or where plans approved by the Township provide for the installation of such public water facilities, the developer shall provide the development with a complete water main supply system in accordance with the Township's requirements. If the available engineering and design information for the proposed public system is insufficient to insure the proper installation of such water main supply system, the developer shall, at the Township's discretion, provide for the eventual installation by creating an escrow account in an amount sufficient to provide for the eventual construction of the system.

2. If connection to a public water supply system is not possible, a report on the feasibility of constructing a separate water supply system may be required by the Township and a report shall be submitted setting forth the findings. The report shall include, among other factors, a hydrogeologic study of groundwater occurrence and movement, aquifer characteristics, available drawdown, well efficiency, groundwater recharge, existing wells, water demands, quality of water, etc.
3. The plans for installation of a private water supply system shall be prepared by the land developer, and approved by the Pennsylvania Department of Environmental Resources. Upon completion of any water supply system, the plan for the system as built shall be filed with the Township.
4. Where none of the above alternatives are possible or feasible, an individual water supply system shall be installed.
 - a. The water supply yield shall be adequate for the type of development proposed.
 - b. The installation of such systems shall not endanger or decrease groundwater supplies of adjacent properties.
 - c. Any such individual system shall meet any applicable Pennsylvania Department of Environmental Resources regulations and/or Menallen Township Regulations.

505-C - ASSOCIATION OR OTHER ORGANIZATIONS FOR OPERATING AND MAINTAINING OF THE PRIVATE SYSTEMS

1. When private sewage treatment systems and/or water supply systems are installed by the developer, an association or other organization must be established by the developer to operate and maintain the systems.
2. Any and all legal documents involved in establishing this association or other organization must be submitted and approved by Menallen Township prior to approval of the final plan.

506 - FIRE HYDRANTS

Fire hydrants shall be provided as an integral part of any public water supply system.

1. Fire hydrants shall be installed if their water supply source is capable of serving them in accordance with the requirements of the local fire authority.

2. Fire hydrants shall be in accordance with specifications set forth by the National Fire Protection Association, or as amended.
3. Fire hydrants shall be placed at intervals of not more than six hundred (600) feet or as specified by the Middle Department Association of Fire Underwriters.

507 - STORM DRAINAGE

1. Whenever the evidence available to the Township indicates that natural surface drainage is inadequate, the developer shall install storm sewers, culverts, and related facilities, as necessary to:
 - a. Permit the unimpeded flow of natural water courses.
 - b. Insure the drainage of all low points along the line of streets.
 - c. Intercept storm water runoff along streets at intervals reasonable related to the extent and grade of the area drained.
2. Storm sewers shall not be connected to sanitary sewers.
3. Storm water drainage facilities which receive water from drainage areas in excess of one-half (1/2) square mile (320 acres) shall be subject to the approval of the Pennsylvania Department of Environmental Resources, Division of Dams and Encroachment. Storm water drainage plans which involve a State road shall be subject to the approval of PennDOT. Approval of a plan by the Township shall not be construed as an indication that the plan complies with the standards of any agency of the Commonwealth.

507-B - DESIGN

1. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being developed, but also the anticipated increase in runoff that may occur when all the property at a high elevation in the same drainage basin is fully developed.
2. The developer shall also study the effect of the development on the existing downstream drainage facilities outside the area of the development.
3. The USDA Soil Conservation Service Soil Cover Complex Method or the PennDOT Method are the recommended methods for calculating runoff.
4. The storm design intensity shall be established with a minimum of ten (10) year storm frequency. A fifty (50 year) storm shall be used for high value districts and major highways.

507-C - EXISTING FACILITIES

Where existing storm sewers are readily accessible, and of sufficient capacity, the developer shall connect his storm water facilities to these existing storm sewers.

507-D - ABUTTING PROPERTIES

1. In the design of storm drainage facilities, special consideration shall be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would:
 - a. Result in increasing any portion of the slope steeper than one (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills, or one (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts within a distance of twenty (20) feet from the property line unless an adequate retaining wall or other structure is provided.
 - b. Result in a slope which exceeds the normal angle of slippage of the material involved.
2. All slopes shall be protected against erosion

508 - EROSION AND SEDIMENTATION

All development applications which involve grading or excavation shall conform to the requirements of the rules and regulations of the Pennsylvania Department of Environmental Resources pertaining to erosion and sedimentation. It shall be the responsibility of the applicant to secure approval of the Department of Environmental Resources. Approval of plans by the Township shall not be construed as approval under such regulations.

