

CHAPTER 14

SUBDIVISION AND LAND DEVELOPMENT

ARTICLE I

AUTHORITY AND PURPOSE

History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 95-5-2, May 10, 1995 as amended by Ordinance No. 98-4-5, April 8, 1998, and Ordinance No. 99-5-2, May 12, 1999, and Ordinance 03-05-03, May 14, 2003, and Ordinance No. 03-06-04. The following Ordinances were repealed by Ordinance No. 42, October 6, 1982: Ordinance No. 30, June 26, 1979, Ordinance No. 31, June 26, 1979, Ordinance No. 31, June 26, 1979, and Ordinance no. 1-80-33, June 4, 1980 and 2004-05-03, May 12, 2004. The following Ordinances were repealed by Ordinance No. 95-5-2, May 1995: Ordinance No. 10, August 1960; Ordinance No. 10A, June 1969; Ordinance No. 22, April 1970; Ordinance No. 42, October 6, 1982. Further amended by Ordinance No. 2004-02-01, February 11, 2004; Ordinance No. 2004-05-03, May 12, 2004; Ordinance No. 2004-12-09, December 8, 2004, Ordinance No. 2005-06-01, June 8, 2005, Ordinance No. 2007-02-03, February 14, 2007, Ordinance No. 2008-06-03, June 11, 2008, Ordinance 2010-11-03, November 8, 2010, Ordinance 2011-12-05, December 14, 2011 and Ordinance No. 2022-02-01, February 9, 2022.

§14-101. Authority

This Chapter is adopted by authority of and pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and all subsequent amendments.

§14-102. Purpose

This Chapter has been designed and adopted to provide uniform standards and procedures for the regulation and control of subdivision, mobile home parks and land development within the Township of Center. The purpose of this Chapter is to:

- A. Promote the public health, safety, morals and general welfare;
- B. Assure that the arrangement of each subdivision, mobile home park and land development furthers the safe and orderly development of the Township by guaranteeing that proposed streets and other proposed public improvements will be coordinated with existing improvements; to facilitate future traffic and access; and to assure that sanitary sewer and water supply systems are of sufficient capacity and meet acceptable health standards;
- C. Safeguard land subject to flooding, high water table, subsidence, high voltage electric and/or high pressure gas lines from development that

would aggravate these circumstances;

- D. Minimize erosion and sedimentation, destruction of natural plant materials, the grading of the land surface, and protect all natural resources of the Township; and
- E. Establish criteria for the development of mobile home parks that will ensure healthy living conditions for park residents, as well as, protect the surrounding properties.

§14-103. Jurisdiction

- A. The provisions of this Chapter shall be enforced by an administrator appointed by, and responsible to, the Board of Supervisors. He/she shall have the authority to receive applications for subdivision and/or land development, to determine the completeness of the applications and to forward complete applications to the Planning Commission, Township Engineer, and others as required by this Chapter.
- B. The Planning Commission shall have the authority to review and recommend subdivision and land development approval pursuant to this Chapter.
- C. The Planning Commission shall have the power to recommend to the Board of Supervisors, the adoption of amendments to this Chapter proposed by either body or by a landowner.
- D. The administrator shall evaluate and ensure the compliance of the construction with the terms of the approved plans by completing on-site inspections, at his/her discretion. Any discrepancies from the approved plan shall be communicated to the developer, in writing, with such notice demanding compliance within thirty (30) days from receipt of such notice.
- E. In the event that, within the thirty (30) day period, a developer fails to correct a violation as noted by the administrator, the administrator shall follow the enforcement procedures as identified in Article XIV.

§14-104. Effect

No landowner shall lay out, construct, open or dedicate any street, sewer, water main or other improvement for public use, travel or other purpose or for the common use of occupants of buildings abutting thereon; or sell, transfer, or enter into an

agreement to sell any land in a subdivision or land development located in the Township, whether by reference to or by other use of a plat of such, or erect any building thereon, or extract and/or process minerals, unless and until a final plat has been prepared in full compliance with the provisions of this Chapter where applicable and such has been finally approved and recorded as provided herein.

§14-105. Application

The provisions set forth herein shall be held to be the minimum requirements necessary to meet the stated purpose of this Chapter and the general purposes of the aforesaid Pennsylvania Municipalities Planning Code, as amended. In addition, compliance with the provisions enumerated herein and all current land use regulations cross-referenced within this Chapter amendment text shall be deemed to be in compliance with the community development goals and objectives as stated in the Center Township Comprehensive Development Plan. All design, development, and construction shall be in compliance with the Pennsylvania Uniform Construction Code (see Chapter 2), the Center Township Codification of Ordinances, and all other local, state, and federal regulations.

ARTICLE II

DEFINITIONS

§14-201. Strict Construction

Unless otherwise expressly stated or where the context clearly indicates otherwise, the following words shall, for the purpose of this Chapter have the meaning herein indicated:

- A. Words used in the present tense include the future tense.
- B. The singular includes the plural.
- C. The word "person" includes a corporation, partnership or similar legal entity as well as an individual.
- D. The word "lot" includes the word "plot" or "parcel".
- E. The term "shall" is always mandatory.
- F. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

§14-202. Definitions

APPLICANT: A landowner or developer who has filed an application for approval of a subdivision or land development including his heirs, successors and assigns.

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

BERM: That portion of a street lying on either side of a cartway between the edge thereof and the adjacent road ditch, intended primarily for stopping and parking purposes.

BUILDING: See "Structure."

BUILDING LINE: A line parallel to the front, side or rear lot line set so as to provide the required yard (building setback).

BUILDING, PRINCIPAL: The building or portion thereof housing the main or primary use of the land.

CARTWAY: That portion of a street or alley which is improved, designated, intended, used or capable of being used for vehicular travel.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a given distance from the intersection of the center lines.

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

COUNTY: The County of Butler, Commonwealth of Pennsylvania.

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

DENSITY (Conventional or clustered subdivision): The area of a lot or group of lots computed exclusive of any portion of the right-of-way of any road, divided by the number of families housed on the lot or group of lots.

DEVELOPER: Any landowner, agents 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.

DEVELOPMENT PLAN: The written and graphic provisions describing a proposed development in sufficient detail so that its compliance with the requirements of this Chapter may be conclusively judged.

DISTRICT, ZONING: A section of the municipality for which uniform regulations governing the use, height, area and intensity of use of buildings and land and open spaces about buildings are established.

DRAINAGE: See "Watercourse."

DWELLING UNIT: Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit, including mobile home, cottages, camp trailers, tents or other such facility whether or

not occupied or intended to be occupied on a permanent basis.

EASEMENT: A grant of the specified use of a parcel of land to the public, a corporation or a person.

ENGINEER: A professional engineer licensed as such in the Commonwealth of Pennsylvania.

EROSION: The removal of surface materials by the action of natural elements.

EXCAVATION: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or disturbed and any conditions resulting therefrom.

FILL: 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 and shall include the condition resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

FLAG LOT: A parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon, which has frontage on a public (or private) street by a narrow strip of land, not less than fifty feet (50') wide. The building line of such lot shall be measured from the point where the lot widens, as measured from the street right-of-way. (See Figures #10 and 18)

FLOOD: The temporary condition of partial or complete inundation of normally dry land areas from: (a) the overflow of inland waters and/or (b) the unusual and rapid accumulation of runoff of surface waters from any source.

FLOODPLAIN: The area adjacent to a watercourse or other water body which is periodically or likely to be flooded.

FRONTAGE: Lot boundary lines that are adjacent to a street.

IMPROVEMENTS: Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including but not limited to: grading, paving, curb, gutter, stormwater sewers, individual sanitary sewage system, improvements to existing watercourses, sidewalks, crosswalks, street

signs, monuments, water supply and water distribution systems and facilities, sanitary sewers, sanitary sewerage collection systems, sanitary sewage treatment plant facilities and construction or demolition of a structure.

IMPROVEMENT BOND: Surety, in a form acceptable to the Township Solicitor, in the form of cash, a certified check or irrevocable letter of credit from a federal or Commonwealth-chartered lending institution, a corporate performance bond or a labor-and-material payment bond from a surety company authorized to conduct business in the commonwealth, which guarantees the satisfactory completion of improvements required by this Chapter.

LANDFILLS: The use of land for the disposal of solid, municipal, residual or hazardous waste as such terms are defined and such use is regulated by the Solid Waste Management Act, the act of July 7, 1980, P.L. 380, Number 97, 35 P.S. 6018.101 et seq., as amended, or its successor statute.

LAND DEVELOPMENT: Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving: A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accordance with Section 503 (1.1) of the Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, and subsequent amendments thereto.

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 condition). A lessee to exercise the rights of the landowner, or other person, partnership, corporation or association having a proprietary interest in land, shall be

deemed to be a landowner for the purpose of this Chapter.

LOT: A tract or parcel of land held in single or separate ownership, that is described by reference to a recorded plat or by metes or bounds, and is intended as a unit for transfer of ownership, use, improvement, dedication or for development.

MANUFACTURED HOUSING: Any factory-built single-family structure, including mobile and modular homes, manufactured under the authority of the National Manufactured Home Construction and Safety Standards Act, is transportable in sections, or built on a permanent chassis and titled, and is used as a place of human habitation.

MEDIATION: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

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

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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 lots for the placement thereon of mobile homes.

MODIFICATION OR WAIVER: Relief from the literal provisions of this Chapter when the subdivider can show that a provision of this Chapter would cause unnecessary hardship if strictly adhered to and due to topographical or other conditions peculiar to the site, and in the opinion of the Planning Commission, a modification or waiver may be made without destroying the intent of such provision, the Planning Commission recommends such a modification or waiver. The Board of Supervisors may authorize such relief through the granting of a modification or waiver from the strict application of the provision

causing the unnecessary hardship. Any relief thus authorized shall be entered in the minutes of the Board of Supervisors along with the reasons justifying the modification or waiver. (Section 14-301)

MUNICIPALITY: The Township of Center, Butler County, Pennsylvania.

NET ACREAGE: That land remaining on a parcel or tract following the subtraction of areas identified as rights-of-way, easements, stormwater management facilities and systems, and land classified as a wetland.

NET DENSITY: The maximum number of dwelling units which can be built on a parcel or tract of land after subtracting land used for rights-of-way, easements, stormwater management facilities and systems, and land classified as a wetland, floodplain or in excess of twenty-five percent (25%) slope.

OFFICIAL MAP: The adopted map of Center Township, identifying existing and proposed rights-of-way, watercourses, public property, parks, pedestrian ways, utility and drainage easements and floodplains, and stormwater management areas.

OFF-STREET PARKING: A temporary storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

PARCEL: See "Lot."

PARKING: Any lot, parcel, or yard used in whole or in part for the storage or parking of two (2) or more vehicles where such usage is not incidental to or in conjunction with a one family or two family dwelling.

PLANNING COMMISSION OR COMMISSION: The duly appointed Planning Commission of the Township of Center, Butler County.

PLAT: The map or plan of a subdivision or land development, whether preliminary or final.

PLOT: See "Lot."

PROFESSIONAL CONSULTANT (S): A person or persons who provide expert or professional advice, including but not limited to architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

PUBLIC GROUNDS: Includes (1) parks, playgrounds and other public areas; (2) sites for schools, sewage

treatment, refuse disposal and other publicly owned or operated facilities.

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

PUBLIC IMPROVEMENTS: All roads, streets, walkways, gutters, curbs, sewers, waterlines, stormwater management facilities, landscaping, street lighting, traffic control devices and other facilities to be dedicated to or maintained by the Township for which plans and specifications must comply with the standards and specifications of the Township.

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

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

RECREATION: Those types of land use classified as recreational as per the provisions of the Center Township Zoning regulations (Chapter 20).

RECREATIONAL VEHICLE PARK: Any lot or parcel of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles for temporary living quarters for recreation or vacation purposes.

RIGHT-OF-WAY: Land reserved for use as a street, alley, interior walk, or other public purpose and dedicated for public use; all must be recorded in the County Recorder of Deeds Office. For purpose of this Chapter, public right-of-way lines shall prevail over private parcel lines that are designated as falling within the public right-of-way. When a lot abuts a right-of-way of a public thoroughfare or alley, all applicable lot area and front, side and rear lot requirements shall be computed from the public right-of-way line.

ROAD: The entire right-of-way of a public or private street or highway.

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

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

SEDIMENTATION: The process by which mineral or organic matter is assimilated 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".

SETBACK: The minimum distance that a structure can be located from a right-of-way or property front, rear and side line or another structure, thereby creating a required open space on the lot.

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 as a ratio based upon vertical difference in feet per one hundred feet (100') of horizontal distance.

STABILIZATION: Natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability or otherwise improve its engineering properties and resistance to erosion.

STREET: Street includes street, avenue, boulevard, road, highway, freeway, parkway, land, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private and for the purposes of this Chapter shall be classified as follows:

- A. Arterial streets are those which are used primarily for through, fast or heavy traffic at high volumes.
- B. Collector streets are those which carry traffic at moderate volumes from minor streets to a major system of arterial streets, including principal entrance streets, of a residential development and streets for major circulation within such developments.
- C. Minor streets are those which are used primarily for access to the abutting properties and which accommodate low volumes of traffic.
- D. Marginal access streets are minor streets which

are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

- E. Private drives, including alleys, are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

STRUCTURE (Building): Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Structures include, but are not limited to, buildings, sheds, signs and landfills.