509 - FLOODPLAIN

1. The floodplain corridor shall be defined and established as the area of inundation which functions as a storage or holding area for flood water to a width required for a one hundred (100) year flood, as delineated in one (1) of the following reports:
 - a. A hydrologic report prepared by an individual registered in the Commonwealth of Pennsylvania to perform such duties.
 - b. A hydrologic report prepared by an agency of the U.S. Government.
 - c. Flood maps prepared by the Federal Emergency Management Agency.
2. In case of any dispute concerning the boundaries of a floodplain corridor, the Township shall determine the ultimate location.

3. Whenever a floodplain corridor is located within or along a proposed land development, the plan shall include the location of the floodplain corridor with a plan note that:
 - a. The floodway shall be kept free of structures, fill, and other encroachments.
 - b. Any structures located within the floodway fringe shall be floodproofed to the limits of the floodplain corridor.
4. All floodplain lands shall be excluded in the minimum lot area calculations. Additionally, the floodplain and/or floodway area shall be identified by elevation or by approximate distance from the centerline of the stream channel. Floodplain and floodway lines need not be identified by distances and bearings.
5. No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will individually or collectively increase the one hundred (100) year flood elevation more than one (1) foot at any point.
6. If the Township determines that any part of a proposed subdivision can be safely developed, the Township shall limit development to that part and shall require that development proceed consistent with this determination.
7. All proposed developments shall conform in all respects to the Menallen Township Floodplain Ordinance.

510 - UNDERGROUND UTILITY LINES

Electric, telephone, and all other utility facilities shall be installed underground and shall be floodproofed up to the regulatory flood elevation. The developer shall be required to obtain a letter from the appropriate utility company confirming that the developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation Docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

511 - PETROLEUM LINES

When any petroleum or petroleum products transmission line traverses a land development, the developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each dwelling unit and the centerline of such petroleum or petroleum products transmission line.

512 - NATURAL GAS LINES

The minimum distance from a natural gas line to a dwelling unit shall be as required by the applicable transmission or distributing company, or as shall be required by the Department of Transportation under the Natural Gas Pipeline Safety Act of 1968, as amended whichever is greater.

513 - DEDICATION OF LANDS FOR LOCAL RECREATION AND OTHER PUBLIC SITES

1. In subdivisions which are intended to provide housing for more than four (4) families, the Township shall consider the need for suitable open areas for recreation and shall make recommendations thereon.
2. The land to be dedicated shall be suitable in size, shape, topography, and general character for the proposed use.

<u>FAMILIES SERVED</u>	<u>MINIMUM ACREAGE TO BE RECOMMENDED</u>
15 - 50	20,000 square feet
50 - 100	1 acre
Each additional 100 or part thereof	1 acre

3. In lieu of dedication of recreational areas, the developer and the Township may agree on a capital contribution to be made by the developer to an existing or proposed park program.

514 - WATER AREAS

In a development abutting a lake, river, or other significant water body, the board of supervisors, upon consultation with the Planning Commission, may request the dedication or reservation of:

1. Any title to the water body the developer may possess beyond the wharf or dock line for public use.
2. Up to twenty (20) percent of the land abutting the shore for public use.
3. When two (2) or more lots abut a private pond or body of water, and all or part of the pond is to be part of the lot, a homeowners association must be responsible for the maintenance of the pond.

515 - RESERVATIONS

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation. Said period of time not to extend more than twelve (12) months without consent of the developer. Such reservations shall be noted on the Final Plan.

516 - COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF; PREREQUISITE TO FINAL PLAN APPROVAL.

No plan shall be finally approved unless the streets shown on such plan have been approved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by this Ordinance have been installed in accordance herewith. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the Supervisors shall require, for deposit with the Township, financial security acceptable to the Supervisors for amenities including, but not limited to, roads, storm water detention and/or recreational facilities, open space improvements, or buffer or screen plantings which may be required.

Without limitation as to other types of financial security which the Township may approve, Federal or Commonwealth chartered lending institution irrevocable letter of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for purposes of this subsection. 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. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of the case where the development is projected over a period of years, the Supervisors may authorize submission of final plans by section or phase of the development subject to such requirements or guarantees as it finds essential for the protection of any final approved section of the development. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of cost of completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration or the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with the subsection.

The amount of financial security required shall be based upon an estimate of the cost of the 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 Township, upon recommendation of the Township engineer may refuse to accept such estimate for good cause shown. If the application or developer of and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third 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 service of such engineer shall be paid equally by the municipality and the applicant or developer.

In the event a corporate bond or other financial security has been offered in lieu of completion of improvements for final plan approval, the developer shall construct and maintain a passable roadway, along with any other improvement required for lots which are occupied prior to acceptance of the roadway and/or other improvements by the Township. Such maintenance shall continue for the entire bonded period.