SUBDIVIDER: See "Developer."

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

SUBDIVISION, MINOR: Any subdivision abutting or accessible to, by a minimum fifty foot (50') right-of-way, an existing public street or road involving not more than four (4) lots plus residual land area which *must* also be a conforming lot for area and dimensions, parcels of land, or other division of which does not require a new street, the installation of sanitary sewers, stormwater sewers, water mains or pipes, or other public improvements.

TOWNSHIP: The Township of Center, Butler County.

TOWNSHIP ENGINEER: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for Center Township.

TRACT: A lot or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development.

USE: The purpose of the activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained. The term "permitted use" or "use by right," or its

equivalent, shall not be deemed to include any nonconforming use.

WATERCOURSE: A permanent or intermittent stream, river, brook, creek, or a channel or ditch for the collection and conveyance of water, whether natural or man-made.

WETLANDS: Those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does support, a prevalence of vegetative or aquatic life requiring saturated soil conditions for growth and reproduction. Wetlands shall be determined by applicable State and Federal regulations.

YARD: An unoccupied space open to the sky, on the same lot with a building or structure.

ZONING MAP: The official Zoning Map or Maps of Center Township, which are part of the Center Township Zoning Ordinance, and all amendments thereto.

ZONING OFFICER: The duly appointed administrative officer designated to administer the Zoning Ordinance and issue zoning or building permits.

ARTICLE III
MODIFICATIONS

§14-301. General

Where the Board of Supervisors finds that undue hardships because of peculiar conditions pertaining to the land in question may result from the literal enforcement of this Chapter, they may grant a modification from the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Center Township Comprehensive Plan or this Chapter. The conditions of such modification or waiver are as follows:

- A. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Chapter involved and the minimum modification necessary.
- B. The request for modification shall be referred to the Planning Commission for advisory comments and recommendation.
- C. The Board of Supervisors as the authorizing body shall keep a written record of all action on all requests for modifications.

§14-302. Land Development

The standards and requirements of this Ordinance are the minimum necessary to protect the health, safety and general welfare of current and future Township residents. Where a higher standard is in effect, and such activity is under the jurisdiction of any County, State, or Federal agency because of health or safety concerns, the Board of Supervisors shall hold the development proposal to that higher standard, although enforcement of such standards shall be the responsibility of the agency with jurisdiction. The Board of Supervisors, following the recommendations of the Planning Commission, shall require that all land development proposals provide for adequate public space and improvements, for adequate transportation circulation, recreation, light, air and utility service needs when fully-development and populated, and which also provides such covenants and other legal provisions as will assure conformity with all land use

regulations in effect at the time of approval and achievement of the development goals of the plan.

- A. Mobile Home Parks: See Article XI. Provisions may be modified as per Section 14-301 of this Chapter.
- B. Other Land Development: Plans for other types of land development not involving the process of subdivision, including, but not limited to, cottage and cabin sites, campgrounds, fairgrounds, industrial parks, extraction and/or processing of minerals including oil and gas, shopping centers, educational campuses, and institutional facilities and similar nonresidential development shall be subject to review and recommendation by the Planning Commission and approval by the Board of Supervisors in compliance with Section 14-404, and the appropriate provisions of ordinances cross-referenced herein, including the Center Township Zoning Ordinance and Comprehensive Plan. Prior to approval, evidence of compliance with the rules and regulations of all applicable State and County agencies will be required.

§14-303. Waiver of Sketch Plan

Waiver of Preapplication Conference (Sketch Plan Submission): The Planning Commission may waive the sketch plan submission requirement of Section 14-402 upon favorable report by the staff that the initial formal plan submission is complete and in suitable form for processing.

ARTICLE IV

APPLICATION AND REVIEW REQUIREMENTS

§14-401. General

When a subdivision or land development within the Township is submitted for approval, an application for development, on a form provided by the Township, shall be submitted to the Planning Commission for review and recommendation. Said application shall be preceded by a preapplication conference; shall consist of such plans, data, certifications, and other supporting documentation and approvals, as herein enumerated; shall be filed in stages (preliminary and/or final), where applicable; shall be accompanied by such fees, and shall be subject to such conditions as hereinafter specified or otherwise provided for within this Chapter.

§14-402. Preapplication Conference

- A. Prior to the filing of an application for review and approval of a proposed subdivision and/or land development, the developer shall submit a sketch plan to the Township staff for comment on the requirements necessary to achieve conformity to the standards and other provisions of this Chapter, except as provided for in Section 14-303; as well as make the developer aware of other factors pertinent to the design and approval of the subdivision or land development. The preparation of a sketch plan shall not constitute the filing of an application for approval of a plat.
- B. Sufficient information shall be provided on the sketch plan to clearly indicate the character and extent of the proposed subdivision or land development, and its relationship to existing natural features conditions and public facilities within the area in which the land is situate. Such submissions should include a map establishing the location of the proposed plat and a plan showing any existing or proposed streets, property lines, building sites, utilities, natural features, including topographic contours, and any other significant elements within the subdivision or land development. Such plans are not required to be engineered drawings but must be drawn to scale.

§14-403. Preliminary Plans

- A. Preliminary Plan Approval Required: Except in

the case of minor subdivision (See Subsection 14-403 G), Preliminary Plan approval is required where public improvements are proposed, as a condition precedent to the filing of an application for final approval of a proposed subdivision or land development.

- B. Preliminary Plat Requirements: Preliminary plats shall be drawn on a twenty-four inch by thirty-six inch (24" x 36") or a "D" size plot, sheets of linen, mylar, or similar material and shall be accompanied by the following information in the scale or format specified:
 1. Location Map: A diagram of the surrounding area shown in a six inch by six inch (6" x 6") minimum frame, in sufficient detail to clearly indicate the location of the proposed subdivision or land development within the Township boundaries, based on a USGS 7.5 minute quadrangle with the subject parcel at the approximate center.
 2. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names of owners of all abutting subdivisions or land developments.
 3. Subdivision or Land Development Plat: A plat of the lot or lots to be formed or developed, drawn to a scale not smaller than one hundred feet (100') to one inch (1"), and showing the tax parcel number, names of abutting property owners, and zoning district, plus the following information:
 - a. Existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
 - b. Existing streets and driveways on or adjacent to the tract, and within two hundred feet (200') of the boundary line of the tract or land development site, including name, right-of-way width and pavement width.
 - c. Existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant

- man-made features on or adjacent to the tract, and within two hundred feet (200') of the boundary line of the tract or land development site.
- d. Existing watercourses, marshes, wetlands, rock outcroppings, wooded areas and areas subject to flooding.
 - e. Existing and proposed contours at vertical intervals of five feet (5'), or in the case of relatively level tracts, at such lesser interval as shall be dictated by the Township Engineer. Datum to which contour elevation refer shall be United States Coast and Geodetic Survey datum or existing benchmarks previously recorded.
 - f. Location, width, approximate grade and name of all proposed streets and the location and purpose of all proposed easements.
 - g. Indication of the buildable area of each proposed lot, with approximate dimensions of each lot or building line; minimum building line along all streets and easements; and all parcels proposed to be dedicated or reserved for public or semi-public use.
 - h. Area of each parcel including the remaining land not proposed for platting, lot or site identification numbers, and location of any percolation tests or wells.
 - i. Location of any proposed site improvements such as curbs, sidewalks, street lighting and street trees.
 - j. Proposed site grading showing areas to be filled and areas to be cut, with approximate finished grades of slopes shown by percentage.
 - k. In the case of all multi-family and nonresidential developments, the approximate location and configuration of proposed buildings, parking areas, walkways, recreation areas and/or facilities, and other development features.
 - l. An indication of the general location and size of proposed water mains, fire hydrants, sanitary sewers and stormwater management facilities and lines. (May be shown on a separate plan.) The preliminary size of each line should be shown as well as the locations or distances to any existing line to be connected to, with the size of such existing lines indicated.
 - m. Standard map symbols (Exhibit #1 of the Center Township Standard Construction Details).
 - n. Exhibits to text or information locating known preexisting and open water, gas or oil wells, and tree masses.
 - o. Exhibits to text or information locating soils, deep-mines and/or subsurface water conditions that may affect the land surface.
 - p. A drawing which locates existing septic fields and leeching beds.
4. Plat Data: Title identifying the subdivision or land development and the municipality in which located, name and address of the developer, scale and north point of the subdivision plat (and of the tract map in separate diagram), date of plan, narrative of activity proposed, number of dwelling units and/or structures by type, certification and seal of the engineer and any other professional responsible for the plan, and including appropriately worded signature blocks.
- C. Data to be Submitted with the Preliminary Plat: Preliminary plat submission shall be accompanied by the following:
1. In cases where the preliminary plat covers only a portion of the developer's tract, a sketch plan for the entire tract shall be required.
 2. Preliminary cross sections showing the dimensions and construction of streets and any curbs and/or sidewalks.
 3. A preliminary Erosion and Sedimentation Control Plan, pursuant to the Rules and Regulations of the Pennsylvania Department of Environmental Protection and the standards of this Chapter and the County Erosion and Sediment Control

Handbook.

4. A traffic impact analysis, where in the opinion of the Planning Commission or Township Supervisors, proposed development will affect the circulation of vehicular traffic at key intersections and within the area proposed for subdivision generally.
 5. A description of the proposed method of providing potable water supply and sanitary sewerage disposal; percolation test data, when required; and/or water and sewerage engineering feasibility studies, when requested by the Planning Commission or Township Supervisors.
 6. A statement as to whether or not coal and mineral rights are to be conveyed with fee title to parcels to be sold together with any existing and proposed deed restrictions.
 7. A map overlay indicating all areas where it is known or suspected that surface or subsurface mining activities have occurred.
 8. Where the proposed subdivision or land development proposes the construction of any building or structure on or within three hundred feet (300') of any subsurface mined areas, or on or within fifty feet (50') of any surface mined area, the applicant shall submit, with his Preliminary plan, the information and data as set forth in Section 14-804 of this Chapter.
 9. A description of the method to be utilized and the organization formed for the maintenance of any common areas and facilities not to be dedicated.
- D. Review Procedure - Preliminary Plan: Applications for preliminary plat review and approval shall be submitted and processed in accordance with the following:
1. Application: Applications for preliminary plat approval shall be submitted to the Township for review by the Planning Commission. Seven (7) copies of the preliminary plat and two (2) copies of all data required to be submitted with said plat shall accompany the application. Any application filed less than fourteen (14) days prior to a regularly scheduled meeting of the Planning Commission shall not be accepted.
 2. Review by Other Agencies: Upon receipt of said application, the Planning Commission shall require the applicant to submit one (1) copy of the preliminary plat and any related documentation to the following officials and agencies, as appropriate, for their review and comment:
 - a. Board of Supervisors.
 - b. Township Engineer for review of required or proposed improvements.
 - c. Butler County Planning Commission for review and comment at the applicant's expense.
 - d. Pennsylvania Department of Transportation when the subdivision or land development will front on an existing or proposed Legislative Route, or will have a proposed street or access drive requiring access to such a route.
 - e. Pennsylvania Department of Environmental Protection for required comments relative to sanitary sewer extensions, erosion and sedimentation control or N.P.D.E.S. permits.
 - f. U.S.D.A. Soil Conservation Service for review in respect to drainage and erosion and sediment pollution control, where required.
 3. Approval of Plats - Preliminary:
 - a. The Board of Supervisors shall take action on a preliminary subdivision or land development plat within ninety (90) days of the first scheduled Planning Commission meeting following receipt of an application or after a final order of the Court remanding an application, as follows, unless a request for an extension of time, made in writing, is granted.
 - b. The action taken by the Board of Supervisors shall consist of approval, approval with conditions, or rejection of the plan, and:
 - 1) The decision of the Board of Supervisors shall be in writing and

shall be communicated to the applicant personally, or mailed to him by certified mail at his last known address not later than fifteen (15) days following the decision.

- 2) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provision of the statute or ordinance relied upon.
 - 3) Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- E. Effect of Preliminary Approval: Approval of the preliminary plat by the Board of Supervisors constitutes an approval of the proposed subdivision or land in respect to the general design, density, availability of utilities to serve the lot(s), general lot dimensions, access and other planned features. Preliminary approval binds the developer to the general scheme of the plan as approved and permits the developer to begin preparation of the final plan.
1. Preliminary approval does not authorize the recording, sale or transfer of lots.
 2. In the event that the developer wishes to begin the installation of the improvements required by this Chapter, and identified in the plans, he/she shall:
 - a. Provide all information required for final plat approval as identified in Sections 14-404 B and 14-404 C of this

Article.

- b. Deposit an inspection fee cash escrow in an amount equal to fifteen percent (15%) of the estimated cost for installation of the required improvements. All costs incurred by the Township Engineer in reviewing plans and completing inspections shall be paid by the developer/applicant.
 - c. Prior to the start of installation of the required improvements, a pre-construction meeting between the developer, all appropriate Township and public utility personnel, shall be held.
 - d. Provide at least forty-eight (48) hours notice to the Township prior to the start of construction of any of the required improvements as identified in Article VI of this Chapter.
 - e. Notify the Township upon completion of the required improvements by certified mail requesting approval of the improvements. The Township shall follow the inspection and approval process as identified in Section 14-504 of this Chapter.
 - f. Upon approval of the improvements by the Township, provide a fifteen percent (15%) maintenance security with the Township, for a period of eighteen (18) months.
- F. Preliminary Plan Time Limitation: When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or

prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

G. Minor Subdivision Application Option: In the case of a minor subdivision (as defined), the developer may apply directly for final plan approval in accordance with the procedures outlined in Section 14-404 of this Article and the plans and data requirements set forth herein. However, when multiple minor subdivisions within any given tract have been or are expected to be submitted for review, or when other circumstances warrant, the Board of Supervisors shall require such additional submissions, including full preliminary and final plan information in order that the purpose and intent of this Chapter may be met.

I. Minor Subdivision Plat Requirements:

- a. Location Map: A diagram of the surrounding area shown in a six inch by six inch (6" x 6") minimum frame, in sufficient detail to clearly indicate the location of the proposed subdivision or land development within the Township boundaries, based on a USGS 7.5 minute quadrangle with the subject parcel at the approximate center.
- b. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names of owners of all abutting subdivisions or land developments.
- c. Subdivision or Land Development Plat: A plat of the lot or lots to be created, drawn to a scale of one hundred feet (100') to one inch (1"), showing all lot

lines; right-of-way and the cartway width of the abutting street; any other existing rights-of-way and easements; adjacent underground utility lines; natural drainageways; all building lines; percolation test sites; location and description of survey monuments, existing structures, proposed water wells, septic systems, driveways and existing natural gas or oil wells; bearings and dimensions of all property and associated right-of-way lines; and acreage of all parcels including the remaining tract; and lot identification numbers.

d. Plat Data: Title identifying the subdivision and indicating the name of the Township, name and address of the applicant, scale and north point of the subdivision plat (and of the tract map if separate diagram), date of plat, certification and seal of registered engineer or surveyor, in accordance with the Professional Engineers and Land Surveyors Registration Law, appropriate language in signature blocks, and Certificate of Recording block.

2. Data to be Submitted with Plat:

- a. Percolation test data (when required).
- b. Copies of any existing or proposed deed restrictions or protective covenants.
- c. Private agreements or recorded covenants between or among property owners.
- d. Stormwater management plan in accordance with Chapter 21, Stormwater Management.

§14-404. Final Plans

A. Relationship to Preliminary Plans: Submissions for final plan approval shall be made within one (1) year from the date of preliminary plan approval and conform in all substantive details with preliminary plans, as previously approved, or such approval becomes null and void, except that where phased approval has been requested, the final plan shall cover at least

twenty-five percent (25%) of dwelling units proposed on the total subdivision or land development approved as preliminary plan and, furthermore, any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.

B. Final Plat Requirements: Final plats for the purpose of recording shall be drawn in ink on twenty-four inch by thirty-six inch (24" x 36") sheets of linen, mylar, or similar material, and shall be accompanied by the following information in the scale and format specified;

1. Location Map: A diagram of the surrounding area sufficient to clearly indicate the location of the proposed subdivision or land development within the Township boundaries.

2. Tract Information: A scaled drawing showing the boundaries of the entire tract to be subdivided or developed, any previous out-sales or lot transfers, the portion to be subdivided into lots or otherwise developed, and the names and recording data of all abutting subdivision or land developments.

3. Key Map: When final approval is sought for only a part of the plan given preliminary approval, a key map shall be provided showing the relationship of the preliminary plan to the section proposed for final approval.

4. Subdivision or Land Development Plat: A plat of the lot or lots to be formed or developed, drawn to a scale not smaller than one hundred feet (100') to one inch (1") and showing:

a. Primary control points, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.

b. Final rights-of-way, easements, and property and/or building lot lines with accurate dimensions, bearing or deflection angles; and radii, arcs and central angles of all curves.

c. Edge of existing or proposed street pavement, clear sight triangle, and

building setback lines with dimensions, including the radii of the edge of pavement at intersections with existing or proposed streets or access drives.

d. Street names, purpose of easements and other rights-of-way, and block, lot and/or parcel numbers.

e. Location and description of all survey monuments and markers.

f. Location of all watercourses, wetlands and floodplains and temporary erosion and sediment pollution control facilities.

g. Location and size of stormwater detention facilities as identified in Chapter 21, Stormwater Management.

h. Location and type of wastewater disposal system.

5. Plat Data: Title identifying the subdivision or land development and the municipality in which located, name and address of the developer, scale and north point of the subdivision plat (and of the tract map if separate diagram), date of plan, narrative of activity proposed, number of dwelling units and/or structures by type, certification and seal of the engineer and any other professional responsible for the plan in accordance with the Professional Engineers and Land Surveyors Registration Law, certification of title showing that the applicant is the landowner, appropriate worded signature blocks, and Certificate of Recording block.

C. Data to be Submitted with the Final Plat: Final plat submissions shall be accompanied by the following with all plans and drawings to be on sheets twenty-four inches by thirty-six inches (24" x 36"):

1. Profiles of all existing and proposed streets showing center line grades approved by the Township Engineer in accordance with the design standards of this Chapter; and showing the existing ground line.

2. Cross sections of existing and proposed streets showing the type of construction, depth and type of base material, the width of rights-of-way, width of cartway, curb

- construction, location and width of sidewalks, and locations and size of utility lines, where applicable.
3. Plans and profiles of proposed sanitary and/or stormwater sewers, with grades and pipe sizes indicated, and a plan of any proposed water distribution system, showing pipe sizes and location of valves and fire hydrants, as applicable.
 4. A final Erosion and Sedimentation Control Plan (See Subsection 14-403 C 3) including certification that permits required by the Pennsylvania Department of Environmental Protection have been issued.
 5. A final development plan of any single or multi-family units and nonresidential development, showing the location and dimensions and configuration of all buildings, streets, parking areas, walkways, recreation areas and/or facilities, watercourses wetlands and floodplains, stands of trees and other natural or man-made development features.
 6. Certification of preliminary plan approval and signed, executed agreement to provide service from the sewer and/or water authority, area water company with jurisdiction, and/or a Pennsylvania Department of Environmental Protection-approved planning module, for proposed public or private sanitary sewerage disposal and any revision to the Township's Department of Environmental Protection Act 537 Plan. Water supply and distribution facilities being provided by the developer must be inspected by the municipal authority with jurisdiction or the Pennsylvania Department of Environmental Protection, where applicable.
 7. Certification from a qualified engineer that:
 - a. The proposed development will not cause any environmental hazard or risk of subsidence.
 - b. The Final plan incorporates all measures and practices recommended in the subsidence risk assessment and/or geotechnical investigation report, and such measures and practices shall eliminate or avoid any environmental hazards or risks of subsidence.
- c. The Final plan satisfies all relevant Federal, State, County and municipal environmental standards.
 8. Evidence that the required financial security as a performance guarantee has been deposited with the Township following review by the Solicitor.
 9. Statement by developer offering the dedication of any streets, rights-of-way and land for public uses to be so offered; and evidence that the maintenance of any private or semi-public area or facility not being offered for dedication is assured through the creation of an organization for that purpose.
- D. Review Procedure - Final Plan: Applications for final plan review and approval shall be submitted and processed in accordance with the following:
1. Application: Applications for final approval shall be submitted to the Township for review by the Planning Commission. Seven (7) copies of the final plat, and two (2) copies of all other data required to be submitted with said plat shall accompany the application. Any application filed less than fourteen (14) days prior to a regularly scheduled meeting of the Planning Commission shall not be accepted.
 - a. The final plan submission shall cover at least twenty-five percent (25%) of all dwelling units proposed on the entire subdivision or land development as shown on the approved preliminary plan. In such cases, the applicant shall submit a tentative schedule for the development of the balance of the tract. The final plan submission requirements as set forth herein and procedures must be followed for each subsequent section prior to installation of improvements, recording, and sale or transfer of lots within such sections.
 - b. Failure of the applicant to adhere to the aforesaid schedule of submission of final plats for the various sections shall

- subject any section to any and all changes in zoning, subdivision/land development and other governing ordinances enacted by Center Township subsequent to the date of the initial preliminary plan submission.
2. Review by Other Agencies: Upon receipt of said application, the Planning Commission shall require the applicant to submit one (1) copy of the final plat and any related documentation to the following officials and such others, as appropriate, for their review and comment:
 - a. Board of Supervisors for review and final approval, subject to the ninety (90) day time limit established by Pennsylvania Municipalities Planning Code, unless a time extension has been legally granted.
 - b. Township Engineer for review of required or proposed improvements.
 - c. All applications for subdivision and land development shall be forwarded by the applicant to the Butler County Planning Commission for review and comment at the applicant's expense.
 3. Approval of Plats - Final:
 - a. The Board of Supervisors shall take action on a final subdivision or land development plat within ninety (90) days of the first scheduled Planning Commission meeting following receipt of an application or after a final order of the Court remanding an application, as follows, unless a request for an extension of time, made in writing, is granted.
 - b. The action taken by the Board of Supervisors shall consist of approval, approval with conditions, or rejection of the plan, and:
 - 1) The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him by certified mail at his last known address not later than fifteen (15) days following the decision.
 - 2) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and described the requirements which have not been met and shall, in each case, cite to the provision of the statute or ordinance relied upon.
 - 3) Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner or presentation of communication shall have like effect.

ARTICLE V

PERFORMANCE GUARANTEE

§14-501. Completion of Improvements Guarantee

At the time of filing a plan for final approval, and as a condition to such approval where the required improvements have not been installed, the applicant shall deposit with the Township a corporate bond, irrevocable letter of credit, or other financial security acceptable to the Board of Supervisors, with the approval of the Township Solicitor, in compliance with Section 509 of the Pennsylvania Municipalities Planning Code and in an amount sufficient to cover the costs of any improvements which may be required, plus ten percent (10%). Such bond or other financial security shall provide for, and secure to the public, the completion of any improvements which may be required within the period fixed for such completion, with a one (1) year maximum period, unless extended by the bank or surety firm in writing and approved by the Board of Supervisors. The amount of such financial security may be increased by an additional ten percent (10%) for each one (1) year period beyond the first anniversary date from posting of the financial security, or to an amount not exceeding one hundred and ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the bidding procedure. The Township shall not require financial security for highway improvements where financial security is provided to the Pennsylvania Department of Transportation.

§14-502. Maintenance Bond

Following completion of required public improvements and the acceptance by the Township of said improvements, a maintenance security shall be posted with the Township for a period of eighteen (18) months to secure the structural integrity of said improvements. The amount of the financial security shall not exceed fifteen percent (15%) of the cost of installation of the improvements as approved, and shall be of the same type as specified in Section 14-501.

§14-503. Amount of Security Disputed

The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a

professional engineer licensed as such in the Commonwealth of Pennsylvania and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in the Commonwealth of Pennsylvania and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

§14-504. Release from Improvements Guarantee

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer, to inspect all of the aforesaid improvements, and shall, thereupon, file a report, in writing, with the Board of Supervisors and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement or reasons for such nonapproval or rejection.
- B. If, for any reason, the required inspections cannot be made by the Township Engineer, the Board of Supervisors shall cause such required inspections and report to be made by a qualified engineer.

- C. The Board of Supervisors shall notify the developer, in writing, by certified or registered mail, within fifteen (15) days of receipt of the Engineer's report of the action of the Supervisors with relation thereto.
- D. If the Board of Supervisors or the engineer fail to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released for all liability pursuant to its performance guaranty bond or other security agreement.
- E. If any portion of the said improvements shall not be approved or shall be rejected by the Board, the developer shall proceed to complete the same, and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- F. The developer shall deposit with Center Township at the time of issuance of a grading, building or zoning permit, an amount equal to the costs of inspection by the Township Engineer of all public improvements shown on the final plat. Said deposit shall not exceed fifteen percent (15%) of the estimated cost for installation of proposed improvements.
- G. A developer shall not be required to reimburse the Township for any inspection, which is duplicative of inspection conducted, by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant.
- H. Disputes by an applicant as to any invoice of a professional consultant shall be pursuant to and in accordance with the Pennsylvania Municipal Planning Code, as amended.

§14-505. Remedies to Effect Completion of Improvements

In the event that any improvements which are required have not been installed as provided in this Chapter or in accordance with the approved final plan, the Board of Supervisors may enforce any corporate bond, irrevocable letter of credit or other financial security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of the installing or making repairs or corrections to all the improvements covered by said security, the Board of

Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

§14-506. Conditions of Acceptance

- A. The acceptance of any public improvement shall be at the sole discretion of the Township Board of Supervisors and no such improvement shall be accepted by the Board of Supervisors until, and upon, completion of the inspection and approval of the public improvements.
- B. Upon completion and approval of the public improvements, the applicant/developer shall submit a request, in writing, to the Board of Supervisors, to accept the dedication of the public improvements. The request for acceptance shall be accompanied by a legal description of the rights-of-way for all streets to be dedicated to the public, and shall be submitted at least fourteen (14) days prior to the regular meeting of the Board of Supervisors.
- C. Upon favorable report by the Township Engineer, the Board of Supervisors shall enact an Ordinance, at a regular meeting, accepting some, or all, of the public improvements as part of the Township's public facilities, subject to the posting of the Maintenance Bond required by Section 14-502 of this Chapter.
- D. No property or public improvement shown on a Final Plan (Plat) shall be considered to have been finally accepted by the Township until the dedication thereof has been officially accepted by adoption of an Ordinance of the Township, duly enacted and advertised in accordance with the law, the cost of said advertisement to be at the expense of the applicant/developer.