When requested by the Applicant, in order to facilitate financing, the Township will furnish the Applicant with a signed copy of a resolution identifying approval of the plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written execution is granted by the Township.

517 - RELEASE FROM IMPROVEMENT BOND

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Supervisors in writing, by certified mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer, who shall, thereupon, inspect the improvements, file a report, in writing, with the Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization by the Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection. The Supervisors shall notify the developer, in writing by certified or registered mail of the action of the Supervisors with relation thereto. If any portion of the said improvement shall not be approved or shall be rejected by the Supervisors, the developer shall proceed to complete the same and upon completion, the same procedure of notification as outlined in this Ordinance, shall be followed.

As the work of installing required improvements proceeds, the developer who has posted the financial security may request the governing body to release or authorize the release from time to time such portion of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the Township engineer or other designated inspector to perform a site inspection and to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township engineer or inspector fairly representing the value of the improvements completed. The Township may, prior to final release at the time of completion of said improvements and certification by its engineer or inspector, require the retention of 10% of the estimated cost of said improvements.

Where the Board of Supervisors accepts the dedication of all or some of the required improvements following completion, the Supervisors may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan and in any related agreements for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required above with regard to installation of said improvements and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

The Township may prescribe that the applicant shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of all subdivision and land development improvements. Such reimbursement shall be based upon a schedule established by Township resolution.

Where reference is made in this Ordinance to Township Engineer, he shall be a duly registered professional engineer employed by the township or engaged as a consultant to the Township.

518 - REMEDIES TO EFFECT COMPLETION

In the event that any improvements which are required have not been installed as provided in this Ordinance or in accord with the approved final plan, the Township is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. 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 such security, the Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

519 - DEDICATION OF IMPROVEMENTS

Upon installation by the developer and subsequent inspection by the Township Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Township. The recording of the Final Plan, following approval by the Board of Supervisors, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Township concerning maintenance or improvements until the proper authorities of the Township have made actual acceptance, either by Ordinance or resolution.

ARTICLE VI - FEES

601 - PRELIMINARY PLAN

At the time of filing, the Preliminary Plan shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for consideration of Preliminary Plan as set forth in the fee schedule, as approved by resolution, currently in force in the Township. In addition, costs for engineering and legal fees incurred in the consideration of the plan shall be paid by the applicant.

602 - FINAL PLAN

At the time of filing, the Final Plan shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for consideration of Final Plans as set forth in the fee schedule, as approved by resolution, currently in force in the Township. In addition, costs for engineering and legal fees incurred in the consideration of the Plan shall be paid by the applicant.

ARTICLE VII - MODIFICATIONS

701-A

Upon cause shown by an applicant, the Board of Supervisors may grant a modification of the requirements of one or more provisions of this Ordinance in such cases where literal enforcement:

- a. would exact undue hardship because of the peculiar conditions pertaining to the land or tract in question;
- b. would be unreasonable under all of the circumstances; or
- c. would not provide equal or better results which an alternative standard, if applied, would provide.

701-B

The foregoing notwithstanding, no such modification will be allowed which would be contrary to the public interest, or which would defeat or severely impair the purpose and intent of this Ordinance.

702 - PROCEDURE

1. Any request for a modification shall be in writing and shall accompany and be part of the application for subdivision of land development.
2. The request shall state in full the ground and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this ordinance involved, the exact modification therefrom which is requested and an indication regarding the *minimum* modification which is necessary to achieve the desired result.
3. The Board of Supervisors may, at their discretion, submit their request for modification to the Menallen Township Planning Commission for their advisory comments. All requests for modifications shall be acted upon by the Board of Supervisors at the time that they act on the submitted plan. Said modification shall have affect only when approved by the Board of Supervisors.
4. A written record of all actions taken by the Board of Supervisors on requests for modifications shall be kept on file in the Township offices.

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

801 - ADMINISTRATION AND ENFORCEMENT

1. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

Officials of the Township having regulatory duties and authorities connected with, or pertinent to , the subdivision, use, or development of land shall have the duties and authorities for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein, or in other ordinances of the Township.

2. Permits required by the Township for the erection or alteration of buildings, the installation of sewers or sewage disposal systems; or for other appurtenant improvements to, or use of, the land, shall not be issued by any Township official until he has ascertained that the site for such building, alteration, improvement, or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.

Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement, or use conforms to the site description as indicated by the approved and recorded Final Plan or other land description acceptable in accordance with the provisions of this Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.

3. The Township Building Permit Officer shall require that applications for building permit contain all the information necessary for him to ascertain that, and he shall not issue any building permit until he determines that the site and plan for the proposed building alteration, or other improvement is acceptable in accordance with the provisions of this Ordinance.

The Township Sewage Enforcement Officer shall require that application for sewage disposal system permits contain all the information for him to ascertain that, and he shall not issue any sewage disposal permits until he determines that the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.

802 - ENFORCEMENT REMEDIES

1. Any person, partnership, or corporation who or which being owner or agent of the owner of any lot, tract, or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers, or agrees, or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision or land development or otherwise, or erect any building

thereon, unless and until a final plan has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney's 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 the violation by the District Justice. If the defendant neither pays nor timely appeals the judgement, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation hereof.

2. The description of such lot or parcel by metes and bounds in instrument of transfer, or other document used in the process of setting or transferring, shall not exempt the seller or transferor from such penalties, or from the remedies herein provided. The Township may also enjoin such transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction, in addition to the penalty herein provided.

803 - PREVENTIVE REMEDIES

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

804 - OTHER ACTIONS

Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy and violation.

805 - APPEALS

The decision of the Planning Commission or Board of Supervisors with respect to the approval or disapproval of plans may be appealed directly to court by any party or officer or agency of the developer. Such appeal shall be filed no later than thirty (30) days following the date of the decision being appealed.

806 - SEVERABILITY CLAUSE

If any provisions of this Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.

ARTICLE IX - MOBILE HOMES AND MOBILE HOME PARKS

This article contains provisions setting forth minimum standards for the design, construction, alteration, extension, and maintenance of mobile home parks and related utilities and facilities. Included also are regulations for the erection of single mobile homes. Finally, also, provisions are included authorizing the issuance of permits for construction, alteration, and/or extension of mobile home parks, the licensing of those who operate mobile home parks, the inspection of mobile home parks by authorized Township Officials, and the fixing of penalties for any violation of any provision of this Ordinance.

901 - DEFINITIONS

1. ACCESSORY STRUCTURE - Any subordinate structure incidental to and location on the same lot as the principal structure. For this section of the ordinance accessory structure would also include any addition or enlargement of a mobile home including the construction of any porch to said mobile home.
2. LICENSE - written annual approval, in whatever form, as issued by the Township authorizing a person to operate and maintain a mobile home park.
3. MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained one (1) unit, (single wide) or in two (2) double wide units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used with a permanent foundation.
4. 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.
5. MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lot for the placement thereon of mobile homes.
6. PERSON - any individual, firm, trust, partnership, public or private association or corporation, or other entity.
7. RECREATIONAL VEHICLE - a vehicle which is designed for human occupancy under transient circumstances, such as camping, travel, or other recreation, sometimes variously known as a "travel trailer", or a "camping trailer".
8. SERVICE OR RECREATIONAL BUILDING - a structure housing operational offices, recreational, park maintenance and other facilities built to conform to required local standards.

902 - PERMITS FOR MOBILE HOME PARK CONSTRUCTION, ALTERATION OR EXTENSION

902-A - PERMITS REQUIRED

It shall be unlawful for any person to construct, alter, or extend any mobile home park within the limits of Menallen Township unless a valid permit has been issued.

902-B - APPLICATION TO TOWNSHIP

Copies of the application to Menallen Township for a mobile home park permit shall be accompanied by a plan drawn at a scale not smaller than one (1) inch equals fifty (50) feet and containing the following information along with other information required under Article III or this ordinance:

1. Name of Mobile Home Park
2. Name and address of owner of record and applicant.
3. Name of engineer, surveyor, or other qualified person preparing plan.
4. North arrow, scale, and date of plan preparation.
5. Location map.
6. Site data:
 - a. Number of mobile home lots.
 - b. Total number of acres.
 - c. Number of lots per acre.
 - d. Number of off street parking spaces.
7. Topography showing existing and proposed contours at intervals of two (2) feet.
8. The location of any existing bodies of water or water courses, floodplain areas, tree masses, buildings or structures, public facilities, and any other man made or natural features within or near the proposed mobile home park area.
9. A storm drainage plan and storm drainage calculations as Section 507, of this ordinance.
10. Existing and proposed property, lot and boundary lines including building, setback lines, and information concerning lot dimensions, lot areas, and the location of all utilities, and designation if lot is for single wide or double wide mobile homes.
11. Location and dimensions of all mobile home stands.