ARTICLE VI

PUBLIC IMPROVEMENTS AND DESIGN STANDARDS

History: amended by Ordinance No. 2023-07-02, July 12, 2023.

§14-601. General

The public improvements required by this Chapter shall be installed to the standards as identified in the following sections. Prior to the start of installation of any, and all, improvements, the developer, or his contractor, shall notify the Township at least forty-eight (48) hours in advance, in order to schedule the inspection of such installation. The Township Engineer shall inspect all work before backfilling, before spreading subbase or applying base course to any street, or before covering any other structures that are part of the improvements and may order corrections be made to bring it to compliance with the final approved plans. The Township shall reinspect the work to assure that corrections have been made before ordering the contractor to proceed.

When the installation of all required improvements have been completed, the developer shall follow the procedure as identified in Article IV of this Chapter.

- A. General Standards: The standards outlined in this Chapter and depicted in exhibits referenced herein, shall be applied by the Township staff, the Planning Commission and the Board of Supervisors in evaluating plans for proposed subdivisions and land developments. The standards outlined herein shall be considered minimum standards, and the Planning Commission or Board of Supervisors may request more restrictive standards where the health, safety, and welfare of Township residents is a concern.
- B. Natural and Historic Features: Every measure shall be taken to insure, insofar as possible, the preservation of natural amenities and historic, natural, and man-made features, areas, and structures, deemed worthy of such preservation by the Planning Commission and Board of Supervisors, and public access to such features where appropriate.
- C. Coordination of Development: The design of proposed subdivisions and land developments shall be comparable in scale and building materials with existing nearby development and physiography so that the proposed subdivision

and land development may blend in with the existing development and/or physiography.

- D. Conformance: The design of proposed subdivisions and land developments shall conform to the standards outlined in this Chapter and with the standard engineering details labeled Standard Details, Exhibits #2 through 22, included as exhibits to this Chapter. In addition, all proposed subdivisions and land developments shall conform to the community goals and objectives of the Center Township Comprehensive Development Plan, to all applicable land use regulations in effect at the time of final approval, to the official map and to the regulations of any Federal or State agency with jurisdiction over any aspect of the proposal being reviewed.

§14-602. Lots

- A. Cul-de-sac Streets: No more than twenty-five (25) residential lots shall be permitted on a cul-de-sac street, and such cul-de-sac street shall not exceed one thousand feet (1,000') in length.
- B. Lot Size: All lots shall conform to the Township Zoning regulations (Chapter 20) in area, minimum width at building line and configuration as outlined therein.
- C. Access: Every lot shall abut a public or private street with the minimum frontage as required by the zoning district in which the lot is located. Flag lots may abut a public or private street with a minimum frontage of fifty feet (50').
- D. Through Lots: Double frontage lots shall not be permitted, except that where frontage occurs along limited access or arterial highways, lots may face on an interior street and back on such thoroughfares to which direct access shall not be permitted.
- E. Lot Lines: Lot lines shall be approximately at right angles or radial to the street lines.
- F. Corner Lots: Corner lots shall be proportionately larger than other lots in order to meet required building setbacks from both streets.
- G. Building Setback Lines: The building setback lines must conform to the applicable zoning

provisions for the district in which the subdivision is proposed.

H. Solar Consideration: To help provide access to solar concerns, developers shall be sensitive to solar planning which shall be considered a purpose of this Chapter. Portions of this Chapter (lot access, sidewalks, screening, street trees) may be recommended for modification by the Planning Commission and approved by the Board of Supervisors in consideration of the following definitions, where appropriate:

1. Solar Energy: Radiant energy received either directly or indirectly from the sun at wavelengths suitable for conversion into thermal, chemical or electric energy.
2. Solar Skyspace: The space between a solar collector (passive or active) and the sun which must remain unobstructed in order to permit efficient utilization of the solar energy system.
3. Solar Skyspace Easement: A right expressed as an easement covenant, condition or other property interest, in any deed or other instrument executed by, or on behalf of, any landlord which protects the solar skyspace of an actual, proposed or designated solar collector at a described location by prohibiting or limiting activities or land uses that interfere with access to solar energy.
4. Underground Structure: Any completed building that was designed to be built partially, or wholly, underground; a completed structure which was not intended to serve as a substructure or foundation for a building. Four (4) types of underground structures are recognized:
 - a. Elevational: Wall exposed.
 - b. Atrium or courtyard.
 - c. Penetrational: Wall openings.
 - d. Chamber.
- I. A proposed lot not meeting the minimum lot requirements of this section and intended to be conveyed and adjoined to an adjacent property is permitted, provided the following note shall be placed on the plan: *Lot #___ is not a separate building lot and is to be conveyed and become*

part of adjoining land of (name of landowner). Both the lot created in effect by combination with an adjoiner and the remnant lot shall comply with applicable lot area requirements.

§14-603. Streets, Curbs and Sidewalks

A. General Street Design Requirements:

1. Proposed streets shall be planned with regard to topographic conditions (diagonally across contours where slopes are in excess of fifteen percent [15%]); public safety and convenience in terms of vehicular and pedestrian movements; maintenance and fire protection; probable traffic volumes; and existing and proposed uses of land on abutting properties.
2. The proposed street system shall be extensions of existing or recorded streets at the same width, but in no case at less than the required minimum width.
3. Where, in the opinion of the Township Planning Commission or Township Supervisors, it is desirable to provide for street access to adjoining property, streets shall be extended by right-of-way dedication to the boundary of such property. Where the extended cartway is wider than the existing cartway, a tapered transition area shall be provided.
4. New minor streets shall be so designed as to discourage through traffic, but the developer shall give adequate consideration to provisions for the extension and continuation of major and collector streets into and from adjoining properties.
5. Where an existing Township street of inadequate width traverses or abuts the subdivision or land development, the entire right-of-way, measured from the centerline of the existing cartway shall be provided in accordance with the standards of this Chapter.
6. Where the subdivision or land development abuts or is traversed by an existing State street of inadequate width or alignment, any additional right-of-way necessary to correct such in accordance with the standards of this Chapter or known highway plans shall be reserved, but need not be

offered for dedication.

7. Private streets, either proposed or existing, shall not be approved for public dedication, construction or maintenance until the location, design and construction of any such street is in compliance with all applicable requirements of this Chapter. Private streets may be authorized to permit limited subdivision of lots subject to the following requirements:
 - a. A maximum of four (4) lots, plus a residual parcel containing one (1) existing residential structure, may be approved for access on a private street;
 - b. The private street right-of-way shall be a minimum of fifty feet (50'), except as otherwise indicated;
 - c. The street shall be installed to provide the required minimum width with a mud-free cartway in accordance with the design standards in Table A, which is adequate to enable all weather passage of vehicles;
 - d. Sales agreements for all lots abutting the private road shall include notification to purchasers of the non-liability of the Township for road maintenance. In addition, a certificate of the non-liability of the Township shall be inscribed on the plan when submitted for municipal approvals.
 - e. All costs associated with the design, construction, maintenance or any other expense involving said street improvements shall be assumed by private sources with no cost to the Township prior to final acceptance for dedication by the Township Supervisors.
 - f. A temporary turnaround for maintenance and emergency vehicles shall be provided where future street or roadway extensions are designed to occur, said turnaround shall have a minimum eighty foot (80') diameter curb to curb and exhibit a mud-free condition.
 - g. A private maintenance agreement form provided by the Township shall be signed and recorded prior to consideration of roadway acceptance.
8. Whenever the proposed subdivision or land development contains or is adjacent to an arterial highway, the Board of Supervisors may require that provision be made for a marginal access street. The Board may also require rear service alleys, reverse frontage lots or such other configurations which will provide increased protection for abutting properties, reduce the number of intersections with major streets, and separate local and through traffic.
9. Where the lots in a subdivision are large enough for resubdivision, or where a portion of the tract is not subdivided, the minimum required right-of-way to these areas shall be provided.
10. Proposed streets which are aligned with existing streets shall bear the name of the existing street.
11. Dead-end streets shall be prohibited.
12. Intersections involving the crossing of more than two (2) streets shall be prohibited. Right angle intersections shall be used whenever practical, but in no case shall the angle of intersection be less than seventy-five degrees (75°). Street offsets of less than one hundred seventy-five feet (175') shall not be permitted.
13. The shoulders of all existing or proposed public streets and roads within, adjacent to, or abutting any proposed subdivision of five (5) or more lots on a single plot or plan submission shall be graded to the full width of the right-of-way and provisions shall be made for protection of slopes beyond the right-of-way.
14. Minimum and maximum grades shall be provided on all streets in accordance with the Design Standards specified in Table A, unless a modification is granted. Grades shall be measured along the center of the street. Vertical curves shall be used in changes of grade exceeding one percent (1%) and should be designed in accordance with the Design Standards specified in Table

A. The grade of actual intersections shall not exceed three percent (3%) on approaches which will be "stop" controlled.

15. Minimum widths of rights-of-way and minimum widths of paving shall be provided in accordance with the Design Standards specified in Table A. All streets or roads dedicated for public use shall be paved in accordance with Township Construction Standard Details.

16. Additional right-of-way widths and paved cartway widths shall be requested by the Township where necessary for public safety and convenience, for parking in commercial and residential areas and where additional width is necessary on existing roads which do not comply with current standards; however, the approval of the plan shall not be conditioned upon dedication of the additional right-of-way.

17. No fence, hedges, shrubbery, walls, plantings (other than grass) or similar obstructions shall be located within the right-of-way of any street or road dedicated for public use, and no such obstruction shall obscure visibility at any intersection. A clear sight triangle, as defined by this Chapter, shall be maintained free of any obstructions at intersections. The sides of the clear sight triangle shall be measured along the centerline of the intersecting streets and shall meet the minimum standards specified in Table B.

18. In any subdivision or land development plan proposed to be constructed in more than one (1) phase, a temporary cul-de-sac shall be required for all streets or roadways which may be extended in subsequent phases. Temporary cul-de-sacs shall be constructed with a completely paved turnaround, with a minimum diameter of eighty feet (80') to the outside edge of the pavement. In addition, the paving for the temporary cul-de-sac shall consist of both a subbase and a base (as set forth in Exhibit # 3A).

B. Street Design Standards:

1. Street Design Standards Table A.

TABLE A					
Street Type	Collector Streets ¹	Minor Streets	Cul-de-Sacs ²	Marginal Access	Private Streets
Minimum Right-of-Way Width	60'	50'	50'	50'	50'
Minimum Pavement	26'	26'	26'	26'	---
Minimum Cartway Width	---	---	---	---	10' Single Family 18' Multi-Family 24' Commercial

TABLE A (cont)					
Maximum Grade	10% ³	12%	12% ⁴	12%	12%
Minimum Grade	1.5%	1.5%	1.5%	1.5%	1.0%
Minimum Radius of Curve at Center Line ¹	300'	125'	125'	125'	---
Vertical Curve Length (Factor times algebraic difference)	28 crest 35 sag	10 crest 20 sag	10 crest 20 sag	10 crest 20 sag	10 crest 20 sag
Minimum Tangent Length Between Curves	150'	50'	50'	---	---
Minimum Stopping Sight Distance	275'	200'	200'	---	---
Sidewalk Width where required	5'	5'	5'	5'	5'

1. Where street lines deflect from each other more than ten degrees (10°).
2. Cul-de-sac streets or roadways shall be provided with a completely paved turn-around with a minimum diameter of eighty feet (80') to the outside edge of pavement.
3. May be increased by one percent (1%) for grades not more than three hundred feet (300') long.
4. 6% maximum slope on turn-around.

2. Intersection Design Standards (Table B)

TABLE B (cont)				
(Measured from the intersection cartway lines)				
Minimum radius of pavement	30' (c) 45' (nc)	30' (c) 49' (nc)	25' (c) 35' (nc)	25' (c) 30' (nc)
Minimum intersection sight distance along center line	220'	130'	130'	130'
Intersection clear sight triangle (each center line length)	150'	75'	75'	75'

B/L - Along Block Length

B/W - Along Block Width

(c) Minimum width where curbs are to be installed, including width of curb.

(nc) Minimum width where curbs are not to be installed. (See Exhibits #3 and #3A for minimum shoulder and side slope area requirements as well as minimum pavement variations.)