12. The location of all existing and proposed streets with information concerning pavement widths, types of paving, and street names.
13. Typical cross section of all streets.
14. Street centerline profiles
15. Location of all off street parking areas.
16. Location and dimensions of all pedestrian walkways and sidewalks.
17. Location of proposed recreation areas.
18. Location of all plantings and landscaping.
19. Location, dimensions, and proposed use of all service and accessory structures.
20. Location and type of waste containers.
21. Location of all fire extinguishers
22. Engineer's or surveyor's seal with certification that survey and plan are correct.
23. Block for approval by Planning Commission.
24. Block for approval by the Board of Supervisors
25. Block for review of the Adams County Planning Agency

902-C - REVIEW OF PLANS AND ISSUANCE OF PERMIT

1. Upon receipt of the application, the plans shall be reviewed in accordance with provisions of Article III of this ordinance.
2. If approved, the Chairman and Secretary of the Board of Supervisors shall sign the plan and issue a permit. If the application and plan are disapproved, the Board of Supervisors shall notify the developer or owner, in writing, including a statement of reason for their decision.

902-D - FEES

Each application for a permit shall be accompanied by a check payable to the Township, in an amount equal to the fee required for the inspection of mobile home parks as set forth in the fee schedule currently in force in the Township. Such fee shall be required whether or not the application is approved. In addition, costs for engineering and legal fees incurred in the consideration of the plan shall be paid by the applicant.

903 - REGISTRATION AND LICENSING FOR MOBILE HOME PARK OPERATION

903-A - LICENSE REQUIRED

It shall be unlawful for any person to operate any mobile home park within the limits of the Township unless he holds a license issued annually by the Township.

903-B - RENEWAL LICENSES

Annual licenses shall be issued by the Township Supervisors upon the furnishing of proof by the application that his park meets the standards prescribed by this Ordinance.

903-C - APPLICATION TO TOWNSHIP FOR LICENSE

Application for initial or renewal licenses to operate a mobile home park shall be made, in writing, to the Township Supervisors using a form furnished by the Township. All such applications shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for a license to operate a mobile home park as set forth in the fee schedule currently in force in the Township. All such applications shall contain any change in the information submitted since the original license was issued or latest renewal was issued. The Township may also require additional payment in an amount sufficient to cover any engineering fees incurred as a result of the licensing process.

903-D - TRANSFER OF OWNERSHIP

Every person holding a license shall file a written notice to the Township Supervisors within ten (10) days after having sold, transferred, given away, or otherwise disposed of interest in, or control of, any mobile home park. Proof of such transfer shall be furnished to the Township Supervisors accompanied by a fee as set forth in the fee schedule currently in force in the Township.

903-E - SUSPENSION

Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Township Supervisors shall give written notice to the person to whom the license was issued advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Township shall be suspended. At the end of such period, such mobile home park shall be inspected and if such conditions or practices have not been corrected, and the licensee has not requested a hearing, the Township Supervisors shall suspend the license and give notice in writing, of such suspension to the person to whom the license is issued.

903-F - COMPLIANCE OF EXISTING MOBILE HOME PARKS

1. Mobile home parks in existence at the date of adoption of this Ordinance may be continued so long as they otherwise remain lawful.
2. Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a Mobile Home Park License as required under Section 903-B of this Ordinance
3. Any subsequent new construction, alteration, or extension of an existing mobile home park shall comply with the provisions of this Ordinance.
4. Any existing mobile home park which, in the opinion of the Board of Supervisors creates a fire hazard or health hazard shall be required to comply with this Ordinance within a reasonable period of time as determined by the Board of Supervisors.

904 - INSPECTIONS OF MOBILE HOME PARKS

The Township Supervisors or other authorized Township representative may inspect a mobile home park periodically to determine compliance with this Ordinance. As a result of such inspection, the Township Supervisors may give notice for any violations of this Ordinance.

905 - PARK CONSTRUCTION REQUIREMENTS

905-A - SITE LOCATION

The location of all mobile home parks shall comply with the following minimum requirements:

1. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas, or other potential breeding places for insects or rodents.
2. Not subject to flooding.
3. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

905-B - SITE DRAINAGE

1. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts, and related facilities shall be provided to permit the unimpeded flow of natural water courses and to insure the adequate drainage of all locations within the park.
2. A drainage plan shall be prepared and submitted for review and approval by the Township prior to the granting of a permit for any mobile home park.
3. All storm water facilities shall be kept completely separate from any sanitary waste facilities.

905-C - SOIL AND GROUND COVER REQUIREMENTS

1. Ground surfaces in all parts of every park shall be paved or planted with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
2. All paving and/or planting shall be designed in accordance with the storm water drainage plan.
3. Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests.

905-D - PARK AREAS FOR NON-RESIDENTIAL USE

1. No part of any park shall be used for non-residential purposes, except such uses that are required for recreation, direct servicing, management, utilities, or maintenance of the park and its residents.
2. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

905-E - SETBACKS, BUFFER STRIPS, AND SCREENING

1. Mobile homes in parks shall be located at least seventy (70) feet from the centerline of any abutting existing or proposed public local street and eighty (80) feet from the centerline of any abutting existing or proposed public collector street.
2. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a park street, or common parking area or other common areas and structures.
3. Mobile homes shall be located at least twenty-five (25) feet from any park property line and at least ten (10) feet from any side or rear mobile home lot line.
4. Mobile home parks located adjacent to any industrial or commercial land use shall be designed to provide an area for screen planting (trees, shrubs) along the property boundary line separating the park from such adjacent use.

905-F - PLACEMENT OF MOBILE HOMES

1. Mobile homes, including any additions or accessory structures attached thereto, shall be separated from each other and from other buildings and structures by at least twenty (20) feet on all sides.
2. All mobile homes shall be properly placed upon a mobile home stand and securely fastened to the foundation. In no instance shall it be placed upon jacks, loose blocks, or other similar arrangements.

3. 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. Anchors or tie-downs, such as cast-in-place concrete "dead men", eyelets embedded in concrete screw augers, or arrow head anchors shall be placed at each corner of the mobile home stand and at intervals of at least 20 feet. Each device shall be able to sustain a minimum load of 4,800 pounds.
4. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

905-G - PARK STREET SYSTEM

1. Safe and convenient vehicular access shall be provided from abutting public streets or roads.
2. The entrance road, or area, connecting the park with a public street or road shall have a minimum pavement of thirty-six (36) feet.
3. A minimum pavement width of thirty-six (36) feet shall be required on all internal streets.
4. All streets shall be designed and constructed in accordance with Section 403-C, 403-D, 403-E, 403-F, 403-G, 403-H, and 502-A of this Ordinance.
5. All streets within a mobile home park shall be privately owned and maintained.

905-H - OFF STREET PARKING AREAS

A paved off street parking space for two (2) motor vehicles shall be provided at each mobile home lot. Each space shall be 10' x 20'.

905-I - WALKS

1. All mobile home parks shall be provided with pedestrian concrete walks on both sides of the street. Such walks shall be at least four (4) feet in width.
2. All mobile home lots shall be connected to a pedestrian walk with an individual concrete walk at least two and one half (2 1/2) feet in width.
3. All pedestrian walks shall be constructed in accordance with Section 504 of the Menallen Township Subdivision and Land Development Ordinance.

905-J - MOBILE HOME LOTS

1. All lots shall abut and be accessible from a park street
2. Mobile home lots within the park shall have a minimum area of six thousand (6,000) square feet and a minimum width of fifty (50) feet measured perpendicular to side yard line for a single wide mobile home or a minimum area of seventy five hundred (7,500) square feet and a minimum width of sixty (60) feet for a double wide mobile home, with a maximum of five (5) units per acre.
3. Each mobile home lot shall be improved to provide a mobile home stand and adequate frost free foundation for the placement of the mobile home unit.
4. An individual lot in a mobile home park shall not be sold separately unless an application for resubdivision is made to the Township in accordance with Section 307 of the Menallen Township Subdivision and Land Development Ordinance.

905-K - RECREATION AREAS

In all mobile home parks, a recreation area or areas with suitable facilities shall be maintained within the park for the use of all park residents. Such recreation areas:

1. Shall not be located in areas which are unsuitable or hazardous.
2. Shall be so located as to provide reasonable access by all park residents.
3. Shall not include less than ten (10) percent of the gross area of the mobile home park or 2,500 square feet, whichever is greater.

906-A - WATER SUPPLY

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 Pennsylvania Department of Environmental Resources or other authorities having jurisdiction.

906-B - SOURCE OF SUPPLY

1. The water supply shall be capable of supplying a minimum of 250 gallons per day per mobile home.
2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

3. 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 grounds, have free drainage by gravity to the surface of the ground.
4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources.

906-C - WATER STORAGE FACILITIES

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

906-D - WATER DISTRIBUTION SYSTEM

1. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with state and local regulations.
2. The water piping system shall not be connecting with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
3. The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.
4. Where a public supply of water is provided, fire hydrants shall be installed as agreed upon by the Board of Supervisors and the agency responsible for supplying water.