**Table B Note: The intersection design standards for all subdivision and major development entrance streets shall be according to street classification but not less than as required for the intersection of a minor street with a collector street.*

3. Description: All streets or roads proposed to be dedicated for public use shall be designed and constructed according to the requirements presented herein. Design shall be in accordance with the AASHTO Manual "A Policy on Geometric Design of Highways and Streets" (latest revision). Paving will consist of two inches (2") of a compacted surface course of ID-2 bituminous wearing course installed on a Bituminous Cement Base Course (BCBC) and 2A aggregate subbase, materials and construction to be as fully described in PennDOT Form 408 (latest revision), and the shape, width, depth and geometry to conform to the Center Township Standard Street Paving Detail - Exhibit #3 and #3A of the Center Township Standard Construction Details and to a horizontal and vertical alignment as approved by the Township Engineer.
4. Cartway and Right-of-Way: All streets or roads shall have a minimum fifty foot (50') wide right-of-way. All cartways, shall be paved in accordance with the standards set forth in Table A as shown and the standard details attached. The right-of-way for cul-de-sacs shall be a minimum of one hundred feet (100') in diameter, and shall have a minimum eighty feet (80') paved diameter.
5. Construction:

TABLE B				
Type Intersection	Arterial with collector	Collector with collector	Collector with Minor	Minor with Minor
Maximum number of intersecting streets at each junction	2	2	2	2
Minimum distance between center lines of intersections	800'	500'	500' b/l 250' b/w	500' b/l 250' b/w
Minimum center line offset of adjacent intersections	400'	250'	175'	175'
Angle of intersection of street center lines	90°	90°	75°-105°	75°-105°
Length and maximum grade of approaches to intersection where general grade is over 7%	50'/3%	50'/3%	50'/3%	50'/3%

a. Excavation and Grading:

- 1) The excavation and grading required to construct the road shall be constructed to the horizontal and vertical alignment, as approved by the Township Engineer. For approval, roadway design shall be presented on Plan and Profile drawings prepared at minimum scale of one inch equals fifty feet (1" = 50') horizontal to one inch equals ten feet (1" = 10') vertical with cross-section at fifty foot (50') centers at appropriate scale. Cross-section shall be a minimum one hundred foot (100') wide or show the entire extent of cut/fill proposed.
- 2) All excavation and grading operations shall be performed under the direct supervision of a Registered Professional Engineer. At completion of the work, the Engineer shall provide a written sealed certification that all cuts/fills as constructed are stable and suited to their design intent.
- 3) When filling operations are required, all topsoil shall be removed and the surface scarified in order to assure a good bond between the filled ground and virgin ground. Where the lateral slope upon which a fill is to be

made is deemed too steep for scarifying to make bond (slopes 3 horizontal to 1 vertical or steeper), the virgin ground shall be benched as shown on Exhibit #4 of the Center Township Standard Construction Details and the fill placed upon the benches. Drainage for any springs, wet areas, existing streams or wet weather gullies encountered while preparing for filling operations can be commenced. Toe drains or underdrains shall be constructed as required by the Township Engineer.

- 4) Fills shall be built up in six inch (6") lifts of suitable materials, each lift being well-compacted with an approved sheep's foot ten (10) ton roller and well-crowned and drained in order to prevent soaking and spongy areas.
- 5) All fills or cuts shall carry a minimum side slope of two foot (2') horizontal to one foot (1') vertical.
- 6) Built up, well-rolled berms shall be constructed along each edge of the paving using suitable and approved material. The berm shall be constructed before the curb or base is constructed and simultaneously with the fine grading of the subgrade.
- 7) The subgrade must be well-rolled with approved three (3) wheel, minimum ten (10) ton roller, crowned in conformance with finished surface crown and shall be perfectly smooth, free of spongy areas and well-drained with approved subgrade drains and/or bleeders, the bleeders draining into approval dry wells (constructed at a minimum distance of three feet [3'] from the edge of paving), lateral drains, storm sewers, or drop inlets. The flow lines of all dry wells, lateral

drains, storm sewers and drop inlets shall be a minimum eighteen inches (18") below the lowest part of the subgrade. All drainage must be constructed and in operation before any fine grading, berm construction or filling is commenced.

- b. Subbase and Base: The subbase and base shall consist of eleven (11) to thirteen (13) inches of combined aggregate subbase and BCBC base course as required of the Design Annual Average Daily Traffic (AADT) count for the site(s) to be served and as presented on Exhibit #3 and Exhibit #3A of the Center Township Standard Construction Details. For single family residential subdivisions a minimum of ten (10) AADT counts per lot per day shall be used to compute the AADT for the site to be developed. In addition, an allowance shall be made for all undeveloped land that can gain access through the proposed roadway. All roads proposed to serve all nonresidential uses, and which are to be publicly dedicated, shall be designed to serve an AADT as defined by a traffic study prepared by a consultant acceptable to the Township. Said traffic study shall be approved by the Township Engineer.
- c. Curbing:
 - 1) A compacted twenty-four inch (24") wide ID-2 bituminous wedge type curb shall be installed where required by the Township Engineer on each side of the cartway. The base course portion (first stage) of the wedge type curb shall be installed with the first layer of wearing course.
 - 2) The bituminous wedge curbing, shall be machine spread and machine rolled. The dimensions, size and shape to be in accordance with Exhibit #3A of the Center Township Standard Construction Details. After placement, the

wedge curb shall be properly barricaded and protected from any traffic or vehicles of any kind until it has thoroughly set up and all voids on the grass plot side have been completely backfilled, and the backfill being placed with proper and approved tamping equipment in maximum four inch (4") layers. No traffic or vehicles of any kind will be permitted to pass over this curb except through driveway approaches.

d. Bituminous Wearing Course:

- 1) The surface wearing course shall consist of a two inch (2") compacted thickness constructed in strict accordance with PennDOT Form 408 (latest revision) requirements.
- 2) This surface course is to consist of two (2) compacted one inch (1") layers of ID-2 bituminous wearing surface course over the entire base courses and over the curb area. The entire width of road shall be finished with two inches (2") of ID-2 wearing surface.
- 3) The first one inch (1") wearing surface shall be applied immediately upon installation of the base course. The second one inch (1") wearing surface shall be applied after the site has been at least fifty percent (50%) occupied with buildings, and no heavy equipment will be traveling over the streets, and never later than two (2) years after the approval of said base construction by the Township Engineer or at the discretion of the Board of Supervisors of the Township of Center.
- 4) Mill of the surface around storm culverts and sanitary manholes is prohibited. Steel risers for storm culverts and sanitary manholes are required when final wear pavement is applied in accordance with Exhibit # 13A.

e. Materials/Plant: All bituminous material must be prepared in a plant that has been approved by the Pennsylvania Department of Transportation for the manufacture of the material specified. Certification of compliance of all materials used to pave the streets shall be provided to the Township by the plant.

f. Testing Finished Surface: For the purpose of testing the finished surface, a sixteen foot (16') straight edge shall be used, except that a ten foot (10') straight edge may be used on vertical curves. The straight-edge shall be held in successive position parallel to the road centerline in contact with surface, and the whole area checked from one side to the other as necessary. Advance along the pavement shall be in successive stages of not more than one half (1/2) the length of the straight edge. Any irregularities which may vary more than one fourth inch (1/4") shall be corrected. Irregularities which may develop before the completion of rolling shall be remedied by loosening the surface mixture and removing or adding material as may be required. Should any irregularities or defects remain after the final compression, the surface course shall promptly be removed and sufficient new material laid to form a true and even surface. All minor surface projections, joints and minor honeycombed surfaces shall be ironed smooth to grade, as may be directed.

g. Calendar Construction Limitations: Road construction such as filling, berming, subgrade, fine-grade construction, base construction, or surface construction shall not be commenced before May 15 and must be completed before November 15 of the same year, unless permission is granted by the Board of Supervisors. It is assumed that the weather conditions between these dates will be ideal for road construction; however, if

adverse weather conditions occur between these dates the contractor or builder must abide by the judgment of the Township Supervisors, their agents, or assigns, in regard to permissible construction weather conditions.

h. Special Requirements:

- 1) The developer shall be required to provide to the Township an eighteen (18) month Maintenance Bond commencing on the date of acceptance of the road by the Township in an amount equal to fifteen percent (15%) of the actual cost of installation of the roadway.
- 2) If it is necessary that the contractor must exceed a weight limit of eight (8) tons (which will be in effect simultaneously with the date of acceptance), he will be required to give the Township an additional eighteen (18) month Maintenance Bond in an amount specified by the Township Engineer commencing on the date that the violation of the weight limit ceases. In no event shall the contractor violate the weight limit without the expressed approval of the Township, and if approved, not before the aforementioned Maintenance Bond has been obtained and is in effect.
- 3) In order to assure the Township that the road is being paved in the center of the right-of-way and in accordance with all grades that have been approved, the contractor, developer and/or road builder must present an affidavit signed by a Registered Professional Engineer or a Registered Surveyor, each registered to practice his profession in the Commonwealth of Pennsylvania, that he (surveyor/engineer) has established the recorded and/or legal right-of-way on the ground by a survey on the ground and has set construction stakes to the desired construction offset distance at

points along the road not exceeding fifty foot (50') intervals and has established reference elevation on said stakes to effect the construction of the road in accordance with all plans that have been previously approved.

- 4) After all road construction has been completed and all right-of-way grading has been completed, the developer and/or contractor shall install concrete monuments with a minimum size of four inches (4") in diameter, four inches (4") square and three foot (3') long, extending out of the ground at least three inches (3") but not more than six inches (6"), the center being marked with a one half inch (1/2) minimum brass wire or bar plug (as per Exhibit #5 of the Center Township Standard Construction Details), at all intersections and points of curvature in order to amply mark the right-of-way before the construction of the road can be considered as complete and fully prepared for the Township to accept the maintenance responsibilities.
 - 5) An Escrow Bond of one hundred and fifty dollars (\$150.00) per concrete monument must be delivered to the Township. When monuments are placed, approved by developer's engineer and inspected by the Township Engineer, then the Escrow Bond will be released to the developer.
- i. Concrete Streets and Concrete Curb Construction Roads:
- 1) Where concrete construction is desired because of heavy or industrial use of the street or road, the design and construction materials must be approved by the Board of Supervisors and the Township Engineer.
 - 2) The specifications and construction shall comply to Portland Cement

Association recommended standards, latest edition titled "Design of Concrete Pavement for City Streets." The standard Township width of streets shall be a minimum of twenty-five feet (25'). A special street width for divided highways in an enlarged overall street right-of-way width shall be permitted but each of said parallel cartways shall have a minimum width of fifteen feet (15') including eighteen inch (18") wedge type curbs.

C. Gutters: In areas where curbing is not required, as determined by the Township Engineer, paved or stabilized gutters must be provided to control water runoff and avoid erosion, in accordance with Section 14-604 C 2d and approved by the Township Engineer.

D. Sidewalks: Sidewalks and curbs shall be installed along all proposed and existing public streets in subdivisions of twenty-one lots or more (single or multiple phases), common driveways and common parking areas. Sidewalks at least five feet (5') in width, constructed of four thousand pound (4,000 lb.) Portland Cement concrete at least four inches (4") thick and underlain by four inches (4") crushed stone shall be installed in all subdivisions or developments as follows:

1. Where the continuation of existing sidewalks would be desirable.
2. To provide access to community facilities and elsewhere as recommended by the Planning Commission and approved by the Board of Supervisors.
3. Sidewalks shall be located within the street right-of-way, preferably one foot (1') from the property line, and in all cases shall be separated from a cartway by a planting strip.
4. Sidewalks shall be constructed so as to be accessible to the handicapped.
5. Maintenance shall be the responsibility of the adjacent property owner.

Appropriate language shall be placed on the plan for recording, indicating this maintenance responsibility.

6. Regardless of the size of the development or subdivision proposal, sidewalks shall be required whenever they fill a gap in an existing network.
7. The Board of Supervisors may require additional sidewalk width where higher volumes of pedestrian traffic are anticipated.
8. Sidewalks shall not extend beyond the right-of-way line of public streets or the equivalent right-of-way line of private streets unless located in legal easements guaranteeing adequate pedestrian access.
9. Sidewalks shall be provided in appropriate locations to provide safe and efficient pedestrian access between parking areas and nonresidential buildings.
10. Additional sidewalks shall be required where deemed necessary by the Board of Supervisors to provide access to schools, churches, parks, community facilities and commercial centers and to provide necessary pedestrian circulation within land development and/or subdivisions where otherwise required sidewalks would not be sufficient for public safety and convenience.
11. Driveway crossings shall be designed according to ordinances.
12. At corners and pedestrian street crossing points, sidewalks shall be extended to the curb line with an adequate apron area for anticipated pedestrian traffic.
13. Sidewalks shall not exceed a grade of twelve percent (12%). Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. A non-slip surface texture shall be used.
14. The grades and paving of sidewalks shall be continuous across driveways in

nonresidential and multifamily residential developments and in certain other cases where heavy traffic volume dictates special treatment.

15. The thickness and type of construction of all sidewalks and curbs shall be in accordance with the recommendation as follows:
16. In general, where Commonwealth and County specifications govern, these standards shall be used.
17. Sidewalks shall be constructed in accordance with the detailed specifications in this Chapter, Exhibit # 19 (as amended) and 20.
18. If, for any reason, an interim waiver of these requirements is made, a sufficient guarantee shall be posted for the eventual installation of these items, subject to approval by the Board of Supervisors, upon the recommendations of the Township Engineer and Solicitor.
19. Sidewalks may be required by the Board of Supervisors in subdivisions of less than twenty-one (21) lots at their discretion.
20. Street Signs and Lighting: Street name signs as approved by the Township Supervisors, shall be placed, by the developer, at all intersections and a street lighting system shall be installed in developments involving multi-family dwellings and elsewhere as required by the Municipality. Street lights may be required at street intersections where a hazard exists as determined by the Township Supervisors. The design and location of signs and light fixtures shall be as approved by the Township Supervisors.

§14-604. Utilities

A. Water Supply:

1. The subdivision or land development shall be provided with a complete public water distribution and supply system which shall be connected to a Township water supply, or with a private water

distribution and supply system approved by the engineer of the water utility company with jurisdiction, if applicable, and the Pennsylvania Department of Environmental Protection, with satisfactory provision for the maintenance thereof, except that when such Township or private water supply system is not available, the land development of each lot in the subdivision shall be provided with an individual water distribution and supply system in accordance with minimum standards of the Pennsylvania Department of Environmental Protection.