906-E - INDIVIDUAL WATER-RISER PIPES AND CONNECTIONS

1. Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection point possible and decreasing susceptibility to water pipe freezing.
2. The water-riser pipe shall have a minimum inside diameter of three-quarters (3/4) of an inch and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
3. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipe and to protect risers from heaving and showing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

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

907 - SEWAGE DISPOSAL

An adequate and safe sewage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Resources and Menallen Township.

907-A - INDIVIDUAL SEWER CONNECTIONS

1. Each mobile home stand shall be provided with at least a four (4) inch diameter sewer-riser pipe. The sewer-riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
2. The sewer connection shall have nominal inside diameter of not less than three (3) inches, and the slope of any portion thereof shall be at least one-quarter (1/4) inch per foot. All joints shall be watertight.
3. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent, and durable. The inner surface shall be smooth.
4. Provisions shall be made for plugging the sewer-riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half (1/2) inch above the ground

907-B - SEWER LINES

1. Sewer and water lines shall be laid in separate trenches with a horizontal distance of at least ten (10) feet from each other, except that these lines may be laid in the same trench by placing the water pipe on a shelf of undisturbed earth above and to one side of the caulked tight sewer line. All sewer lines shall be constructed of materials approved by the Pennsylvania Department of Environmental Resources, and shall have watertight joints.
2. Sewers shall be at a grade which will insure a velocity of two (2) feet per second when flowing full. The system shall be designed adequate for a minimum flow of 200 gallons per day per mobile home.

907-C - SEWAGE TREATMENT AND/OR DISCHARGE

1. Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Resources and Menallen Township prior to construction.
2. Where sewage treatment is to be provided by an on-site septic system, the minimum lot size shall be 1 acre per mobile home. If a community on site septic system is used, a suitable area for a replacement system shall be reserved.

908 - ELECTRICAL DISTRIBUTION SYSTEM

908-A - GENERAL

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 regulating such systems.

908-B - POWER DISTRIBUTION LINES

All power distribution lines shall be installed underground in accordance with the supplier's regulations. All other utilities, such as telephone, community cable television service, etc., shall also be installed underground in accordance with the individual utility's specifications governing such systems.

908-C - INDIVIDUAL ELECTRIC CONNECTIONS

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

908-D - REQUIRED GROUNDING

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

909 - SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

909-A - APPLICABILITY

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

1. Management offices, repair shops, and storage areas.
2. Laundry facilities.
3. Indoor recreation areas.

909-B - FACILITIES

1. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
2. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

909-C - STRUCTURAL REQUIREMENTS FOR BUILDINGS

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

910 - REFUSE HANDLING

The storage, collection, and disposal of refuse in the mobile home park shall be so constructed as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution, and shall comply with all applicable Township and State regulations.

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

911 - INSECT AND RODENT CONTROL

Grounds, buildings, and structures shall be maintained free of insects and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable Township and State regulations.

912 - FUEL SUPPLY AND STORAGE

912-A - NATURAL GAS SYSTEM

1. Natural gas piping systems when installed in mobile home parks shall be approved by the utility company providing the service.
2. Each mobile home lot provided with piped gas shall have an approved shut off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

912-B - LIQUEFIED PETROLEUM GAS SYSTEMS

Liquefied petroleum gas systems provided for mobile homes, service buildings, or other structures, when installed, shall be maintained in conformity with any applicable rules and regulations and shall include the following:

1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside each mobile home and accessory building and shall be maintained in effective operating condition.
3. All LPG piping outside the mobile home shall be buried and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
4. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home, or any other structure.

912-C - FUEL OIL SUPPLY SYSTEMS

1. All fuel oil systems provided for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with any applicable rules and regulations.
2. All storage tanks shall be protected from physical damage.
3. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall have shutoff valves located within five (5) inches of the storage tanks.
4. All fuel storage tanks and cylinders shall be securely placed and under no circumstances located less than five (5) feet from any mobile home exit.

913 - FIRE PROTECTION

913-A - LOCAL REGULATIONS

1. Fire extinguishers of a type approved by the Fire Underwriter Laboratories (A B-C classification type) bearing the Underwriters' label, shall be readily accessible to each mobile home. The mobile home park owners shall require each mobile home to be equipped with a fire extinguisher and smoke alarm.
2. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.
3. No gasoline containers shall be stored within 5 feet of a mobile home.

913-D - COMPLIANCE

All methods of fire protection employed shall be in compliance with any applicable state and federal laws.

914 - REQUIRED ILLUMINATION OF PARK STREET SYSTEMS

All parks shall be furnished with lighting units so spaced and equipped with luminescence of at least one and one-half (1.5) foot candles for the safe movement of pedestrians and vehicles at night.

915 - SINGLE MOBILE HOMES

1. Any single mobile homes shall meet the specifications for manufacture of mobile homes as set forth in U.S. Standards Institute, Standards for Mobile Homes, USA Standard A 119.1-1969, NFPA No. 501B-1968, and any subsequent modification or amendment of such standards.
2. If a mobile home is erected and maintained as a single family dwelling other than a mobile home park, the lot size, set back, sewer, and water requirements shall be the same as for a single family home, and in addition, placement and base enclosure requirements shall be the same as of mobile homes placed in mobile home parks.

916 - MISCELLANEOUS REQUIREMENTS

916-A - RESPONSIBILITIES OF THE PARK MANAGEMENT

1. The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate park management to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.
2. The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.
3. The park management shall give the Township Building Inspector or other authorized Township representative free access within reason to all mobile home lots, service buildings, and other community service facilities for inspection purposes.
4. The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park. The management shall notify the appropriate officer in accordance with the state and local taxation laws of the arrival and departure of each mobile home.

916-B - REMOVAL OF MOBILE HOMES

No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township without first obtaining a permit from the Township Tax Collector as required by Act of the General Assembly of July 8, 1969, P.L. 130 Section 1. Such permit shall be issued upon payment of a fee as required by the fee schedule currently in force in the Township, and any real estate tax assessed against the home and unpaid at the time the permit is requested.

917 - NOTICES AND REVOCATION OF LICENSE

917-A - NOTICES

Whenever the Township Supervisors or other authorized Township representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation to the person to whom the permit, and/or certificate or license was issued, as hereinafter provided. Such notice shall:

1. Be in writing.
2. Include a statement of reasons for its issuance.
3. Allow a reasonable time for the performance of any act it requires.
4. Be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state.
5. Contain an outline or remedial action which, if taken, will effect compliance with the provisions of this Ordinance, or any part thereof, and with the regulations adopted pursuant thereto.

917-B - REVOCATION OF LICENSE

In addition to the provisions land penalties for violations as given in Sections 916 and 917 of this Ordinance, the Township may give reasonable notice for the remedying of violations and if such violations are not remedied within the prescribed period of time, the township may declare the license revoked.

918 - PENALTIES

Any person who violates any provisions of Article IX shall be subjected to the same penalties as prescribed under Article 802 of this Ordinance.

919 - SEVERABILITY CLAUSE

If any provision of the Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.

ARTICLE X - ENACTMENT AND REPEAL

1001 - REPEAL

All ordinances or parts of ordinances in conflict herewith be and the same are repealed.

1002 - ENACTMENT

This Subdivision and Land Development Ordinance shall become effective on January 1, 1993, and shall remain in force until modified, amended, and/or rescinded by the Board of Supervisors of Menallen Township, Adams County, Pennsylvania. Ordained and enacted this 10th day of December, 1992.

MENALLEN TOWNSHIP BOARD OF SUPERVISORS

Donald O. Blak

CHAIRMAN

Eugene C. McAuliffe

ATTEST:

Nancy S. Cline
SECRETARY

ORDINANCE NO. 2005 - 2

AN ORDINANCE OF THE TOWNSHIP OF MENALLEN, ADAMS COUNTY, PENNSYLVANIA, AMENDING SECTION 407.7.B.(1) (Lot Dimensions and Minimum Requirements for Residential Development) OF PART 4 (Design Standards) OF CHAPTER 22 (Subdivision and Land Development) OF THE CODE OF ORDINANCES TO REQUIRE OF MINIMUM LOT AREA OF 15,000 SQUARE FEET FOR EACH RESIDENTIAL UNIT PROVIDED WITH PUBLIC WATER AND SEWER.

The Board of Supervisors of Menallen Township hereby ordains as follows:

Section 1. The table of spatial requirements contained in Chapter 22 (Subdivision and Land Development), Part 4 (Design Standards), section 407.7.B.(1) (Lot Dimensions for Residential Developments) is hereby revised to provide in the row labeled "Area per unit in sq. ft.", and the column entitled "Public Water and sewer", that 15,000 square feet of lot area must be provided for each residential unit in a residential development.

Section 2. In all other respects and except as provided in Section 1. above, the table provided in Chapter 22 (Subdivision and Land Development), Part 4 (Design Standards), section 407.7.B.(1) (Lot Dimensions for Residential Developments) is hereby confirmed.

Section 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

ENACTED AND ORDAINED this 14 day of July, 2005.

TOWNSHIP OF MENALLEN

Attest:


Nancy A. Cline
Its Secretary

Alan W. Black
Chairman

Kenneth C. Wolf
Supervisor

Supervisor