2. The installation of all water distribution lines and facilities shall be in compliance with Pennsylvania American Water Company specifications.
3. Fire hydrants shall be installed as an integral part of any common water distribution and supply system, placed not greater than eight hundred (800) linear feet apart or more than eight hundred (800) linear feet (measured along roadway or cartway) from any structure erected pursuant to this land development ordinance. A fire hydrant must be installed at the entrance(s) or access to any subdivision. In addition, no item, whether manmade or a plant, bush, shrub or tree, shall be permitted within three feet (3') of a fire hydrant, nor shall any fire hydrant be enclosed or obstructed by a fence, gate, shrubbery or other construction.
4. The plans for the installation of the mains of a water distribution and supply system shall be prepared with the cooperation of the applicable public water authority, and approved by its engineer. A statement of approval from the engineer of the public water authority shall be submitted to the Board of Supervisors. Upon the completion of the public water distribution and supply system, one (1) copy each of the plans for such system shall be filed with the Board of Supervisors. The plan shall be reviewed and approved by the Department of

Environmental Protection and ISO (Insurance Service Organization).

5. Individual on-lot water supply facilities shall not be deemed part of the "required improvements" of this Chapter.

B. Sanitary Sewerage:

1. The method of waste disposal shall be as approved by the Board of Supervisors giving consideration to the following order of preference:
 - a. Connection to a public sanitary sewer system, to be in accordance with the requirements of the Department of Environmental Protection.
 - b. Provision by the developer of a complete private sanitary sewer collection system using a treatment plant, to be licensed by the Department of Environmental Protection.
 - c. Sewage disposal on individual lots where conditions are satisfactory to meet the on-lot sewage requirements of Act 537, known as the Pennsylvania Sewage Facilities Act.
2. The judgment of the Board of Supervisors as to the method of waste disposal to be used will be made after study and review of a sewerage feasibility report submitted by the developer. The submission of the sewerage feasibility report is required. It must be completed by a registered professional engineer.
3. When the subdivision or land development is to be provided with a complete public sanitary sewer collection system to be connected to a public sanitary sewer system, a statement of approval from the engineer of the sewerage system authority to which it will be connected shall be submitted to the Board of Supervisors.
4. When a complete private sanitary sewer collection system using a treatment plant is to be provided, a copy of all required permits and licenses shall be submitted to the Board of Supervisors following the

Pennsylvania Department of Environmental Protection approval of the proposed facilities. Adequate provision for the maintenance and yearly inspection of such plant shall be furnished to the municipality in which the subdivision or land development is located.

5. In subdivisions or land developments where neither connection to a public sewerage system nor a complete sanitary sewer system is required, sewage disposal shall be provided consisting of septic tanks and tile absorption fields, or any "package disposal system or treatment plant" permitted and licensed by the Department of Environmental Protection, in accordance with the Pennsylvania Sewage Facilities Act 537.
6. When on-lot sewage disposal is to be provided, the developer shall furnish a certificate as to the adequacy of the soils for such on the basis of percolation tests conducted in accordance with the Department of Environmental Protection.

C. Stormwater Drainage:

1. Storm Sewers: Shall be designed in accordance with Chapter 21, Stormwater Management.
2. Open Drainage Ways:
 - a. When open drainage ways are proposed for the collection and/or discharge of stormwater, the Planning Commission and Board of Supervisors shall review the design of such in relation to capacity, safety, erosion and stagnation in consultation with the Butler County Conservation District.
 - b. Drainage easements shall be provided for all existing and proposed drainage ways, substantially conforming to the alignment thereof, and shall be of sufficient width to include all of the watercourse plus at least ten feet (10') from the center of the stream channel in either direction, but in no case shall be less than twenty feet (20') in width.

- c. Stormwater shall be detained and discharged at predevelopment rates, on site as approved by the Township Engineer.
- d. Open stormwater drainage courses shall be designed for a maximum velocity not to exceed ten feet (10') per second and a minimum velocity of five feet (5') per second. A minimum velocity of three feet (3') per second may be permitted where a greater slope cannot be achieved to permit the standard required minimum velocity. An open stormwater drainage course shall include a lining (riprap, concrete, bituminous) to prevent erosion. Any required approval of the Butler County Conservation District shall be obtained by the applicant.

D. Utility Line Installation:

Where possible, as determined by the Board of Supervisors upon the recommendation of the Township Engineer, electric, telephone, cable television and television transmission lines shall be placed underground. Where such lines are not placed underground, said lines shall be placed along rear lot lines to the fullest extent possible.

E. Utility Easements

- 1. Width; Location: When easements are required for any utility serving a subdivision or land development, they must be a minimum of twenty feet (20') wide and must, to the fullest extent possible, be adjacent to, or centered on, rear or side lot lines.
- 2. Natural Gas Lines: All natural gas lines shall be installed in compliance with the ASA Code B31, 80 1958, as amended. The minimum distance from a pressurized natural gas line to a dwelling unit or other structure shall be established by the applicable transmission or distribution company.
- 3. Petroleum Lines: Between a proposed dwelling unit or other structure and the center line of a petroleum or petroleum

products transmission line, which may traverse the subdivision or land development, there must be a minimum distance of one hundred feet (100') measured in the shortest distance.

§14-605. Monuments and Markers

- A. Material and Size: Monuments and markers shall be constructed as follows:

	Construction	Minimum Size
Monument	Concrete	4" x 4" x 36"
Marker	Iron Pipes or iron or steel bars	24" x 3/4" dia.

- B. Markings Placement: Monuments and markers must be placed by a registered professional engineer or professional land surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.

- C. Monuments Location: Monuments must be set:

- 1. At the intersection of lines forming angles in the perimeter boundaries of the tract.
- 2. At the intersection of street rights-of-way when such are perpendicular or angular; or at the beginning and ending of street intersection right-of-way curves or chord diagonals where they are formed.

- D. At such other points as determined necessary by the Township Engineer.

- 1. Markers Location: Markers must be set:
 - a. At the beginning and ending of curves along street property lines if not monumented.
 - b. At points where lot lines intersect curves either front or rear.
 - c. At angles in property lines of lots.
 - d. At all other lot corners.
- 2. Removal: Any monuments or markers that are removed must be replaced by a registered professional engineer or professional land surveyor at the expense of the person removing them.

§14-606. Fire Service Features

The purpose of this Section is to require building features that enhance response time and/or reduce risk to emergency responders.

A. Key Box

1. A key box shall be supplied by the owner of buildings considered non-residential as defined by the Pennsylvania Uniform Construction Code. (see Chapter 2)

Exception: Buildings not occupied by persons and/or animals that, as determined by the Township Zoning/Code Enforcement Officer, are not to be considered a source of combustion by the nature of their construction and contents, and are not combustible nor contain a means of ignition.

2. The key box shall be installed at a location approved by the Township.
3. The key box shall be of a type approved by the Township and shall contain keys to gain necessary building access for life saving or fire-fighting purposes as required by the Township Zoning/Code Enforcement Officer.

- B. Maintenance: The owner of the building shall immediately notify the Township Zoning/Code Enforcement Officer and provide the new key anytime a lock is changed or rekeyed. The key to such lock shall be secured in the existing approved box.

ARTICLE VII

of Supervisors upon filing the final plan.

LAND RESERVATION AND OPEN SPACE**§14-701. Reservations**

Subdivision and land development plans shall provide for the reservation of any land described in the Township Comprehensive Development Plan and/or shown on the Township's official map for public recreation or open space where such land is situated within the area to be subdivided or developed. However, such reservation shall lapse one (1) year after the landowner has submitted a written notice and/or formal application indicating his intentions to subdivide or develop the land covered by the reservation, unless the Township Supervisors or such other agency for which the land is reserved shall have acquired, entered into an agreement to acquire, or begun condemnation proceedings to acquire such property.

§14-702. Recreation Areas

Every proposed multi-family residential subdivision or land development may be required to provide open space for the common recreational use of the residents thereof. The amount of the required open space would be calculated at two thousand (2,000) square feet per dwelling unit. When such open space recreational land is provided, the following standards shall apply:

- A. The land provided is of suitable size, dimension, topography, and generally accessible to all residents of the subdivision for the type of neighborhood recreational use deemed appropriate by the Board of Supervisors.
- B. Such recreational open space shall be free of hazards due to location within an electromagnetic field easement, excessive slope (greater than 12%), standing water, or potential subsidence.
- C. Such recreation area may be offered for dedication, however, such offer shall not bind the Township.
- D. The developer shall make adequate provision for the perpetuation and maintenance of any such recreation area not offered or accepted for dedication through the creation of an organization for said maintenance, and shall provide evidence of such provision to the Board

ARTICLE VIII
ENVIRONMENTAL PERFORMANCE
REQUIREMENTS

§14-801. General

Land susceptible to high water table, unstable subsurface conditions, steep or unstable slopes, high voltage electric or high pressure gas or oil transmission lines shall not be approved for subdivision or land development unless the hazards have been minimized or the developer proposes adequate safeguards, in the opinion of the Township Engineer, to protect the proposed use of the land. Land subject to flooding shall adhere to the regulations established in the Chapter 2, Article V.

- A. No change shall be made in the contour of the land, no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land which results in a disturbed area in excess of five (5) acres, shall be commenced on any parcel, and no subdivision or land development plan shall be given final approval until:
1. There has been a plan approved by the Pennsylvania Department of Environmental Protection or the Butler County Conservation District or both where required, that provides for temporary control of erosion and sedimentation consistent with this Section and acceptable financial security, as specified in Section 14-501 of this Chapter, is deposited with the Township which will ensure installation and completion of the required improvements; or
 2. There has been a determination by the Board of Supervisors upon recommendation of the Township Engineer that a plan for minimizing erosion and sedimentation is not necessary.
 3. Where an Erosion and Sediment Control Plan has been filed and approved, the developer is solely responsible for on-site pollution control measures.
- B. For disturbed areas of any size, measures used to control erosion and reduce sedimentation shall, as a minimum, be in accordance with the

Rules and Regulations of the Pennsylvania Department of Environmental Protection and/or the standards and specifications set forth in the Butler County Erosion and Sediment Control Handbook, as well as those set forth in this Article.

- C. Stream channel construction on watersheds with drainage areas in excess of one hundred (100) acres, or in those cases where downstream hazards exist, shall conform to criteria administered by the Division of Dams and Encroachments, Pennsylvania Department of Environmental Protection.
- D. The Township Engineer, or other official as designated, shall ensure compliance with the appropriate erosion and sedimentation control plans and specifications.

§14-802. Performance Requirements

The following activities shall be conducted as outlined, except that earth disturbance activities related to agricultural use shall be regulated by the Butler County Conservation District:

- A. Stripping of vegetation, grading or regrading, or other earth disturbance shall be done only after review and approval of an erosion and sedimentation plan by the Township Engineer and all agencies with jurisdiction.
- B. Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with existing topography.
- C. Whenever feasible, natural vegetation shall be retained, protected, and supplemented. Further, all trees greater than six inches (6") dbh (diameter at breast height) within required yards shall remain undisturbed.
- D. The maximum disturbed area and the duration of exposure shall be in compliance with Pennsylvania Department of Environmental Protection regulations.
- E. Disturbed soils shall be stabilized in compliance with Pennsylvania Department of Environmental Protection regulations.
- F. The permanent (final) vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development, as determined by the Township

Engineer.

- G. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the volume of surface water runoff generated after development shall be detained as per an approved stormwater management plan.

§14-803. Grading and Drainage Requirements

In order to provide more suitable sites for building and other uses, improve surface drainage, and control erosion and sediment pollution, the following requirements shall be met:

- A. All lots, tracts, or parcels shall be graded to provide proper drainage away from buildings and dispose of the runoff without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding, except where other arrangements are approved by the Township Engineer.
- B. All stormwater management facilities shall be designed in accordance to Chapter 21, Stormwater Management.
- C. Concentration of surface water runoff shall be permitted only in swales or detention ponds.
- D. Excavations and fills:
1. Cut and fill slopes shall not be steeper than 2:1 and 3:1, respectively, unless stabilized by a retaining wall or cribbing, except as approved by the Township Engineer.
 2. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills.
 3. Cuts and fills shall be engineered so as to prevent damage to adjoining property.
 4. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
 5. Fill shall not encroach on natural watercourses or constructed diversion channels.
 6. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against

erosion during periods of flooding.

- E. Grading shall not be done in such a way so as to divert stormwater or fill onto the property of another landowner unless the stormwater is being channeled into an existing natural drainage swale
- F. During grading operations, necessary dust control shall be exercised.
- G. Topsoil shall be stockpiled only temporarily and be preserved and redistributed as ground cover. Said topsoil shall be expeditiously planted with perennial grasses or ground planting.
- H. Tree guards during construction and grading, and limitations as to cuts and fills, both temporary and permanent, near trees, shall be provided as necessary to give reasonable assurance of their continued healthy growth.
- I. Grading equipment shall not cross live streams. Provision shall be made for the installation of culverts or bridges.

§14-804. Subsidence Risk

- A. In connection with any subsurface mined areas, a subsidence risk assessment shall be provided by a geotechnical engineer with experience and qualifications in mined land reclamation and licensed by the Commonwealth of Pennsylvania. Should the geotechnical engineer determine in his assessment that a geotechnical report is required for the mined areas, the report shall include:
1. A minimum of three (3) core borings for the first five (5) acres and one (1) additional boring for each additional five (5) acres, with borings uniformly spaced across the building site(s) unless otherwise recommended by the geotechnical engineer.
 2. An evaluation of the integrity, stability and nature of the overburden.
 3. An evaluation of the integrity, stability and nature of the material used to fill the mine excavation.
 4. An evaluation, based upon the above evaluations, of the risk of subsidence associated with the area in its undeveloped condition, and the increase in such risk that would be caused by the

proposed construction.

5. An identification of unsafe construction locations, suitable construction sites, and any measures and practices necessary to minimize the risk of subsidence.
- B. In connection with any subsurface mined areas, a subsidence risk assessment shall be provided by a geotechnical engineer with experience and qualifications in mined land reclamation and licensed by the Commonwealth of Pennsylvania. Should the geotechnical engineer determine in his assessment that a geotechnical report is required for the mined areas, the report shall include:
1. A minimum of three (3) core borings for the first acre and one (1) additional boring for each additional acre of land proposed for development unless otherwise recommended by the geotechnical engineer. All borings shall be taken from proposed or potential construction sites.
 2. A map locating all known mine features within three hundred feet (300') of any proposed construction, whether such are located on or off the development site. Such map shall identify the known limits of the mine and any surface features caused by past mining activity, such as mine waste dump areas, seepage areas and wetlands.
 3. An identification of all environmental problems caused by past mining activities, including without limitation, subsidence, acid runoff, residual ponding, disturbed drainage patterns, unstable spoils piles or degraded water quality, that may affect the construction, occupation or environmental integrity of the site.
- C. In addition to the subsidence risk assessment and/or geotechnical investigation reports, the applicant shall submit with his preliminary plan, a description of the measures proposed for eliminating or mitigating any risks or hazards associated with past mining activities.

ARTICLE IX

SUPPLEMENTAL DESIGN STANDARDS

History: amended by Ordinance No. 2022-06-04, June 8, 2022

§14-901. Accessibility

When a proposed subdivision or land development does not have frontage upon a local, county or state thoroughfare which was designed to accommodate the volume of traffic anticipated to be generated by the proposed subdivision or land development, the Planning Commission may recommend and the Board of Supervisors may request that the applicant participate with the Township in the improvement of the roadway which provides primary access. The cost of said improvements shall be estimated by the Township Engineer and the amount of the contribution from the applicant shall be negotiated with the Township.

§14-902. Pedestrian Circulation

- A. Sidewalks shall be physically separated from all streets by a three foot (3') grass planted strip.
- B. Parking areas shall be designed to minimize conflicts between pedestrian and vehicle circulation.
- C. Common open areas and other residential service areas shall be located in the interior of dwelling unit sites to minimize the necessity for pedestrians to cross streets.

§14-903. Signs

Signs must comply with all requirements of Chapter 20.

§14-904. Storage Areas

Outdoor storage areas of any type and for any purpose should be located to the rear of principal structures and be screened with fencing or enclosed by natural vegetation approved by the Board of Supervisors. Fully enclosed structures with a roof may be located in the side or rear yard in compliance with required setbacks for accessory structures. (See Appendix B Figure # 2 and # 27)

§14-905. Vegetation

- A. Conservation: Development shall be planned so as to minimize the removal of existing trees, shrubs and ground cover and to minimize the amount of land covered by impervious surfaces.

- B. Noise Control: Street trees along local and collector streets in residential areas may be required as a buffer.
- C. Screening: Wherever natural screening is being planted to meet a screening requirement of the Zoning regulations (Chapter 20), such screen shall consist of fifty percent (50%) evergreen or evergreen type hedges and fifty percent (50%) shrubs and deciduous trees interplanted with a variety and size at the time of planting that said plantings will attain a height of at least six feet (6') within three (3) years. Furthermore, subdivision and land development plans shall provide for such screening as follows:
 1. Where commercial or industrial uses abut residential uses.
 2. Where residential uses abut any railroad right-of-way or arterial highway in the case of reverse frontage lots.
 3. Along the perimeter of any common utility yard or outdoor equipment or refuse storage area in multiple residential developments.
 4. Elsewhere as deemed necessary by the Planning Commission and the Board of Supervisors.
- D. Windbreaks: The use of planting rows to serve as windbreaks to control the drifting of snow across public and private thoroughfares may be required.
- E. Street Trees: Street trees of a caliper not less than one and one half inches (1-1/2") shall be planted forty to sixty feet (40'-60') apart. The location of street trees shall be as deemed appropriate by the Board of Supervisors, but in no case shall such be planted less than two and one half feet (2-1/2') from any street right-of-way. The provision of street trees may be waived where existing vegetation including trees will remain following build out. The following trees shall not be planted as street trees:
 1. Poplars; all varieties.
 2. Willows; all varieties.
 3. Aspen; all varieties.
 4. Common Black Locust.

- F. Obstructions to vision: No bushes or shrubs exceeding thirty (30") in height, or at such lesser height which due to ground elevations would obstruct the clear sight of motorists, shall be permitted within any required clear sight triangle nor within ten feet (10' of the right-of-way line abutting access drives. All street trees shall be kept free of branches and foliage from the street grade to a height of eight (8) feet. (See Appendix B Figure # 3, Figure # 5 and Standard Detail #2)

ARTICLE X
RESERVED FOR FUTURE USE

ARTICLE XI
MOBILE HOME PARKS

History: amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02

§14-1101. Mobile Home Parks

The minimum standards of this Chapter for residential uses may be modified in the design and development of mobile home parks in accordance with the following minimum standards:

A. Mobile Home Lots:

1. Overall density in a mobile home park shall not exceed a net density of six (6) manufactured housing units per net acre of land.
2. An area of not less than forty-five hundred (4,500) square feet shall be provided for each mobile home lot.
3. Generally, mobile homes should be arranged on the individual pad to take advantage of the existing topography.
4. The minimum width of each mobile home lot shall be thirty (30) feet in excess of the widest mobile home expected to be placed on the lot.
5. The minimum depth of each mobile home lot shall be not less than thirty (30) feet longer than the longest mobile home expected to be placed on the lot.
6. The longitudinal gradient and cross slope of any mobile home lot shall not exceed five percent (5%), except for terracing at the periphery, and the minimum slope in any direction shall be two percent (2%).
7. Each mobile home shall be located not less than one hundred (100) feet from any exterior lot line of the park or existing public road; not less than twenty (20) feet, from the curb or edge of street; not less than thirty (30) feet from any permanent structure or other mobile home not less than ten (10) feet from any accessory structure.
8. The mobile home shall be installed on concrete footings and masonry unit piers, all compliant with the Pennsylvania

Uniform Construction Code. (see Chapter 2)

- a. The mobile home shall be secured to the ground in compliance with the Pennsylvania Uniform Construction Code (see Chapter 2), with approved manufactured ground anchors. Homemade ground anchors are not permitted.)
9. No individual private wells or private septic systems on a per lot or per unit basis shall be permitted. Public or community water supply and collective private treatment facilities shall be provided.
10. Decks, Ramps, and Porch(es)
 - a. Decks, ramps, and porch(es) shall not be enclosed on more than one (1) side, except for guarding, as required by the Pennsylvania Uniform Construction Code, Chapter 2.
 - b. There shall be a minimum of ten (10) linear foot separation between the closest point of any deck, ramp or porch to a deck, ramp, porch, accessory, or principal structures on an adjacent lot or leased area.
 - c. Decks, ramps, and porch(es) shall not be permanently attached to titled mobile home.
 - d. Any manufactured housing unit shall be furnished with an exterior landing/stairway area, deck, or stoop, located at the unit's primary point of entrance and exit as follows:
 - 1) The landing/stairway area shall permit entry of an emergency medical service gurney directly into the unit's primary entrance without turning, or the exterior landing shall be constructed to permit an unobstructed turning radius of eight (8) feet. The landing shall be located at a horizontal elevation consistent with height of the unit's interior floor surface.
 - 2) The landing/stairway area shall be secured to the finished grade in such a manner as to resist tipping or

movement from above-grade sources.

B. Streets: The streets, exits and entrances shall consist of at least a eight (8) inches stone or slag base course, two (2) inch bituminous binder course and a one (1) inch bituminous wearing course or double tar and chip wearing course, constructed and maintained to the following minimum design standards:

1. Where parallel parking is permitted on both sides, the minimum width shall be thirty-four (34) feet. There shall be no parking within fifty (50) feet of an intersection.
2. In all other cases, the minimum width shall be twenty-four (24) feet.
3. For park expansions, where existing streets are less than twenty-four (24) feet, streets in the park expansion area shall match the width of the connecting street(s).
4. No one-way streets shall be permitted.
5. Cul-de-sac streets shall be provided with a completely paved turn-around having an outside roadway diameter of at least eighty (80') feet and such cul-de-sac street shall not exceed one thousand (1,000) feet in length.
6. The pavement edge of all intersections shall have an inside radius of at least thirty (30) feet.
7. Street grades shall not exceed twelve percent (12%) and adequate transition shall be made at grade changes for the maneuvering of mobile home units. Park access roads can reach twelve percent (12%) if required to access park.
8. All other basic street and intersection design standards of this Chapter not modified above shall apply.
9. Street names shall be identified at intersections.

C. Bufferyards and Screening:

1. All mobile home parks shall be provided with a planted buffer yard of not less

than twenty-five feet (25') in depth. Along the perimeter of all property line boundaries of the park including those property line boundaries which abut rights-of-way, a combination of fifty percent (50%) deciduous and fifty percent (50%) evergreen trees, a minimum of one inch (1") in diameter, planted at not less than twenty feet (20') on center shall be maintained. As an alternative, a row of vertical yews, planted at not less than five feet (5') on center, shall be maintained.

2. If a mobile home park is located adjacent to single family residential uses or zoning district boundaries, the above required buffer yard shall be not less than fifty (50) feet in depth but may be planted as in C 1 above.
3. Where existing vegetation meets the dimensional requirements of 1 and 2 above, said vegetation may be utilized for the buffer requirements. Where existing vegetation does not meet the minimum buffer width, supplemental plantings can be utilized in combination with existing vegetation to meet buffering requirements.

D. Recreation Area: A common, centrally located open space recreation area shall be provided and maintained for the benefit of the mobile home park residents. The amount of such area provided shall constitute at least six percent (6%) of the gross land area of the park area, but in no case shall the open space be less than twenty thousand (20,000) square feet.

E. Off-Street Parking: There shall be two (2) off-street parking spaces, each not less than nine feet (9') wide and twenty feet (20') long, for each mobile home lot in the mobile home park.

F. Visitor Parking: There shall be established in a centrally located area, one quarter (1/4) parking space for each mobile home lot in the park for visitor parking.

G. Park Lighting: Internal streets shall be illuminated to a minimum of 0.2 foot-candles and a maximum of 8 foot-candles utilizing sharp cutoff luminaire fixtures.

H. General:

1. Any existing or proposed mobile home park shall not be located within one thousand (1,000) linear feet of any part of any other existing or proposed mobile home park and/or campground. This shall include mobile home parks and/or campgrounds in other municipalities.
 2. Water supply, sanitary sewerage, storm drainage, easements, utility line location, erosion and sediment control, and site planning shall be in accordance with the minimum standards established in this article and in Section 14-604, and the requirements of the Pennsylvania department of Environmental Protection
- I. Skirting: A factory-approved skirting shall be installed within thirty (30) days of placement of the mobile home, around the entire base of all mobile homes with ventilation openings adequately protected against intrusion by rodents, insects, and debris.
- J. Water Supply:
1. Each mobile home and every other structure in the park with water supply shall and must be supplied with potable water from a public or community water system approved by the Department of Environmental Protection.
 2. The water supply shall be capable of providing at least one hundred fifty (150) gallons per day per mobile home at a pressure of at least twenty (20) pounds per square inch.
 3. Individual water riser pipes at each mobile home lot shall be located and protected to insure against freezing, shall be protected from ground drainage, shall have a shut-off valve located below the frost line, and shall be capable of being capped when not in use.
- K. Sewage Disposal:
1. Each mobile home in a park and every other structure connected to water supply shall and must be served by a public or community sanitary sewerage system.
 2. Each mobile home lot shall be provided with a vertical four inch (4") inside diameter sewer riser pipe, capable of being plugged when the lot is not in use.
- L. Electrical Distribution:
3. Each riser pipe shall extend at least two inches (2") above the ground surface, which shall slope away from it in all directions.
 4. Sewer pipes shall have a smooth inside surface, watertight joints, a slope of not less than one quarter inch (1/4") per foot, and be made of semi-rigid, corrosion resistant, durable, nonabsorbent material and must meet the requirements of the Butler Area Sewer Authority and/or requirements of the agency under whose jurisdiction the system is to be constructed.
1. Each individual mobile home must and shall be connected to an underground electrical distribution system, installed by a qualified electrician.
 2. All electrical, telephone and cable TV systems within a mobile home park shall be placed underground except pad-mounted transformers and similar equipment.
 3. Each mobile home lot shall be provided with an approved exterior disconnect device located within thirty feet (30') of the home and main overcurrent protective equipment along with additional breaker spaces for accessory circuits outside the home (shed, post light, etc.). The minimum service per mobile home outlet shall be 120/140 volts AC, 200 amperes. No mobile home may be occupied until a Certificate of occupancy has been issued by the Township.
- Exception:** Conforming structures in C and M Zoning Districts shall be a maximum of thirty-five feet (35') in height.
4. All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by a grounding conductor run with branch circuit conductors. The neutral

conductor shall not be used as an equipment ground.

5. Street lighting shall be required by the Board of Supervisors to be installed at entrances to a mobile home park, and the owner of the park shall provide and install the system and pay for the electricity used to operate it.

M. Solid Waste Disposal and Insect and Rodent Control:

1. Solid waste and refuse shall be bagged and stored in covered containers and shall be removed by a contract hauler under a signed agreement with park management, not less frequently than once per week.
2. No waste disposal by burying or burning shall occur on any mobile home lot. Burning within the park by management must meet Township and/or County regulations.
3. Grounds, buildings and structures shall be maintained free of insect and/or rodent harborage or infestation.
4. Mobile home parks shall be kept free of litter and inflammable material accumulations.

N. Fuel Supply and Storage

1. All piping from outside fuel storage tanks to mobile homes shall be securely but not permanently fastened in place, shall have secured shutoff valves, and shall be capable of being capped when the lot is not in use.
2. Natural gas piping systems shall be buried under at least eighteen inches (18") of cover and shall not run under any mobile home.
3. Liquefied petroleum gas systems shall be provided with safety devices to relieve excess pressures and shall have an accessible shut-off valve outside each mobile home served.
4. Gas cylinders of at least twelve (12) but not more than sixty (60) U.S. gallons capacity may be installed on a mobile

home lot and be securely but not permanently mounted.

5. Cylinders or other fuel storage vessels shall not be located inside or beneath any mobile home or other structure in the park, and shall be placed at least five feet (5') from any exit from a mobile home or other structure.

O. Fire Protection When Public Water Supply System is Available:

1. The water supply system in a mobile home park shall be capable of permitting operation of at least two (2) one and three quarters (1-3/4) inch hose streams simultaneously. The supply system shall meet the requirements of the Pennsylvania Department of Environmental Protection (DEP) and the Insurance Service Organization.
2. Fire hydrants shall be provided by the developer and shall be installed at street intersections and/or along street lines as necessary to provide fire protection within a minimum of six hundred feet (600') service radius of any mobile home or service building or other structure in the park. The cost of maintenance and fire protection rental hydrants shall be borne by the park management. If water is master-metered, there will be no hydrant or rental fees.
3. For park expansions, fire hydrants are not required if the existing park does not have fire hydrants.

§14-1102. Responsibilities of the Management

- A. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Chapter, Chapter 7, Chapter 20, and all other applicable codes and ordinances, and shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The mobile home park management shall be responsible for maintaining all private infrastructure in the park, including snow removal, stormwater facilities, water distribution and sanitary sewer collection. All

streets and roads shall remain private and shall not be adopted by the Township.

- C. The mobile home park management shall supervise and be responsible for the placement of each mobile home on its lot, including all utility connections. No mobile home shall be placed except upon an approved lot.
- D. The management shall maintain a register containing the names of all park occupants, such register being available to the designated Township authority at any reasonable hour.
- E. No mobile home may be moved, either to another location in the Township or from the Township, without the park owner first obtaining a "no lien" letter from the Township.

§14-1103. Violations

- A. Whenever the Zoning Officer determines by personal inspection that a violation exists in any mobile home park, they shall immediately, by certified mail, inform the person to whom the permit to operate has been issued, of the nature of the violation, citing specific sections of these regulations, what corrective action is required, the time limit within which repair shall be made and the penalty for failure to correct. A copy shall be sent to the Board of Supervisors.
- B. The operator may request, within thirty (30) days of notice, a hearing before the Board of Supervisors. Such hearing shall occur within thirty (30) days of petition at a regular monthly meeting of the Board, and may result in a modification of the time limit or extent of the alleged violation, or dismissal of the charges, at the discretion of the Board.
- C. The Board shall communicate, by certified mail, its decision to the operator within ten (10) days of the hearing, after which the operator shall have the specified time, contained in the decision, to comply with the requirements of the decision.
- D. Any person, firm, partnership, corporation or other entity who or which violates any provision of this Chapter after expiration of the time period in which they have been ordered to correct a violation shall be subject to penalty as contained in Article XIV of this Chapter.
- E. While action is pending following the Zoning Officer's notification, or before the Zoning

Officer is satisfied that a violation has been corrected. no permits shall be issued for any new mobile homes to be located in the mobile home park containing the violation and the park's Township permit shall be suspended.

- F. The Zoning Officer may inform the owner/manager of the mobile home park in writing, if he suspects that violations of their regulations are occurring in a mobile home park, citing specific violations. A copy of the letter shall be sent to the Board of Supervisors.

§14-1104. General Standards

The following requirements shall also be adhered to by applicants wishing to develop a mobile home park:

- A. All application and review procedures shall be in accordance with Article IV of this Chapter.
- B. Permits issued by the Township shall be valid for a one (1) year period, and shall be renewed annually upon application by the owner, contingent upon compliance with all applicable regulations.
- C. Each original and renewal application shall be accompanied by an application fee as may be established by Resolution of the Board of Supervisors.
- D. Mobile home parks in existence upon the effective date of this Chapter may continue in existence; however, any additions to the park, or rearrangement, after the effective date of this Chapter, shall comply with these regulations.
- E. The Township Zoning Officer shall not be denied access to any mobile home park at reasonable hours in order to determine compliance with this Chapter.
- F. No mobile home lacking its own toilet, bathing, cooking and food storage facilities, all in working condition, shall be permitted in a mobile home park.

§14-1105. Zoning Compliance

All mobile home parks approved under this Chapter shall be concurrent with and conditioned upon compliance with all applicable provisions of Chapter 20 and all other land use regulations in effect at the time of final approval, including application and review procedures, permit fees, and zoning

certificate and all local and state licensing requirements.

ARTICLE XII
ADMINISTRATION

§14-1201. Review Fees

At the time of submission of subdivision or land development plans for review and approval, the applicant shall pay to the Township such fees as are established by Resolution of the Board of Supervisors. The fees and charges may vary in accordance with the scope and complexity of the subdivision or land development plan submitted for review, such as the number of parcels or lots in the plan, the complexity of the utility drawings, the number of required construction drawings, and the area proposed for development.

§14-1202. Fees Payable

All fees shall be made payable to Center Township. All fees submitted are nonrefundable, and the approval or rejection for any reason of any subdivision or land development plan will not be reason or cause for the return of any fees submitted.

§14-1203. Escrow and Billing For Professional Consultant

- A. Applicants for subdivision and land development plans shall, concurrent with filing an application, post an application, post an escrow for professional consultant review in an amount as determined from time to time by Resolution of the Board of Supervisors. No application will be accepted without the required escrow. Upon recommendation of either the planning commission or a professional consultant, the Board of Supervisors may require additional escrow.
- B. With the exception of the Township Engineer, no review shall be undertaken by a professional consultant without the approval of the Board of Supervisors or their designee. Notice of an approved request for review by professional consultants shall be mailed by the Township Secretary to the applicant by regular mail. Failure to mail notice shall not be deemed a waiver of payment of professional consultant fees by the applicant.
- C. Applicants may be billed by the Township on an interim basis. Bills shall identify the work performed, the person performing the service and the time and date spent in each task. Payment for invoices shall first be made from

the escrow account. In the event the escrow account is expended, then payment for the Township invoices shall be paid in full within thirty (30) days.

- D. Within a reasonable time subsequent to a decision on an application, the Township shall submit to the applicant an itemized bill for professional consultants specifically designated as a final bill. The final bill shall include all review fees through date of decision. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplemental to the final bill. Any unused escrow shall thereafter be returned to the applicant.
- E. Disputes by an applicant as to any invoice of a professional consultant, whether interim, final or supplemental to final, shall be pursuant to and in accordance with the Pennsylvania Municipal Planning Code, as amended.

§14-1204. Inspection Fees

If in the judgment of the Township Board of Supervisors, inspection fees relative to the construction or repair of improvements proposed to be constructed, subsequent to the approval of a subdivision or land development plan are required, the developer shall deposit with the Township financial security or a cash deposit in an amount sufficient to cover the costs for inspection of said improvements by the Township Engineer.

§14-1205. Recording

- A. Upon approval and certification of a subdivision or land development Final Plan, the receipt of the improvement guarantee and the receipt of all documents required by this Chapter, the applicant shall, within ninety (90) days, record the Final Plan, along with any Homeowners Association documents required, in the Butler County Recorder of Deeds office. Should the applicant fail to record the approved plan within the allotted time frame, the approval shall become null and void.
- B. Upon recording of the Final Plan in the Butler County Recorder of Deeds Office, the applicant shall deliver to the Township one (1) paper print of the plat, as recorded.

- C. After an approved subdivision plan shall have been officially recorded, the streets, parks, and other public improvements shown thereon shall be considered to be a part of the official plan of the Township.
- D. Streets, parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the Township by formal notation thereof on the plan, or the owner may note on such plan that any improvements have not been offered for dedication to the Township.
- E. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication to the Township and accepted by Ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.
- F. Any single non-residential land development whether occurring on one (1) lot or on a combination of parcels under single ownership and phased over a period of years shall be recorded with Butler County as an approved site plan following completion of all contemplated improvements and structures. One (1) paper drawing shall be submitted to the Butler County Recorder of Deeds and one (1) paper copy filed with Center Township.

ARTICLE XIII

AMENDMENT AND REVIEW BY COUNTY

§14-1301. Amendments

Amendments to this Chapter shall become effective only after a public hearing held pursuant to public notice. The Planning Commission shall make recommendations to the Board Of Supervisors on any amendment, within thirty (30) days prior to the date of the public hearing.

§14-1302. County Review

At least thirty (30) days prior to the date of the Public Hearing on an amendment to this Chapter, a copy of the proposed amendment shall be forwarded to the Butler County Planning Commission for review and recommendation.

§14-1303. Copy Forwarded

Within thirty (30) days after adoption, the Board of Supervisors shall forward a certified copy of any amendment to this Chapter to the Butler County Planning Commission for their files.

§14-1304. Public Examination

The text of any amendment to this Chapter may be examined at a place designated by the Board of Supervisors prior to its consideration. Notice of said amendment to the ordinance and a summary thereof shall be published not more than sixty (60) days nor less than seven (7) days prior to passage.

§14-1305. Right to Proceed

No change in these regulations, or any Zoning regulations, shall adversely affect the applicants' right to complete any finally approved aspect of the proposed development within five (5) years from such approval, when an application for approval of a subdivision plat has been approved or when an application for land development has been approved and the applicant accepts the conditions of approval.

ARTICLE XIV
ENFORCEMENT REMEDIES

§14-1401. Violations

Unless and until a plat has been prepared in full compliance with the provisions of this Chapter and the Pennsylvania Municipalities Planning Code (Act 247) and all amendments thereto, and the regulations adopted hereunder, any person, partnership, or corporation that is the owner or agent of the owner of any lot, tract or parcel of land shall not (1) lay out, construct, open or dedicate any street, sanitary service, storm sewer, water main or other improvement for public use, travel or other purpose or for the common use or uses of occupants of buildings abutting hereon, or (2) sell, transfer or agree to sell or enter an agreement to sell land in a subdivision or land development. Any such person, partnership or corporation, including the members of such partnership or the officers of the corporation, or the agent of any of them, responsible in law or in fact for such violation, upon being found liable hereof in a civil enforcement proceeding commenced by the Center Township, must pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. Each day that a violation continues shall be a separate violation.

- A. No judgment shall commence or be imposed or payable until the District Justice having jurisdiction determines the date of violation.
- B. If the defendant neither pays nor timely appeals the judgment, the Township shall enforce the judgment pursuant to the rules of civil procedure.
- C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement.
- D. Any fines or judgments collected shall be deposited in the Township's General Fund.

§14-1402. Preventative Remedies

In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations or to prevent illegal occupancy of a building, structure or premises. A 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.

- A. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any amendment adopted pursuant to these regulations. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - 1. The owner of record at the time of such violation.
 - 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- B. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property and abate all violations noted.

ARTICLE XV

VALIDITY AND REPEALER

§14-1501. Validity

- A. Should any section, clause, provision or portion of this Chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision or portion of this Chapter.
- B. It is hereby declared to be the intent of the Board of Supervisors that this Chapter would have been adopted by the Township had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Chapter shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.
- C. Continuation: The modification or repeal of any prior ordinance, resolution or regulation by this Chapter shall not annul or otherwise relieve any party from any permit issued, condition imposed, approval granted, approval denied, order issued, or violation, penalty or other liability incurred pursuant to such affected legislation, resolution or regulation.

§14-1502. Repealer

All Resolutions, Ordinances, or amendments to ordinances, or parts of Resolutions or Ordinances inconsistent herewith, are hereby repealed as stated or deleted in their entirety in the prefatory paragraph of this Chapter.

§14-1503. The Center Township Zoning Ordinance

Nothing herein contained shall be interpreted to permit any waiver or modification of the restrictions or requirements of Chapter 20, as amended.